Routledge Handbook of Ethnic Conflict

Edited by
Karl Cordell and Stefan Wolff

Routledge Handbook of Ethnic Conflict

A definitive global survey of the interaction of race, ethnicity, nationalism and politics, this handbook blends rigorous theoretically grounded analysis with empirical illustrations to provide a state-of-the-art overview of the contemporary debates on one of the most pervasive international security challenges today.

The contributors offer a 360-degree perspective on ethnic conflict: from the theoretical foundations of nationalism and ethnicity to the causes and consequences of ethnic conflict, and to the various strategies adopted in response to it. Without privileging any one explanation of why ethnic conflict happens at a specific place and time or why attempts at preventing or settling it might fail or succeed, the *Routledge Handbook of Ethnic Conflict* enables readers to gain a better insight into such defining moments in post-Cold War international history as the disintegrations of the Soviet Union and Yugoslavia, and their respective consequences, and the genocide in Rwanda, as well as the relative success of conflict settlement efforts in Northern Ireland, Macedonia and Aceh.

By contributing to understanding the varied and multiple causes of ethnic conflicts and to learning from the successes and failures of its prevention and settlement, this *Handbook* makes a powerful case that ethnic conflicts are neither unavoidable nor unresolvable, but rather that they require careful analysis and thoughtful and measured responses.

Karl Cordell is Professor of Politics at the University of Plymouth. He co-edits the journals *Ethnopolitics* and *Civil Wars* and has an extensive publication record in the fields of ethnopolitics, German politics and the politics of ethnicity in Central Europe.

Stefan Wolff is Professor of International Security at the University of Birmingham. Frequently advising governments and international organisations, he specialises in the management of international security challenges, especially in relation to conflict and post-conflict reconstruction. Among his publications are more than a dozen books and over twenty journal articles and book chapters. He is co-editor of the journals *Ethnopolitics* and *Civil Wars*.

Routledge Handbook of Ethnic Conflict

Edited by Karl Cordell and Stefan Wolff

For our grandparents

Contents

Tables

Notes on the contributors

Sandra Barkhof is Lecturer in History at the Faculty of Arts, University of Plymouth. She teaches modern European and East Asian history. Her research interests include European integration and European identity, Chinese and Japanese history, and German history, with particular focus on imperial German colonialism in China and the Pacific. She is working on a study of German PoWs in Japan during World War I.

David Carment is a full Professor of International Affairs at the Norman Paterson School of International Affairs, Carleton University, and Fellow of the Canadian Defence and Foreign Affairs Institute. He is also a NATO Fellow and listed in *Who's Who in International Affairs*. In addition he serves as the principal investigator for the Country Indicators for Foreign Policy project. His most recent books are *Who Intervenes?* (2006), *Security*, *Development and the Fragile State* (2009) and *The World in Canada: Diasporas*, *Demography and Domestic Politics* (2007).

Colin Clark is Senior Lecturer in Sociology at the University of Strathclyde. His primary research interests are in contemporary social divisions/movements and issues of identity, citizenship, disadvantage and multiculturalism. He has published widely on these issues, including *Here to Stay: The Gypsies and Travellers of Britain* (with M. Greenfields).

Daniele Conversi is Ikerbasque Foundation Research Professor, University of the Basque Country, Bilbao, Euskadi/Spain. He has worked in various international institutions, including Cornell University and the Central European University, Budapest. His key interest is theories of nationalism. He has also published on globalization and genocide. His first book, *The Basques*, *the Catalans and Spain*, is widely used across disciplines. Daniele is currently covering the cases of Italy, ex-Yugoslavia and Spain.

Jenny Engström is an independent researcher on Balkan politics, peace and conflict studies. She is the author of *Democratisation and the Prevention of Violent Conflict: Lessons Learned from Bulgaria and Macedonia* (2009) as well as various articles and book chapters on Macedonia, conflict and democratisation.

Martin Fischer is a doctoral candidate at the Norman Paterson School of International Affairs, Carleton University, and a research analyst at the Pearson Peacekeeping Centre. He is the co-author (with David Carment) of 'R2P and the role of regional

organizations in ethnic conflict management, prevention and resolution: the unfinished agenda', *Global Responsibility to Protect*, and 'Three's company? Toward an understanding of third-party effectiveness', in *Handbook of the Political Economy of War*, ed. Chris Coyne (forthcoming).

Chris Gilligan is Senior Lecturer in Sociology at the University of the West of Scotland. He previously held lecturing posts at Aston University and the University of Ulster. He is reviews editor of the journal *Ethnopolitics*. He has edited (or co-edited) five collections: three on the peace process in Northern Ireland and two on migration and social division. His work has been published in a range of academic journals, including the *Journal of Peace Research*, *Nations and Nationalism*, *Policy and Politics* and *Translocations*.

Monika Heupel is a Research Associate in the Transnational Conflicts and International Institutions research unit at the Social Science Research Center Berlin (WZB). Her research focuses on the implications of the emergence of transnational security threats for global governance and, more recently, on the accountability of international organizations; she has published inter alia in *Security Dialogue*, *Cooperation and Conflict*, *International Affairs*, the *Nonproliferation Review* and the *Journal of International Relations and Development*.

Donald L. Horowitz is the James B. Duke Professor of Law and Political Science at Duke University and co-author of, among other works, *Ethnic Groups in Conflict* (2000) and *The Deadly Ethnic Riot* (2001). In 2009 he received the Distinguished Scholar award of the Ethnicity, Nationalism, and Migration Section of the International Studies Association.

James Hughes is Professor of Comparative Politics in the Department of Government at the London School of Economics and is convenor of its Conflict Studies programme. His most recent book is *Chechnya: from Nationalism to Jihad* (2008). He is also the editor of a special issue of the journal *Ethnopolitics* which has been published in book form as *EU Conflict Management* (2010).

Jennifer Jackson-Preece is Senior Lecturer in Nationalism at the London School of Economics. She is the author of *Minority Rights: Between Diversity and Community* (2005) and *National Minorities and the European Nation States System* (1998) as well as various articles and book chapters in the general area of ethnic conflict and minority protection.

Erin K. Jenne is Associate Professor at the International Relations and European Studies Department at the Central European University, Budapest. Her book *Ethnic Bargaining: The Paradox of Minority Empowerment* (2007) won the 2007 Mershon Center Edgar S. Furniss Book Award for making an exceptional contribution to the study of national and international security. She has recent or forthcoming articles in *International Studies Quarterly*, *Security Studies*, *Regional and Federal Studies* and the *Journal of Peace Research*.

Stuart J. Kaufman is Professor of Political Science and International Relations at the University of Delaware. He is author of *Modern Hatreds: The Symbolic Politics of Ethnic War* (2001) and co-editor of *The Balance of Power in World History* (2007).

Josef Marko is Professor at the Institute of Austrian, European and Comparative Public Law, Political Science and Administration of the Karl-Franzens University of Graz and Director of the University Centre for South East European Studies. He served previously as one of the three international judges at the Constitutional Court of Bosnia and Herzegovina, and as member of the Council of Europe's advisory committee, established under the Framework Convention on the Protection of National Minorities. He also served as political adviser to the High Representative in Bosnia and Herzegovina. He is the author or co-author of six books, and has edited or co-edited a further twenty.

John McGarry is Professor of Political Studies and Canada Research Chair in Nationalism and Democracy at Queen's University, Kingston, Ontario. He is the co-author (with Brendan O'Leary) of *Explaining Northern Ireland* (1995) and *The Northern Ireland Conflict: Consociational Engagements* (2004). In 2008–09 he served as Senior Adviser on Power Sharing to the United Nations (Mediation Support Unit).

Ephraim Nimni is Reader at the School of Politics, International Studies, at Queen's University, Belfast. He has published widely on questions of nationalism, multiculturalism, cultural autonomy and Israel–Palestine, including *National Cultural Autonomy and its Contemporary Critics* (2005) and *The Challenge of Post-Zionism* (2003). His new book, *Multicultural Nationalism*, will be published in 2011.

Ian O'Flynn is Lecturer in Political Theory in the School of Geography, Politics and Sociology, Newcastle University, UK. He is the author of *Deliberative Democracy and Divided Societies* (2006) and co-editor (with David Russell) of *Power Sharing: New Challenges for Divided Societies* (2005). His articles on democracy and ethnic conflict have appeared in scholarly journals such as the *British Journal of Political Science*, *Ethnicities* and *Political Studies*.

Brendan O'Leary is Lauder Professor of Political Science at the University of Pennsylvania. In 2009–10 he was the Senior Adviser on Power Sharing for the Standby Team of the Mediation Support Unit at the United Nations. Recent books include *How to Get Out of Iraq with Integrity* (2009), (with M. Heiberg and J. Tirman) *Terror, Insurgency and the State* (2007), (with J. McGarry and K. Salih) *The Future of Kurdistan in Iraq* (2005) and (with J. McGarry) *The Northern Ireland Conflict: Consociational Engagements* (2004).

Benjamin Reilly is Professor of Political Science at the Australian National University. His latest work includes a study of democratisation and political reform in Asia and the Pacific, *Democracy and Diversity: Political Engineering in the Asia-Pacific* (2006) and an edited volume, *Political Parties in Conflict-prone Societies* (2008).

Joseph Ruane is Professor in the Department of Sociology, University College Cork. He has published extensively on the conflict in Northern Ireland and is engaged in research comparing the Protestant minority in the Republic of Ireland and in France. Recent publications include 'Path dependence in settlement processes: explaining settlement in Northern Ireland', *Political Studies* 55: 2 (2007) (with J. Todd) and 'Majority–minority conflicts and their resolution: Protestant minorities in France and in Ireland', *Nationalism and Ethnic Politics* 12: 3–4 (2006).

David Russell is Head of Communications and Education at the Northern Ireland Human Rights Commission and a board member of the Northern Ireland Community Relations Council. He has worked formulating the Commission's advice to the UK government on a Bill of Rights for Northern Ireland as mandated by the Belfast (Good Friday) Agreement. He holds a PhD from the University of York, Department of Politics, Post-War Reconstruction and Development Unit. His publications include 'Power sharing and civic leadership in Lebanon and Northern Ireland', in *Global Change*, *Civil Society and the Northern Ireland Peace Process*: *Implementing the Political Settlement*, edited by C. Farrington (2008) and *Power-Sharing: New Challenges for Divided Societies*, co-edited with I. O'Flynn (2005).

Frans Schrijver is a teaching fellow in Political Geography at the University of Sheffield. He is the author of *Regionalism after Regionalisation* (2006). His teaching and research interests include the geographies of nationalism, citizenship and the politics of territorial identities.

Asaf Siniver is Lecturer in International Security at the Department of Political Science and International Studies, University of Birmingham. His work focuses on conflict management and resolution, Middle East politics, contemporary US foreign policy and international security. He is associate editor of the journal *Civil Wars* and his recent publications include *Nixon, Kissinger and US Foreign Policy: The Machinery of Crisis* (2008) and the edited volume *International Terrorism post 9/11: Comparative Dynamics and Responses* (2010).

David J. Smith is Professor of Baltic History and Politics at the University of Glasgow. His work has focused on issues of statehood, nationality and minority rights in Central and Eastern Europe, with particular regard to the Baltic States. He is completing a monograph on the theory and practice of non-territorial cultural autonomy in the region, based on AHRC-funded research. Previous publications include *Estonia: Independence and European Integration* (2001) and *Cultural Autonomy in Contemporary Europe*, co-edited with Karl Cordell (2008).

Eva Sobotka is Human Rights and Networking Co-ordinator at the European Union Agency for Fundamental Rights in Vienna. She is the author of several articles on Roma, national minorities and human rights. Her research has focused on EU enlargement, the influence of international norms on policy making, multilevel governance of fundamental rights and conflict resolution.

Jennifer Todd is Professor in the School of Politics and International Relations, University College Dublin and Director of the Institute of British–Irish Studies. She has published extensively on the Northern Ireland conflict and settlement (including (with J. Ruane) *Dynamics of Conflict in Northern Ireland* (1996)), and on issues of ethnicity, identity and identity change. She is contributing co-editor of the special issue of *Ethnopolitics* (9(1), 2010) on 'Ethnicity and Religion: Intersections and Comparisons'.

Acknowledgements

1 The study of ethnic conflict
An introduction

Karl Cordell and Stefan Wolff

Ethnic conflict remains one of the prevailing challenges to international security in our time. Left unchecked, or managed poorly, it threatens the very fabric of the societies in which it occurs, endangers the territorial integrity of existing states, wreaks havoc on their economic development, destabilises entire regions as conflict spills over from one country into another, creates the conditions in which transnational organised crime can flourish, and offers safe havens to terrorist organisations with an agenda far beyond, and often unconnected, to the conflict in question. To be sure, not every conflict has all of these consequences and not all of them occur in equal scale everywhere. Yet one feature that most ethnic conflicts above all share is the sheer human misery that they create: people are killed, tortured, maimed, raped; they suffer from displacement, starvation, and disease. If for no other reason, social scientists need to study ethnic conflict in order to understand better what its causes are, how it can be prevented, managed and resolved. While we may never be able to stop ethnic conflicts from happening, understanding them better will improve our abilities to respond more quickly and more effectively, thus reducing the scale of human suffering.

Ethnic conflicts have been a subject of social scientific inquiry for a long time now, and the subject has become firmly established as a field of study across a range of disciplines from political science and international relations to sociology, anthropology, and psychology. It is taught widely at universities across the world, at undergraduate and postgraduate levels, and numerous doctoral dissertations are written every year on a wide range of aspects of ethnic conflict. Being the editors of this *Handbook of Ethnic Conflict*, we do not propose a new theory of ethnic conflict or conflict resolution, but rather a comprehensive introduction to the study of this subject, reflecting the state of the art in this field. Motivated to explore a wide range of different dimensions of ethnic conflict, we have been very fortunate to be able to assemble a team of scholars all of whom are experts in their area and can shed light on specific aspects of ethnic conflict, offering well argued insights, and complementing each other's views in a way that what emerges is an overview of the way in which ethnic conflict is being studied today.

The purpose of this introductory chapter is threefold. First, we offer some empirical backing to our assertion that ethnic conflict is today one of the prevailing challenges to international security. Second, proceeding from this background, we discuss what the questions are that need to be asked about ethnic conflict, how we and our contributors go about answering them with the help of concepts, theories, and methods, and how this has translated into the structure of our *Handbook*. Third, we explore whether we can draw any more general conclusions about ethnic conflict from the contributions to this handbook – not in the sense of a new theory of ethnic conflict, but rather in the

sense of what we know and understand today of this particular phenomenon and where this knowledge and understanding might lead us in the future, both in terms of research agendas and in terms of practically dealing with ethnic conflicts and their aftermath.

Ethnic conflict as an international security challenge

On 25 December 2009 twenty-three-year-old Nigerian national Umar Farouk Abdulmutallab tried to trigger an explosion on board Northwest flight 253 from Amsterdam to Detroit. Fortunately, the attempt failed and Abdulmutallab was overpowered by crew and passengers and taken into custody. It subsequently emerged that the would-be terrorist had been trained in a camp run by al-Qaeda in the Arabian Peninsula (AQAP) in Yemen. What is relevant here for our purposes is less the attack itself, but rather the fact that Abdulmutallab was trained in Yemen by an organisation intent on overthrowing the Saudi and Yemeni governments and establishing a caliphate on the Arabian peninsula. AQAP has managed to establish a foothold in the eastern parts of Yemen, a country where the control of the central government barely extends beyond the capital and even then is heavily dependent on co-operation from local tribal leaders. Since the unification of South and North Yemen in 1990 the country has been riven by conflict. These include border disputes with Saudi Arabia and Eritrea, the Saada insurgency in the north-west and a secessionist conflict with the South. All of these conflicts are highly complex in their causes and consequences, and it would be simplistic to explain them purely in terms of ethnic difference, even if conceived of as predominantly tribal or religious. Yet neither can we ignore that such differences have mattered greatly and fuelled today's conflicts over time, hardening divisions between combatant factions and increasing mistrust and grievances as both sides committed atrocities against civilian populations, be it by killing civilians in suicide attacks or by razing entire villages to the ground. This is further complicated by external 'meddling' in these conflicts – Saudi Arabia, a one-time supporter of tribal uprisings in the 1990s, aimed at weakening the Yemeni government during its border dispute with Riyadh, has subsequently sided with Sana'a when the threat from al-Qaeda extended to the Saudi monarchy, while Iran has allegedly indirectly supported the rebels, reflecting the regional power struggle with Saudi Arabia. Ongoing domestic conflicts, some with clear ethnic dimensions thus have very obvious implications beyond the locality in which occur, shaping and being shaped by broader regional and international developments.

   Yemen provides only one among many examples of why we cannot neglect ethnic conflict as a phenomenon with major international security implications. During the 1990s in South East Asia, another local al-Qaeda offshoot – Jemaah Islamiyah – grafted itself on to pre-existing ethnic conflicts in southern Thailand, the Aceh province of Indonesia and Mindanao in the Philippines when Islamic fighters from Afghanistan returned to their homelands, maintaining the links between them and putting their experience from anti-Soviet guerrilla warfare to continued use. They exploited the grievances of Muslim minority groups in overwhelmingly Buddhist Thailand and the predominantly Catholic Philippines, and of the religiously far more conservative Acehnese in Indonesia and thus struggles for self-governance and greater rights and freedoms to their own global jihad. Obtaining operational bases and safe havens, they most spectacularly targeted Western tourists in the Bali bombings of October 2002. In the southern Philippines, Jemaah Islamiyah is connected with the Abu Sayyaf, perhaps

the most well known of Muslim insurgent groups on Mindanao, which gained notoriety less for its struggle on behalf of aggrieved Muslims but more for its kidnappings and extortion rackets that have, over time, turned it into an organised crime operation, despite its notional aim to establish an Islamic province in the southern Philippines. Similar links, differing in scale and intensity, between ethnic conflict, organised crime and/or international terrorism can be observed in Iraq and Afghanistan, in the Democratic Republic of Congo (DRC), Somalia and Nigeria, in Burma, Bangladesh and north-east India, and in the separatist regions of Chechnya, Ingushetia, South Ossetia, Abkhazia, and Transnistria. The important point here is this: ethnic conflicts, if left to fester, over time have the potential to transmorph into an even more deadly mix of overlapping and converging agendas of different interest groups that are difficult to disentangle and even more difficult to resolve. Understanding these dynamics is important: it should motivate the international community to preventive rather than reactive action, and it should foster a comprehensive approach to conflict analysis and a context-sensitive approach to conflict settlements.

Not every ethnic conflict, of course, has similar regional and global ramifications. Nor are there, in fact, that many ethnic conflicts. According to data compiled by the Peace Research Institute Oslo (PRIO 2009; Harbom and Wallensteen 2009), between 1946 and 2008 there were 174 internal and internationalised internal conflicts. Of these, in line with the definition we develop below, ninety would fall into the category of ethnic conflicts, sixty-five of which were struggles specifically over territorial control. Likewise, Quinn's analysis of violent self-determination conflicts – the 'quest of national and indigenous peoples for self-governance' (Quinn 2008: 33) – has found that since the 1950s 'seventy-nine territorially concentrated ethnic groups have waged armed conflicts for autonomy or independence' (ibid.). While this figure excludes ethnic conflicts in which the overall aim of the combatants is to retain, or attain, control of the state as a whole (i.e., in PRIO terms, conflicts in which the incompatibility is government), the same general trend also applies: since the peak of such conflicts in the early 1990s there have been fewer outbreaks of new conflicts (or re-escalation of previously settled or contained ones) than settlements so that the total number of violent self-determination conflicts has declined significantly (see also Hewitt 2010). Yet what is also clear from these and other analyses is that it is unlikely that we will see a complete disappearance of ethnic conflicts in the near future. As Duffy Toft and Saideman (2010: 39) observe, such conflicts 'remain an important source of violence in the [twenty-first] century'.

Conceptualising the study of ethnic conflict

The fact that ethnic conflicts will remain with us as a significant international humanitarian and security challenge in itself justifies their in-depth study, because we cannot deal with them effectively unless we understand them. This means that we have to clarify the relevant concepts and theories which provide the foundation for any study of ethnic conflict and allow us to situate this subject within and across disciplinary boundaries, engage with key methodological issues, and identify the terms of the debate and the main underlying assumptions. Even more fundamentally, we need to clarify the actual subject of our inquiry. 'Ethnic conflict' is a term loaded with often legitimate negative associations and entirely unnecessary confusions. The most important confusion is that ethnic conflicts are about ethnicity – it often forms an important part of the explanation but rarely offers a comprehensive explanation on its own. Generally

speaking, the term 'conflict' describes a situation in which two or more actors pursue incompatible, yet from their individual perspectives entirely just, goals. Ethnic conflicts are one particular form of such conflict: that in which the goals of at least one conflict party are defined in (exclusively) ethnic terms, and in which the primary fault line of confrontation is one of ethnic distinctions. Whatever the concrete issues over which conflict erupts, at least one of the conflict parties will explain its dissatisfaction in ethnic terms. That is, one party to the conflict will claim that its distinct ethnic identity is the reason why its members cannot realise their interests, why they do not have the same rights, or why their claims are not satisfied. Thus ethnic conflicts are a form of group conflict in which at least one of the parties involved interprets the conflict, its causes, and potential remedies along an actually existing or perceived discriminating ethnic divide. In other words, the term 'ethnic conflict' itself is a misnomer – the conflict is not 'ethnic' but at least one of its participants, or to put it differently, an ethnic conflict involves at least one conflict party that is organised around the ethnic identity of its members. Hence few would dispute that Northern Ireland, Kosovo, Cyprus, Rwanda, the Democratic Republic of Congo, Kashmir and Sri Lanka, to name but a few, are ethnic conflicts. That is so because in each of these cases organised ethnic groups confront each other and/or the institutions of the states in which they live. All of these conflicts have been violent, yet violence in each of them was of different degrees of intensity and duration. In contrast, relationships between Estonians and Russians in Estonia and the complex dynamics of interaction between the different linguistic groups in Canada, Belgium and France are also predominantly based on distinct ethnic identities and (incompatible) interest structures, yet their manifestations are less violent and are better described in terms of tensions than conflict. Thus the way in which we use the term 'ethnic conflict' in this *Handbook* is to describe situations in which combatants take recourse to the systematic use of violence for strategic purposes and in which at least one combatant defines itself primarily in relation to a distinctive ethnic identity.[1]

   All contributors to this volume share one fundamental assumption: ethnic conflicts, while complex political phenomena, can be understood. From this conviction of our ability to understand the dynamics of ethnic conflict also flows our relative optimism that we can do something about ethnic conflicts in a broad sense: ideally prevent or settle them, but if this proves impossible at a certain period of time, at the very least manage them in a way that contains their consequences. In other words, studying ethnic conflicts means to study their causes and consequences, and the ways in which third parties respond to them. As we have demonstrated in greater detail elsewhere (Cordell and Wolff 2009; Wolff 2006), this involves engagement with theories of ethnic conflict and conflict resolution. These are obviously related to each other and inform one another, not least because they are built on a range of overlapping concepts and more general theories, including theories of ethnicity, of inter-ethnic relations, and of political science, especially comparative politics, and international relations. In order to give the *Handbook* a coherent structure that reflects this approach, the part immediately following this introductory chapter deals with the 'Theoretical Foundations for the Study of Ethnic Conflict' including the conceptual and theoretical tools of the subject matter, thus establishing the parameters of the dimensions and nature of the debate in this regard. Thus the *Handbook* commences with an analysis by Jennifer Jackson-Preece of the nature and origin of that much contested term: the nation. Jackson-Preece takes as her point of departure the fact that any discussion of this term is bound to be controversial, precisely because there is still no consensus, either within or without

academia, as to how to define the nation. Nor is there any wider societal consensus of the relationship between modern nations and entities from which members of modern nations claim linear descent. Such claims, more often than not, shape not only people's views of themselves but also give rise to demands vis-à-vis people perceived to be non-members of a particular nation. This is the connection between Jackson-Preece's conceptual analysis of the *nation* and Daniele Conversi's discussion of *nationalism*. As he points out, since 1789, nationalism has been a motivational force for millions of people and as such, and despite its allegedly inchoate structure, is an ideology and that the key to our understanding of nationalism is appreciating how it operates as an ideology. Another connection between nation and nationalism is established by the question of who actually constitutes the nation, and this issue is discussed by Colin Clark. He examines the traditional 'civic' versus 'ethnic' dichotomy and demonstrates the relationship between intellectual output, historical location and political process. Examining the work of such noted scholars as Hans Kohn, Liah Greenfeld and Michael Ignatieff, Clark pays particular attention to notions of choice and context, and illustrates the complexities of the situation through the judicious employment of case studies. In so doing, he brings home the point that what at first sight appears to be clear-cut is, in fact, opaque. The very fact that there is this distinction, however debatable, between ethnic and civic nations, points to another paradox that students of ethnic conflict frequently encounter: the nation-state is in a sense a misnomer, in few if any states people equally identify (themselves and others) as members of the same nation and citizens of the same state. Rather, there are far more nations than states, even if not all self-declared nations necessarily make explicit claims to independent statehood. And thus we confront the issue of 'Stateless Nations in a World of Nation-States'. Ephraim Nimni therefore considers the question how in principle we reconcile the demands of stateless nations with a state system that effectively excludes the bulk of nations from ever achieving statehood, and introduces some key aspects of the examination of the causes and consequences of ethnic conflict and the responses to it that follow in Parts II and III of the *Handbook*.

Having thus conceptually framed the *nation* and its 'derivatives', we are left with the challenge of elaborating in more detail another core dimension in the study of ethnic conflict: the notion of 'ethnicity'. Two contributions address this issue by exploring the relationship between ethnicity and religion and between ethnicity and race. First, Joseph Ruane and Jennifer Todd explore a variety of conceptual, analytical and theoretical issues that embrace the relationship that sometimes exist between the desire for national self-determination and the longing for an end to the repression of religion. Ruane and Todd start from the premise that many apparently ethnically based conflicts involve a religious element, and argue that we cannot, however, conclude in reverse that commitment to a given religious belief system will automatically lead to adherence either to a particular ideology or to a given mode of political action. In other words, much in the same way in which the mere presence in the same state of different ethnic groups does not automatically lead to conflict between them, neither is it inevitable that religious groups have to do so. Part I of the *Handbook* closes with a second exploration of ethnicity, by Chris Gilligan, that also deals with fundamental conceptual and terminological issues of distinguishing this term from that of *race*, which is a more complicated task than disentangling the relationship between ethnicity and religion because of the intellectual discomfort and obfuscation sometimes arising in the context of scholarly discussions of this link. Yet, as Gilligan points out, there may be only one

human race, but racism exists and as such, the debate over the relationship between ethnicity and race cannot be ignored, if only because discrimination based on ethnic difference is more often than not labelled as 'racist'.

Part II of the *Handbook* examines the causes and consequences of ethnic conflict. Linking the discussion here to that of Part I, the first contribution is Stuart J. Kaufman's analysis of ethnicity as a generator of conflict. As he points out, ethnic identities are not new phenomena but can be traced back through history. Importantly, analysis of the historical record demonstrates that ethnic difference does not in itself generate conflict. Rather, it only becomes a mobilisational badge toward the instigation of violence under certain circumstances. Outlining, among others, 'instrumentalist' and 'psychocultural' theories that seek to explain why and how a shared ethnic identity provides not only the basis for sociocultural commonalities but also a refuge from which collective violent action can be launched and rationalised, Kaufman prepares the ground for the contributions that follow.

Stuart J. Kaufman's insights are of particular value because of the fact that we are still living with the consequences of a series of extraordinary events that took place in the closing years of the twentieth century. The period was, among other things, marked by a third wave of democratisation. Authoritarian regimes fell in Latin America, South East Asia, throughout the Eurasian land mass and, most poignantly of all, following the fall of the Berlin Wall in Central and Eastern Europe. Yet the downfall of 'really existing socialism' did not mark either the end of history or indeed the arrival of perpetual peace. As new states emerged from the ruins of the old, submerged conflicts came up for air and drew breath, or indeed emerged seemingly out of nowhere. Many of these conflicts incorporated an ethnic dimension, and regardless of whether they did or not, the emergence of such conflicts indicated that, whatever democratisation is, it is most definitely more akin to a process than it is a symbolic declarative act. The correlation, especially in Central and Eastern Europe and the former Soviet Union, between the beginning of democratisation and the onset of many an ethnic conflict – the early 1990s marks, according to most datasets on civil and ethnic wars, an all-time high in these conflicts – warrants more detailed analytical treatment. Hence Jenny Engström investigates the relationship between democracy and democratisation, our understanding of these terms, and most importantly the appropriateness of Western strategies of democratisation in societies that are fragile, vulnerable and prone to instability. As she points out, democracy is a word that most of us can readily identify with and applaud; yet simply transposing liberal democratic blueprints to societies that are radically different from the consolidated Western democracies that serve as their model can have unforeseen and incalculable consequences. In other words, in a fragile situation, democratisation strategies can in fact incur more costs than they bring benefits. While they may not cause ethnic conflict per se, they are among the factors that facilitate it by creating circumstances, as Engström notes, in which ethnic identity can easily be used to radicalise people and mobilise them to use violence.

The consequences of ethnic violence are always negative, affecting above all the civilian population in, and beyond, the areas in which conflict occurs. The most extreme, in terms of their humanitarian consequences are ethnic cleansing and genocide, which sometimes prepare the ground for, and on occasion are the result of, two other phenomena closely associated with negative consequences of – and not solutions to – ethnic conflicts, namely partitions and secessions and irredentas. The examination of these phenomena concludes Part II of the *Handbook*. Erin Jenne analyses *ethnic*

cleansing, demonstrating that mass expulsions of population are nothing new and that history is littered with numerous examples of the practice. To this end she pays attention to definitions of the term and the debate that exists in both international law and the wider court of public opinion. She also points out that despite history being littered with numerous examples of human displacement on a mass scale, when the practice re-emerged in Europe (and elsewhere) in the 1990s, a collective reaction of stunned horror pervaded the political landscape, creating a situation in which it was easy, if not politically correct, to conflate *ethnic cleansing* with *genocide*. Jenne clearly draws the necessary distinction between the two, leaving the conceptual space for Jim Hughes to investigate attempts to eradicate entire population groups. Hughes, like Jenne, starts out by showing that genocide is not a new phenomenon and was practised long before the Holocaust was visited upon the European Jewry. In terms of its contemporary definition, it is a phenomenon that entered the public consciousness, scholarship, and the realms of international law with the Holocaust. He also points out that the term 'genocide' is open to interpretation and that there is considerable debate as to whether genocide is epiphenomenal or in some way the by-product of the age of nationalism and the advent of the modern nation-state.

Moving on from policies designed to 'solve' problems by means of mass murder, in his contribution, Brendan O'Leary considers the merits of partition as a solution to ethnic conflict. He distinguishes partition from 'adjacent phenomena' such as secession or border adjustment, and draws on a number of case studies in order to highlight the complexities involved in the modalities of partition. In order to provide for a clearer understanding of the subject matter, O'Leary outlines and discusses the arguments put forward by various partitionist schools and explains their modalities. His overall assessment is that partition rarely solves anything, and is just as likely to result in the creation of a situation in which the pre-existing problems are simply recast. Ultimately, he argues that in situations where two or more groups are putting forward mutually irreconcilable claims for territorial exclusivity or dominance the parties should be encouraged to consider various power-sharing strategies that result in the gradual erosion of the conviction that politics is a zero-sum game. Donald L. Horowitz's exploration of irredentas and secessions also considers 'adjacent phenomena' which to separate is no easy task. Secession is defined as the attempt by one ethnic group claiming a homeland to withdraw its territory from a larger state of which said territory forms a part. Irredentism, on the other hand, may be defined as the endeavour of members of an ethnic group, state-sponsored or otherwise, to retrieve ethnic kin by means of the annexation of the territory inhabited by their kinfolk. As with partition, neither secessions nor irredentas offer any genuine resolution to the underlying problems in most of the conflicts in which they have been applied.

This leaves us with the related question of responses to ethnic conflict. The ideal solution to ethnic conflict, of course, would be its prevention. Even though, and perhaps even especially because, it is unlikely that full-scale prevention will ever be possible, it is necessary to engage with the theory and practice of conflict prevention. Hence the objective of David Carment and Martin Fischer's contribution is, through an evaluation of relevant theory and policy, to enable a better understanding of why achieving conflict prevention remains such a tricky task, and how it might be performed better in the future. With prevention still too often failing, managing and (hopefully) settling ethnic conflicts remain the predominant, if second best, responses. In turn, Asaf Siniver considers different management and settlement practices, including negotiation,

mediation, arbitration and adjudication, as well as, on occasion, the application of armed force, while carefully distinguishing between conflict management and conflict settlement and assessing the efficacy of strategies employed for either purpose. Complementing the contributions by Fischer and Carment, and Siniver, Eva Sobotka argues in her chapter on the variety of international actors and their various strategies of responding to ethnic conflict, that their involvement needs to seen in historical perspective. The historical track record of international conflict prevention, management and settlement is illuminating: it has been very much an iterative learning process that began to take shape after 1945 and has gained from successes and failures alike.

One of the important insights scholars and practitioners have gleaned from their examination of responses to ethnic conflict is that peace settlements, whatever their concrete content and circumstances, are not the end point but rather a milestone, albeit a tremendously important one, in dealing with ethnic conflict. Studying the subject in as comprehensive a manner as possible, therefore, requires an analysis of post-conflict reconstruction. Monika Heupel's contribution offers a discussion of both the state-of-the-art scholarship and practice, as well as how knowledge and understanding of what works, and how and why, has evolved. One of the insights derived from the analysis and practice of post-conflict reconstruction is that it is a multifaceted process and that in order to succeed, its political institutional, economic, and social dimensions need to be integrated into a comprehensive strategy and involve more than just the 'elites'. This last point is crucial, because without the involvement of people, post-conflict reconstruction will inevitably fail. This is nowhere more obvious than when it comes to building democratic states and societies after conflict, because, as Ian O'Flynn and David Russell argue, democracy consists of more than representative institutions and the ability of citizens to vote for candidates to such institutions. Rather, in order for a society to become truly democratic there must be an opportunity structure and culture that allow citizens to organise autonomously so that they may enter into constructive dialogue with the state and be able to influence the political process outside of the confines of conventional liberal democratic structures. To this end they engage in a thoroughgoing debate on how (liberal) democratic structures need to be embedded within ethnically divided societies in order that they move away from the politics of polarisation.

Clearly, the success of building democratic states and societies after ethnic conflict (or in an effort to prevent it) is crucially dependent on the support that citizens give to the project. This support, however, depends to a significant degree on whether they see their interests properly reflected in the core institutions of such a democracy, and this brings to the next set of contributions, all of which deal with the issue of institutional design. First, Josef Marko emphasises the significance of an effective system of human rights standards and enforcement mechanisms. Picking up on the earlier examination by Colin Clark of the traditional dichotomy that exists between civic and ethnic understandings of the nation-state, Marko examines human rights conceptually and practically by focusing on the relationship between the individual to the nation, and the rights of the individual as citizen, as it is these two dimensions that enable a more precise definition of human rights and how they are best applied and understood in situations of ethnic conflict and its aftermath. While human rights are a fundamental component of democratic structures, they are but one part of the overall set of institutions. In the context of ethnic conflict, in particular, the impact of institutional design on the quality and sustainability of democracy also extends to the issues of

representation and participation in decision-making. These essentially political arrangements are hotly contested not only between the conflict parties but also within the academic community. Here they have given rise to a range of theories of 'conflict resolution' which all share a degree of optimism about the possibility of settling ethnic conflict via the creation of institutions that accommodate as widely as possible otherwise incompatible claims of the parties to the conflict. However, this is where the consensus ends, and the prescriptions various scholars make about how to settle ethnic conflicts vary widely (but are perhaps not always as mutually exclusive as their proponents claim).

The contributions that follow Marko's (none of which rejects the importance of human rights in their own analysis and recommendations) examine specific themes: territorial pluralism, the accommodation of ethnic diversity in unitary states, non-territorial autonomy, and power sharing. In their contribution, John McGarry and Brendan O'Leary investigate territorially based solutions to ethnically driven conflicts: pluralist federation, decentralisation, federacy, and cross-border territorial arrangements. This delineation is as important as it is precise, whilst also making it clear that it is not always feasible, or indeed viable, to seek the accommodation of ethnic diversity qua different forms of territorial self-governance. Ethnically diverse unitary states exist and are, as Frans Schrijver explains, able to accommodate diversity. However, this is not unproblematic as accommodation strategies are often rejected by ethnic majorities because they contradict foundational claims that the state is either ethnically homogenous or that minority nations contained within a given nation-state are either too small or widely dispersed for territorial solutions to be of any real value. The fact of territorial dispersion is one that has long been recognised in political science. One of the most imaginative responses to it is the Austro-Marxist idea of cultural (or non-territorial) autonomy. David Smith elaborates this notion of national cultural autonomy by exploring its origins and highlighting the originality of its solutions, precisely because it seeks to decouple the demand for autonomy from that of territorially based self-determination. Ideally suited to states where minorities are territorially dispersed, he assesses its contemporary application in theory and in the political institutional practice of countries as diverse as Hungary, Latvia and Russia.

Territorial, non-territorial, and unitary strategies of conflict settlement often, but not inevitably, go hand in hand with the practice of power sharing. Two chapters examine two distinct approaches – centripetalism is the topic Benjamin Reilly elaborates; consociational power sharing that examined by Stefan Wolff and Karl Cordell. Reilly begins his contribution by pointing out that the 'third wave' of democracy witnessed during the closing years of the twentieth century generated a substantial increase in the number of states claiming adherence to liberal democratic principles. He also observes that this wave of democratisation coincided with an increased incidence of internal violence, in which ethnicity seemed to be a key component. Reilly's recommendation is to deal with such ethnic conflicts through centripetalism, an approach designed to pull political actors toward compromise and thereby to reinforce the political centre, and thus enabling ethnically divided societies to move beyond the entrenchment and institutionalisation of ethnic difference. This is in some contrast to Wolff and Cordell's contribution on consociational power sharing, which takes as its starting point John Stuart Mill's observation on the difficulty of establishing democracy in countries composed of many different nationalities, and seek to counter Mill's pessimism. Exploring the origins, nature and dynamics of consociational power sharing, they

outline its major features and illustrate why it is an appropriate model to be considered by those who wish to heal societal divisions that have led to the outbreak of conflict, or indeed apply consociational mechanisms before rifts have led to a breakdown in inter-group relations. Cordell and Wolff are not blind to the limitations of consociational solutions, and therefore pay attention to the way in which cleavages operate in such societies. They also demonstrate how consociationalism is not limited to one continent or geopolitical area and can operate in either unitary or federal states and is therefore can operate as a useful adjunct to either system of state-wide government.

Part III of our *Handbook* has so far concentrated on conflict resolution strategies implemented within an overarching (liberal) democratic framework. We are only too well aware that such frameworks are by no means ubiquitous, and that authoritarian states, too, have to face up to the challenges of ethnic conflict. While some contributors to Part II have already examined the consequences of some classically authoritarian 'solutions' to ethnic differences – ethnic cleansing and genocide – not every authoritarian state is equally ruthless. As Sandra Barkhof shows in the closing contribution, authoritarian regimes have a wider range of policy options at their disposal which they employ in their efforts to achieve homogeneity and dampen down or extinguish ethnic conflict, and often do so with lasting success, albeit at a considerable cost to those at the receiving end of such policies. She does so by highlighting the means at the disposal of authoritarian regimes through comparative analysis with liberal democratic states and practices and elaborates analysis of the role that ethnic movements have in recent years played in effecting the transition from authoritarian to liberal democratic modes of governance.

Ethnic conflict: what we know (and can do) about it

The *Handbook* we have compiled does not claim to provide any definitive answers on its subject. Being, as it is, a highly dynamic phenomenon, subject to a variety of factors none of which is static either, the nature and impact of ethnic conflict have changed over time and will most likely continue to do so in the foreseeable future. As our contributors have demonstrated in their chapters, some of the factors that cause people to engage in violence rather than to seek peaceful accommodation of their disputes might be more enduring, but the scale, frequency, intensity and consequences of such violence has been subject to great variation, as have the timeliness and effectiveness of responses to it. While it may not be definitive in its scope, the *Handbook* does, however, offer a fairly comprehensive account of its subject, incorporating essays on its theoretical foundations and a range of different viewpoints on what its causes and consequences are and how we can best respond to it and the broader security threats that emanate from it. Even though there are no definitive answers here and even though we, as editors, do not take sides in some of the lasting debates that the study of ethnic conflict has given rise to, the *Handbook* as a whole does help our understanding of the subject matter in a number of respects where there is implicit and explicit consensus among editors and contributors.

The first of these is that ethnic conflict is not a natural or inevitable phenomenon. It has its causes in human choices and actions predicated upon individually and collectively subjective perceptions of reality, the (presumed) mismatch between this perceived and a desired reality, and the course of action adopted to bring the two into congruence. Regardless of the precise nature of individual motivations (greed or grievance, inequality

of insecurity), it also takes means and opportunities to embark on a strategy of violence in attempts to resolve such incompatibilities.

Second, this approach to the causes of ethnic conflict enables a clearer perspective on its consequences, too. There is always a human and humanitarian side to this as violence is more often than not directed against people. Yet the consequences of ethnic conflict have a wider impact beyond the locale in which it takes place. Through various actors and through the formal and informal structures of their interaction, ethnic conflicts are no longer, if they ever were, merely unhappy local affairs. Insecurity and instability are contagious and they have a tendency to spread across borders and affect people and places far beyond their physical origin.

Third, herein lies an obvious threat to international security, but also an opportunity for the effective prevention, management and settlement of ethnic conflicts. Some of the threats are clear from the preceding paragraph, an additional challenge is that the persisting international significance of ethnic conflicts makes them, and the people affected by them, pawns in regional and global power plays. Yet being aware of the potentially significant international consequences of ethnic conflicts can equally also spur international action, give it more weight and resources, and increase its effectiveness. This does not mean that every attempt at preventing, managing or settling ethnic conflict will succeed, but there is clearly a track record that demonstrates that such conflicts are not immune to constructive responses.

A final point worth making concerns the 'academic' study of ethnic conflict. Without a doubt, ethnic conflict is a complex and dynamic phenomenon. However, as this *Handbook* has demonstrated, over time scholars have developed the conceptual and analytical tools and appropriate methods for its study so that we can gain significant and relevant insights into its causes and consequences which in turn can inform and shape context-sensitive policy responses to individual, real-world cases of ethnic conflict.

Note

1 This also means that violent riots or protest demonstrations do not in themselves 'qualify' as ethnic conflicts. They may be part of an ongoing ethnic conflict, but they can also occur in situations of ethnic tensions or disputes, e.g. where a situation may occasionally escalate into violence but where its use is not part of the normal repertoire of interaction among ethnic groups and/or between them and state institutions.

References

Cordell, K., and Wolff, S. 2009. *Ethnic Conflict: Causes – Consequences – Responses*. Cambridge: Polity Press.

Duffy Toft, M., and Saideman, S. 2010. 'Self-determination movements and their outcomes', in *Peace and Conflict 2010*, ed. J. J. Hewitt, J. Wilkenfeld and T. R. Gurr. Boulder CO and London: Paradigm Publishers, 39–50.

Harbom, L., and Wallensteen, P. 2009. 'Armed conflicts, 1946–2008', *Journal of Peace Research*, 46 (4): 577–87.

Hewitt, J. J. 2010. 'Trends in global conflict', in *Peace and Conflict 2010*, ed. J. J. Hewitt, J. Wilkenfeld and T. R. Gurr. Boulder CO and London: Paradigm Publishers, 27–32.

PRIO (Peace Research Institute Oslo). 2009. *UCDP/PRIO Armed Conflict Dataset v. 4–2009*. Available on line: http://www.prio.no/CSCW/Datasets/Armed-Conflict/UCDP-PRIO/ (accessed 14 January 2010).

Quinn, D. 2008. 'Self-determination movements and their outcomes', in *Peace and Conflict 2008*, ed. J. J. Hewitt, J. Wilkenfeld and T. R. Gurr. Boulder CO and London: Paradigm Publishers, 33–38.

Wolff, S. 2006. *Ethnic Conflict: A Global Perspective*. Oxford: Oxford University Press.

Part I

2 Origins of 'nations'

Contested beginnings, contested futures

Jennifer Jackson-Preece

Any discussion of 'nations' and nationalism is immediately confronted by the continued controversy that surrounds the main terms of the debate. The 'nation' is a fundamentally contested concept. Although academics, policy-makers, and nationalist leaders make recourse to the language of nationalism on a daily basis, the precise meaning of the term defies an easy explanation.

Is the 'nation' simply a byword for political communities that have acquired recognition as independent sovereign states? Or should it also extend to sub-state cultural communities variously described in the literature as 'stateless nations' or 'national minorities'? A universally agreed definition of the concept 'nation' does not exist in large part because the politics of nationalism is one of inclusion and exclusion. Thus, whosoever sets the terms of the debate also sets the criteria for national membership and belonging – a power few nationalists are prepared to relinquish. And while the various academic definitions of 'nation' on offer may share certain key characteristics having to do with a shared identity, territory, and history the precise emphasis given to these core 'national' ingredients shifts, often considerably, from one commentator to another. Indeed, the Organisation for Security and Co-operation in Europe's first High Commissioner for National Minorities, Max van der Stoel, when asked to define the communities falling under his remit, famously resorted to the expedient view that 'I know one when I see one!' (Stoel 1994).

Underscoring this semantic confusion is a further and in many respects even more significant debate on the origins of 'nations'. Not only are we not sure precisely what a 'nation' is, we are equally unsure of where and when it came from. Are 'nations' an invention of modernity? Or are they primordial communities that extend deep into the pre-modern period? And what, if any, bearing does this debate on origin have on current political controversies surrounding 'nations' and nationalism? It is precisely these issues that this chapter seeks to explore.

'Nations' and modernity

Theorists such as Ernest Gellner, Benedict Anderson and Elie Kedourie who espouse a modernist position on the origins of 'nations', irrespective of their many other disagreements, view the 'nation' as a relatively recent invention intended to answer that most vexing of modern political conundrums 'where does sovereignty lie?' (Hinsley 1966: 157). For modernists, the emergence of 'nations' is fundamentally linked to the transformation of social, economic and especially political life that first began in Europe during the eighteenth century and especially the nineteenth and eventually spread

around the globe through European overseas empires and subsequent decolonisation. What is often referred to as the 'great transformation' (Polanyi 1957) ultimately gave rise to consolidated territories with capitalist economies, a linguistically unified public, and a popularly sovereign government. It is at this point in the history of political ideas that the concept of the 'nation' achieves political salience. Who are the people in whom sovereignty ultimately resides? The people are the nation and the state exists as the expression of the national will. As Article 3 of the 1789 Declaration of the Rights of Man and of the Citizen so eloquently put it:

> The principle of all sovereignty rests essentially in the nation. No body and no individual may exercise authority which does not emanate from the nation expressly.

From this point onwards, the discourse of modernity was infused with a national rhetoric: 'national economies', the 'national interest', 'national self-determination' and, above all, the 'nation-state' thus became the ultimate expressions of modern political life, so much so in fact that even one of the most highly regarded critics of the modernist position, Anthony Smith, conceded that 'the basic features of the modern world require nations and nationalism' (Smith 1995).

The pervasiveness of 'nations' and 'nationalism' in the modern world is nowhere more readily apparent than in the modern political map. Whereas the pre-modern map of Europe was a complicated and confusing intermingling and overlapping of many juridical territories – empires, dynasties, principalities, ecclesiastical feudatories, etc. – the modern map discloses a clearly defined juridical patchwork of equally sovereign nation-states (Jackson 2000: 157). But this juridical uniformity and territorial neatness did not come without a price, the modern world of nation-states was also accompanied by an unprecedented attempt to limit the number of claimants for independent statehood (Mayall 1990: 35). The initial redistribution of territory from empires to nation-states was viewed as a 'one-off affair' despite the fact that many putative nation-states were anything but homogeneous national communities, and numerous territorially 'trapped' sub-state national communities continued to aspire towards sovereignty (Jackson-Preece, 1998). Out of this fundamental discrepancy in the modern landscape emerges the problem of ethno-national conflict.

Obviously, the 'great transformation' was a complex historical process involving a wide array of interrelated changes in society, economy and polity. For this reason, it is only to be expected that the causal interpretation of these factors varies significantly from one 'modernist' nationalism theorist to another. A brief comparison of the explanations put forward by three of the most widely cited modernist thinkers on nationalism illustrates both the commonalties and differences which characterise modernist perspectives on the origin of 'nations'.

Elie Kedourie saw the 'great transformation' as a fundamentally top-down intellectual revolution. In his account, it was a new way of thinking about political life as disclosed in German idealist philosophy and the European Romantic movement that is ultimately responsible for this transformation. Thus, Kedourie famously characterised nationalism as a 'doctrine invented in Europe at the beginning of the nineteenth century' which purports to:

supply a criterion for the determination of the unit of population proper to enjoy a government exclusively its own, for the legitimate exercise of power in the state, and for the right organisation of a society of states.

<div align="right">(Kedourie 1960: 9)</div>

Few nationalism thinkers would dispute the content of Kedourie's definition of nationalism, although many would reject his prioritising of ideas.

In contrast to Kedourie, Ernest Gellner adopted a materialist view of the origin of 'nations' (Gellner 1983). For Gellner, the transition from agrarian to industrial society was the key to explaining the emergence of 'nations' and its concomitant ideology of nationalism. Industrial society is crucially dependent upon the effective organisation of the mass population which in turn creates a mass, literate society. As people left their traditional rural communities for work in the big industrial cities, they increasingly needed to speak and ultimately also to read and to write in a common language. In Gellner's view, this bottom-up transformation was reinforced by a top-down imperative: employers, generals and ultimately the political rulers needed to be able to communicate with the newly industrialised masses in order to effectively control them. According to Gellner, these material changes set the crucial historical context for the political salience of 'nations' and the ideology of nationalism.

Finally, Benedict Anderson in his constructivist account offers a middle way between the materialist Gellner and the idealist Kedourie. Anderson credits the rise of a mass vernacular print media and its effect on the emergence of a unified 'national' identity as the key component of the 'great transformation' (Anderson 1983). According to Anderson, the role of a vernacular media was crucial to the rise of nations because it created the context through which individuals imagined themselves members of mass, national communities beyond their immediate locale. The 'great transformation' was often a painful process of dislocation for the individuals caught up in it. Those peasants who became industrial workers lost their traditional way of life with its close association to village, church, extended family and inherited custom. Relocated to the more anonymous landscape of the large industrial city they became expendable 'cogs in the wheel' of the industrial machine. A new sentimental attachment to the 'nation' provided a communal association to replace the familiar agrarian life left behind. Hence where once the seasons and the divine were glorified in song and celebrated in communal festival now the 'nation' became the focal point of music, artistic representation and public commemoration. Without this public reimagining the 'nation' could not have achieved its role as the basic organising idea of modernity.

'Nations' before modernity

Those nationalism theorists such as Adrian Hastings, Walker Connor and Anthony Smith who are sympathetic to what is often referred to as the 'primordial position' see the 'nation' as a social category of a much longer durée. They reject the core modernist assumption that nations emerge from the 'great transformation'. As Anthony Smith made clear in his famous 'Warwick debate' with Ernest Gellner:

Modern political nationalisms cannot be understood without reference to these earlier ethnic ties and memories, and, in some cases, to pre-modern ethnic identities and communities. I do not wish to assert that every modern nation must be founded

on some antecedent ethnic ties, let alone a definite ethnic community; but many such nations have been and are based on these ties, including the first nations in the West – France, England, Castile, Holland, Sweden – and they acted as models and Pioneers of the idea of the 'nation' for others. And when we dig deeper, we shall find an ethnic component in many national communities since – whether the nation was formed slowly or was the outcome of a more concerted project of 'nation-building'.

(Smith 1995)

The 'primordialist position' on the origin of 'nations' may be traced back to those same German Romantic philosophers such as Fichte and Herder that Elie Kedourie cited as 'inventors' of the modern discourse on nationalism. In their writings the emphasis is not on modernity as the necessary precursor for an 'invented' national community but instead on ancient and inherited social practices, above all language, as the source of authentic 'national' community.

   These primordialist arguments give a whole new dimension to the modern ideology of nationalism. If the only genuine communities were associations of original language speakers, then linguistic affinity and vernacular speech were not simply a means to an end (the proper functioning of industrial economy, society, and politics) but an end in itself (the basis of popular sovereignty). Similarly, whereas modernists theories of nationalism postulate a decisive break between the pre-modern agrarian past and the modern, industrial present, primordialist theories emphasise the importance of continuity over change. Indeed, the political project of nationalism becomes as much a rejuvenation of past customs and practices as a creation of new motifs and usages. As Kedourie explains in his analysis of German Romantic thought:

   it is incumbent on a nation worthy of the name to revive, develop and extend what is taken to be its original speech, even though it might be found only in remote villages, or had not been used for centuries, even though its resources are inadequate and its literature poor – for only such an original language will allow a nation to realise itself and attain its freedom.

(Kedourie 1960: 67)

In this way, the nationalist discourse is said to emerge from the pre-modern past – primordialists thus subscribe to variations of what James Mayall refers to as a 'Sleeping Beauty thesis' according to which 'nations' have always existed but need to be reawakened into modern political consciousness (Mayall 1996: 10). Contemporary scholars who are sympathetic to the primordialist position accept that the ideology of nationalism as an adjunct to the doctrine of popular sovereignty is a modern development, but they challenge the modernist claim that the emergence of the ideology precedes the formation of the 'nation' qua identity and community.

   For example, Adrian Hastings (1997) disputes the common modernist assumption that the social category of the 'nation' may be traced back only so far as the American and French revolutions of the late eighteenth century.

   If nationalism became theoretically central to Western political thinking in the nineteenth century, it existed as a powerful reality in some places long before that.

(Hastings 1997: 2)

Indeed, Hastings claims that England, which he identifies as a prototype of both the 'nation' and the 'nation-state', clearly manifests itself long before the 'great transformation'.

> an English nation-state survived [the Norman Conquest of] 1066, grew fairly steadily in the strength of its national consciousness through the later twelfth and thirteenth centuries, but emerged still more vociferously with its vernacular literary renaissance and the pressures of the Hundred Years War [1337–1453] by the end of the fourteenth.
>
> (Hastings 1997: 5)

What, then, in Hastings's view gives rise to a 'nation' if not modernisation? He believes a 'nation' arises where a particular ethnic group perceives itself existentially threatened either by an external attack or by the state system of which it has hitherto formed a part (Hastings 1997).

Perhaps even more intriguingly, Walker Connor rejects the whole idea of dating 'nations' and the origins debate which follows on from it.

> Failure to appreciate that national identity is predicated upon sentient history undergirds a current vogue in the literature on national identity to bifurcate contributors in terms of (1) 'primordialists' and (2) 'social constructivists'/'instrum entalists'/'modernists'.
>
> (Connor 2004: 11)

Connor claims that when a 'nation' came into being is irrelevant because it fails to appreciate the emotive essence of the idea itself. While he accepts that in strictly factual or chronological terms a 'nation' may indeed be a 'modernist' invention, he believes that in the minds of its members the 'nation' nevertheless remains 'eternal', 'beyond time' and 'timeless', and, ultimately, it is not facts but perceptions of facts that shape attitudes and behavior' (Connor 2004: 11).

But even if we accept the primordialist contention that nations do indeed have a much longer durée than modernist accounts suggest, we are still left with the need to explain the much more recent advent of national ideologies. The ethno-symbolism approach favoured by Anthony Smith (1991, 1998, 2004) purports to offer a solution to this intriguing puzzle. According to Smith, the enduring features of national identities are myths and memories. Writers and artists are the bridge between the 'primordial' and 'modern' 'nations' precisely because they are able to refashion these ancient and inherited ethnic traditions into a contemporary national identity. This explains why national politics and policies often have symbolic goals such as access to education and broadcasting in the national language, the preservation of ancient and sacred sights such as the (Serbian Orthodox) Decani monastery in (majority Moslem) Kosovo, the right to wear religious symbols like headscarves and turbans in public places and so on. According to Smith:

> materialist, rationalist and modernist theories tend to have little to say about these issues, especially the vital component of collective memories.
>
> (Smith 1995)

Contested beginnings, contested futures

The debate on origins may at first glance appear to be of only theoretical interest – a subject for academic debate perhaps but one lacking in contemporary political significance. Such an impression is deeply misleading, for the way in which one defines a 'nation', be it modernist or primordialist, has a direct consequence on political controversies surrounding the basis for independent political community and membership within it – which communities may claim sovereignty, how territories and peoples may be transferred or acquired, how succession is regulated when larger communities break up into smaller communities or when several communities combine into one (Wight 1977: 153).

If the 'nation' is an invented social category linked to the process of modernisation, then nationalism is fundamentally concerned with economic transition and democratisation. Which group of people become incorporated into an emergent 'nation' is determined by contemporary economic and political circumstances and not by cultural or linguistic ties emanating from the distant past. Accordingly, modernising nationalists are concerned not so much with redrawing the political map as with infusing new meaning into existing juridical territories.

Alternatively, however, if the 'nation' is a primordial community defined by ancient and inherited cultural traitism, then nationalism is fundamentally concerned with a cultural politics of authenticity. Only bona fide members of the same pre-existing cultural community are capable of forming a genuine, primordial 'nation'. Primordial nationalists are thus intent upon identifying 'historic nations' and bringing about a congruence between the organic cultural landscape and the contemporary political map.

The fundamental programmatic differences between modernising and primordial nationalists is clearly revealed in their divergent responses to lingusitic and ethnic diversity. For modernising nationalists, both language and ethnicity is a means to an end (the modern nation-state); for primordialists language and ethnicity are ends in themselves because they disclose an intrinsic organic national community.

Modernising nationalists view vernacular language policy as a key component of the creation and consolidation of capitalist economies and democratic institutions. From this perspective, language policy is utilitarian – which vernacular language becomes the national language of economy and politics is determined by expediency, usually because it has the largest number of speakers or is the already established language of law and commerce.

The central importance of a common, public language as a precondition for democratic government is a recurring theme in modernist thought from the late eighteenth century onwards. The best known proponent of this view is John Stuart Mill whose oft quoted essay *On Representative Government* contends that

> among a people without fellow feeling, especially if they read and speak different languages, the united public opinion necessary to the working of representative government cannot exist.
>
> (Mill 1973: 361)

Political stability in a democratic system of governance is thus often equated – indeed, considered dependent upon – linguistic homogeneity. The obvious implication of this perspective is that linguistic minorities ought properly to be assimilated into the official,

public language to ensure equal and effective political participation and the proper working of representative institutions. Linguistic diversity may, at best, be confined to the home but it should have no place in the public life of a democracy.

A similar emphasis on linguistic assimilation as a key component of the creation and consolidation of civic institutions is a recurring theme in the state-building discourse from the mid-nineteenth century onwards (Jackson Preece 2005: 107–10). We see evidence of this rationale in the administration of mandated and trust territories, in the new or enlarged states of Central and Eastern Europe between the two world wars, in the decolonised states of Asia and Africa after 1945, and in the post-communist states of Central and Eastern Europe after 1989. In all of these cases, the logic underscoring policies of linguistic assimilation directed at minorities is strikingly similar to that outlined by Mill and Durham. The 1995 State Language Law of Slovakia is a typical example. It identifies the Slovak language as the

> expression of sovereignty of the Slovak Republic and the general means of communication for its citizens, which guarantees them freedom and equality in dignity and rights in the territory of the Slovak Republic.
>
> (Daftary and Gal 2003: 47)

In sum, according to the modernists' perspective, the 'nation' is presumed to be one and the public language of the state and its civic representative institutions is intended to embody this unity of political purpose.

Primordial nationalists look upon language as a marker of intrinsic national community. Here the stress is not on the utility of a common language for the proper functioning of economic and political institutions as in Mill, but rather on the cultural significance of language as the natural and indeed essential medium through which each individual and, by extension, each community understand the world and their place in it. From this perspective, every language is a particular way of thinking. What is understood in one language can never be perceived in exactly the same way in another language; the essence of genuine, culturally specific meaning simply cannot be translated. Following on from this, true community is only possible amongst native speakers of the same original language since it is only in such linguistic circumstances that complete understanding and mutual sympathy can exist.

These linguistic arguments – which like Kedourie we can trace back to German romantic writers such as Herder and Fichte – gave a new dimension to the idea of popular sovereignty (Jackson Preece 2005: 110–12). If the only genuine communities were associations of original language speakers, than linguistic affinity was not simply a means to an end (the proper functioning of representative government) but an end in itself (the basis of popular sovereignty). Instead of being an expression of representative government, language was the basis of statehood. The nineteenth-century quest for statehood thus became as much a philiological as a political endeavour. Throughout the Hapsburg and Ottoman Empires in Central and Eastern Europe a nascent nationalism was expressed and developed through literary efforts: Adamantios Korais (1748–1833) helped invent modern Greek through his translation of the classics; Josef Jungmann (1773–1847) wrote a Czech grammar and history of Czech literature; Stephen Katona (1732–1811) wrote a history of Hungary; Dositej Obradovic (1740–1811) published in contemporary Serbian as distinct from old Slavonic; to name only a few examples (Kohn 1960: 527–76). As Kedourie explains:

it is incumbent on a nation worthy of the name to revive, develop and extend what is taken to be its original speech, even though it might be found only in remote villages, or had not been used for centuries, even though its resources are inadequate and its literature poor – for only such an original language will allow a nation to realise itself and attain its freedom.

(Kedourie 1960: 67)

Consequently, linguistic diversity is problematic not in terms of institutional accountability or stability (as in the discourse of civic language) but because it confuses and potentially corrupts original language communities. Foreign accretions and borrowings obscure original meanings and in so doing threaten to weaken the mutual understanding and sympathy which is the special preserve of genuine community; accordingly such foreign intrusions must be 'cleansed' to preserve the purity of thought and concomitant identity. By the same token, in circumstances where one original speech community is assimilated into another, the former can have no experience of genuine individuality or community. In Fichte's words, such an assimilated language community is merely the 'echo of a voice already silent … they are, considered as a people, outside the original people, and to the latter they are strangers and foreigners' (Kedourie 1960: 68).

From this perspective, the only appropriate response to linguistic diversity is the creation of separate and indeed homogeneous political communities on the basis of linguistic affinity. Secession or irredentism thus become the obvious political objective of linguistic minorities. Meanwhile, the majority language community can tolerate or assimilate such minorities only at their own peril since either programme could potentially dilute the purity of their own linguistic usage. Such a conclusion, of course, unavoidably leaves those minorities who are incapable of forming their own independent language communities vulnerable to policies of assimilation or segregation or expulsion or worse.

A similarly contrasting approach may be discerned in modernist and primordialist approaches to ethnicity (Jackson Preece 2005: 149–57). For modernising nationalists, national identity is primarily defined through a shared political and economic experience. Thus cultural programmes are generally understood in terms of civic virtues and not the defence of ethnic purity per se. Modernising nationalists tend to relegate ethnicity to the private sphere. Minority ethnic identities may be tolerated within the home where distinct languages, traditions, myths and memories may be preserved provided these do not conflict with nor in any way undermine the prevailing civic culture. Obviously, such private identities do not receive public recognition from the civic nation-state. Instead, public institutions actively support the civic national culture and language within public life to the exclusion of all others. And where necessary in defence of this civic culture, assimilationist or paternal policies may be directed towards nonconformist ethnic groups.

In contrast, primordial nationalists are much more overtly concerned with ethnic politics. In this perspective, you will recall that national membership is determined by purportedly 'natural' and thus innate characteristics which by definition cannot be changed by assimilation or tutelage. The individual no longer determines his or her nation: instead, the nation determines the individual. Thus although the freedom of minorities to express and develop their distinct ethnic identities may be limited in either civic or ethnic nation-states, the later are arguably far more hostile towards ethnic

minorities and thus potentially more destructive not only of ethnic minority identities but in extreme circumstances even their physical survival.

Once the ethnic bond is accepted as the raison d'être of the state, ethnic diversity becomes a threat to popular sovereignty. When the right to rule is justified on the basis of an ethnic affinity between the population of a state and its government then the existence of ethnic minorities challenges the authority of those in power. In order to preserve its territorial integrity and domestic stability, the ethnic nation-state tends to act as if it is a homogeneous ethnic community. If (as is often the case) such a state is not in fact ethnically homogeneous, than it must 'endeavour to make the facts correspond to the ideal', regardless of the rights and liberties of those among its citizens who do not belong to the majority ethnic group (Cobban 1970: 109). At the same time, the reverse is also true: every ethnic nation or fraction thereof which is not an independent state must strive to become one. National survival is thus dependent upon the survival of the ethnie within its historic homeland.

Already in the 1848 movement for German unification one can discern the various dilemmas which arise in the context of building states on the basis of ethnic criteria. German unification was meaningless without a clear understanding as to which territories ought to be included in it. The answer adopted at the Frankfurt Assembly revealed an ethnic imperative: territories with predominantly German populations or German rulers would be included. This might at first glance seem a perfectly reasonable basis for admission – until, that is, one begins to ponder the anomalies. Switzerland had a significant German-speaking population and historic ties to the German-ruled Holy Roman Empire but was nevertheless excluded from the list. Schleswig and Holstein had a significant Danish population, and war over these provinces was only averted in 1848 by British and Russian intervention; such a war did eventually occur in 1864 and resulted in the loss of Danish territory to Prussia. Alsace could not be included without a war with France in 1870–71. Bohemia was a part of the German-ruled Hapsburg Empire, but the majority of its population spoke Czech, and a Czech nationalism as distinct from the German was already developing there (indeed, the Czech intellectuals led by the historian Palacky famously turned down an invitation to send a representative to the Frankfurt Assembly) (Seton-Watson 1977: 95). Ultimately, of course, the status of the German-speaking minority in the Sudetenland was used to justify the transfer of Czechoslovakian territory to Germany in 1938, and in 1939 Bohemia and Moravia were occupied by the Nazis and an independent, pro-Axis Slovak puppet state was created.

The assumption underlying all of these responses is that political stability in an ethnic nation-state cannot tolerate ethnic diversity as such divisions will undermine the integrity of the overarching political order by calling into question the myth of common descent upon which it rests. In other words, this perspective views ethnicity in zero-sum terms such that coexistence between ethnic groups within the same jurisdiction is not an option. Although bleak, such an outlook nevertheless reflects a normative position: the well-being of individuals and their respective political communities is herein understood as dependent upon the fulfilment of ethnicity, which in turn is seen to embody the 'natural order' in its purest form.

Those who were unsuccessful in the great race to capture their own nation-state in which their culture and language would reign supreme were then confronted with the unenviable choice of either assimilating into the majority (assuming this choice existed, which was not always the case) or accepting a permanent position as minority with the attendant risk of discrimination and persecution. Barring these alternatives, the only

other option available was to engage in a politics of secession or irredentism intended to overcome, once and for all, the unpalatable minority position. But such revolutionary nationalists must then overcome the opposition of the international society which remains fundamentally biased in favour of the sovereignty and territorial integrity of existing states.

Conclusion

The national discourse is a core component of contemporary political life, so much so in fact that ours is a world of 'nation-states', 'national sovereignty' and 'national identities'. Yet, despite the clearly defined lines on the modern political map, ours is also a world of ethno-cultural diversity, within as well as between states. 'National' identities are malleable rather than fixed and they can and do conflict. Thus, perhaps, it is only to be expected that the 'nation' is a fundamentally contested concept that defies easy definition or explanation. We may think we 'know one when we see one' but others are likely to disagree with our perceptions not only for academic but crucially also for political reasons.

This chapter has sought to demonstrate that academic controversies on the origin of 'nations' are intricately entangled in current political controversies on the future of 'nations'. To ask the question 'What is a nation?' unavoidably also requires reflection on the underlying issue 'When is a nation?' and when we locate and define a 'nation's origins' we are, in effect, also mapping, often literally, its current political claims and aspirations. What is the 'Serbian nation'? Was it born at the battle of Kosovo Polje in 1389 or in Slobodan Milošević's speech at Kosovo Polje in 1989? A primordialist origin potentially presages a political claim for a 'Greater Serbia 'including all or part of the territory of a now ambiguously independent Kosovo. A modernist origin links the rise of Serbian nationalism to the end of Yugoslav communism and may be more compatible with existing international norms on sovereignty, self-determination and the recognition of states. Either way, however, past and present controversies become inextricably intertwined. If Milan Kundera is right, and the 'struggle of man against power is the struggle of memory against forgetting' (Kundera 1996: 4), then what nationalist leaders are fighting for is 'access to the laboratories where photographs are retouched, and biographies and histories rewritten' (Kundera 1996: 21–22).

Further reading

Anderson, B. 1983. *Imagined Communities: Reflections on the Origins and Spread of Nationalism.* London: Verso

Connor, W. 2004. 'The timelessness of nations', *Nations and Nationalism* 10, 1–2: 35–47

Gellner, E. 1995. 'Do nations have navels?' Warwick Debate on Nationalism, available online at http://www.lse.ac.uk/collections/gellner/Warwick.html

Seton-Watson, H. 1977. *Nations and States: An Inquiry into the Origins of Nations and the Politics of Nationalism.* London: Methuen

Smith, A. 1995. 'Nations and their pasts', *Warwick Debate on Nationalism*, available online at http://www.lse.ac.uk/collections/gellner/Warwick.html

Smith, A., and Hutchinson, J., eds. 1994. *Oxford Readers: Nationalism.* Oxford: Oxford University Press.

References

Anderson, B. 1983. *Imagined Communities: Reflections on the Origins and Spread of Nationalism*. London: Verso.

Cobban, A. 1970. *The Nation State and National Self-determination*. New York: Crowell.

Connor, W. 2004. 'The timelessness of nations', *Nations and Nationalism* 10, 1–2: 35–47.

Daftary, F., and Gal, K. 2003. 'The 1999 Slovak minority language law: internal or external politics?' in F. Daftary and F. Grin (eds), *Nation-building*, *Ethnicity and Language: Politics in Transition Countries*. Budapest: Open Society Institute.

Gellner, E. 1983. *Nations and Nationalism*. Oxford: Blackwell.

Hastings, A. 1997. *The Construction of Nationhood: Ethnicity*, *Religion and Nationalism*. Cambridge: Cambridge University Press.

Hinsley, F. 1966. *Sovereignty*. London: Watts.

Jackson, R. 2000. *The Global Covenant: Human Conduct in a World of States*. Oxford: Oxford University Press.

Jackson Preece, J. 1998. *National Minorities and the European Nation-states System*. Oxford: Oxford University Press.

—2005. *Minority Rights: Between Diversity and Community*. Cambridge: Polity Press.

Kedourie, E. 1960. *Nationalism*. London: Hutchinson.

Kohn, H. 1960. *The Idea of Nationalism*. New York: Macmillan.

Kundera, M. 1996. *Book of Laughter and Forgetting*. New York: Harper.

Mayall, J. 1990. *Nationalism and International Society*. Cambridge: Cambridge University Press.

—1996. *Nationalism and International Relations*. London: University of London External Programmes.

Mill, J. S. 1973. *Utilitarianism, On Liberty, and Considerations on Representative Government*. London: Dent.

Polanyi, K. 1957. *The Great Transformation: The Political and Economic Origins of our Times*. Boston MA: Beacon Press.

Seton-Watson, H. 1977. *Nations and States: An Inquiry into the Origins of Nations and the Politics of Nationalism*. London: Methuen.

Smith, A. 1991. *National Identity*. Harmondsworth: Penguin.

— 1995. 'Nations and their pasts', Warwick Debate on Nationalism, available online at http://www.lse.ac.uk/collections/gellner/Warwick.html (accessed 6 May 2009).

— 1998. *Nationalism and Modernism*. London: Routledge.

— 2004. *Antiquity of Nations*. Cambridge: Polity Press.

Stoel, M. 1994. 'Keynote address at the opening of the Organization for Security and Co-operation in Europe Minorities Seminar in Warsaw', available online at http://www.osce.org/hcnm/13022.html (accessed 6 May 2009).

Wight, M. 1977. *Systems of States*. Leicester: Leicester University Press.

3 Ideology and nationalism

Daniele Conversi

All official institutions of language are repeating machines: school, sports, advertising, popular songs, news, all continually repeat the same structure, the same meaning, often the same words: the stereotype is a political fact, the major figure of ideology.

(Roland Barthes)

Great ideology creates great times.

(Kim Jong Il)

As with other sociopolitical terms, there is no universally agreed definition of ideology in social theory and political science and the concept remains a broadly contested one. This destiny is only partly shared by the second partner of the couple here described, nationalism. Its main pillar, the term 'nation', is probably too slippery and so self-referential as to defy any attempt at an 'objective' definition (Conversi 1995, see also Jackson Preece in this book). However, there is some agreement that nationalism is an ideological movement speaking in the name of a self-defined nation and aiming at controlling political institutions (most often the state) within a specific territory. Being an ideological movement, ideology plays a central role in nationalism. Furthermore, ideology and nationalism are coeval terms since their origins equally lie in the French revolution: whereas the genesis of the term 'nationalism' is an issue of relative contention (Hroch and Malecková 2000), the term 'ideology' is usually located in Destutt de Tracy's definition of it as the 'science of ideas' and Napoleon's disparaging use of it to describe his adversaries ('the ideologues'). It was the Napoleonic usage which really defined the term.

While the meaning of nationalism remained broadly unchanged, the concept of ideology shifted meaning a few times after its inception. The *Oxford English Dictionary* gives several definitions of ideology, beginning with 'a system of ideas or ideals, especially one that forms the basis of economic or political theory or policy' (*OED* 1997: 908). Therefore, a relationship between ideology and political action needs to be established. The next paragraphs will focus on how the study of ideology can shed light on the issue of congruence between state and nation.

This chapter describes generally ideology as a set of ideas articulated around a sociopolitical programme devised by specific individuals, whom we may recognise occasionally as the 'ideologues' and, until recently, could be identified as 'intellectuals'. Today, they appear to us most often as media pundits.

What is ideology and what is not? The reply mostly depends on the replier. Protean concepts like modernity, progress, development and, the latest arrival, globalisation are

imbued with ideology, yet not all scholars and social commentators promptly recognise this status. Although the way these terms are used imply adherence to ideological constructs and platforms, presentism prevents identifying them as ideologies. From the promontory of the present time, we can look backward and discern ideology where our predecessors simply saw the natural order of things, but in our day it may be more tricky to see the wood for the trees.

The term ideology can be used in two possible ways: one neutral, the other critical or pejorative (Thompson 1990: 56). While the critical use is implicit in any analytical study of ideology, is a neutral approach at all possible? Indeed, it may be difficult to 'stand by' and see ideology in purely objective terms, since scholarly endeavours are also informed by ideology. This goes beyond Weber's classic statement about value-neutrality in his 1918 address at Munich University. Most often, ideology is enriched by passion and, as the poet Pier Paolo Pasolini could synthesise knowingly, it stems directly from passion: 'Passion, analytical in itself, gives way to ideology, synthetic in its nature' (La passione, per sua natura analitica, lascia il posto all'ideologia, per sua natura sintetica) (Pasolini 1960: 493).

Most scholars of nationalism agree that ideology is paramount to the creation and reproduction of nationalism, although they accord different degrees to its centrality. An illustrious exception was Ernest Gellner, who disagreed with the importance of ideology. Gellner argued that nationalism needs neither intellectuals nor an ideology, since nationalism was a semi-spontaneous response generated ex-machina by a fragmented social system disrupted by the uneven impact of industrialisation – although he recognised that nationalism developed first in the West. More commonly, Elie Kedourie (1993) regarded nationalism as a fully fledged ideology spreading across the world via aping and imitation.

Ideology is a component of Anthony Smith's definition of nationalism as well (Smith 2001: ch. 2). The latter is 'an ideological movement for attaining and maintaining autonomy, unity and identity for a population which some of its members deem to constitute an actual or potential "nation"' (Smith 1999: 256, 2001: 9). Its core doctrine or belief system is composed of at least six crucial interconnected ideas or 'basic propositions', namely that: (1) the world is divided into nations, each with its own character, history and destiny; (2) the nation is the sole source of political power; (3) loyalty to the nation overrides all other loyalties; (4) to be free, every individual must belong to a nation; (5) every nation requires full self-expression and autonomy; (6) global peace and justice require a world of autonomous nations (Smith 2001: 22). Elsewhere, Smith reiterates that ideology is a key element in the success of nationalism, as 'it serves to unify and focus the many grievances and aspirations of different social groups within a particular community or state, and to explain to and activate "the people"' (Smith 1998: 116). Kedourie, Gellner and Smith are representative of various 'schools' of thought concerned with the origins of nations and the nature of nationalism. While Kedourie's explanation is entirely centered on ideology, Gellner radically excludes its importance, whereas Smith adopts a more nuanced position seeing the role of nationalist ideology as shaped by pre-existing myths and symbols.

Before considering the relationship between nationalism and ideology, we should understand what is broadly meant by ideology, what is not, and why not. Beside liberalism and conservatism, communism, socialism and fascism have been named as emblematic twentieth-century ideologies. Capitalism is more often seen as a sociopolitical system founded on the adoption of market economy principles. It is less

generally accepted as an ideology and is thus often subsumed as a practice of liberalism – jointly with its ideological sub-varieties: laissez-faire capitalism, radical capitalism and corporate capitalism. Yet the very belief in capitalism as the ideal, standard sociopolitical system, as well as the panacea for all sorts of social problems, rests on firm ideological grounds. Many have idealised capitalism as the most perfect and unmatchable socioeconomic model, indeed as the only possible one. Susan Sontag acutely observed that 'the ideology of capitalism makes us all into connoisseurs of liberty – of the indefinite expansion of possibility' (Sontag, cited by Sanders 1998: 62; see Seligman 2005: 67).

Other unsuspected candidates for the category of ideology proliferate. Civil society has recently been added as a candidate for ideology status, while its meaning has become politically transversal, that is, shared by both right and left with different goals and purposes (Chambers and Kymlicka 2002; Ruzza 2010). In particular, the 'concepts such as "civicness" or "civility" in relation to civil society and the public sphere … are recurrent in the idealisation of civil society by all political actors' (Ruzza 2010). For Hannah Arendt, even the 'Third World' was 'not a reality but an ideology' (1970: 21). The US-led 'war on terror', justifying ends and means, was also shaped as an ideology of a good and virtuous (American) society fighting against the 'bad society' (Conversi 2010c).

However, the most important ideology accompanying all the above visions is less often described as an ideology. In fact, these visions were formulated within, and as responses to, the crises brought about in different stages and periods by the end of an era, variously labeled as agricultural society, the *Ancien Régime*, the Dark Ages, pre-modernity or in other ways: by opposition to the latter, the term *modernism* encompasses all those world visions which fully embraced modernity and its consequences, trying to conceive new scenarios of 'togetherness' and competing political projects based on the full acceptance and endorsement of modernity. Modernism has thus been articulated through a set of often incompatible ideas whose sociopolitical programme was predicated on a (Western-centred) vision of modernity as the supreme good, and hence on the rejection of elements which, according to its competing ideological foundations, could be perceived as 'anti-modern'. The cult of modernity, progress and development became the *idée fixe* of the industrial and post-industrial age. In short, modernism has permeated not only all other ideologies, including nationalism, liberalism, fascism and communism, but also every major aspect of modern social life. In a nutshell, modernists predicate that all that is modern is positive, while all that is 'anti-modern' needs to be rejected. Given that both Nazism and Stalinism viewed themselves as modernising ideologies, we can work out what might be the consequences on finding oneself on the wrong side of the 'modern/anti-modern' divide.

The modernist ideology is often encapsulated in the popular myth of the 'mad scientist', who, blinded by absolute faith in progress, crafts Frankenstein-like monsters in his secluded laboratory. The 'mad scientist' paradigm operates within a set of beliefs which are often a radical and gross interpretation of prevailing visions of modernity. The mad scientist's stance is often erroneously interpreted as personal ambition verging on pathology and emanating from individual attitudes. However, similar attitudes did not emerge casually as aspects of a post-religious, particularly post-Christian, world. They were part and parcel of the prevailing Zeitgeist unleashed by the advent of Western-style modernity and the 'Westernisation of the world' (la Branche 2005; Latouche 1996). In the process, non-Western ideologies and world visions were

discarded and destroyed, in short labelled 'anti-modern'. 'Development' itself became an ideology or, even more, a 'global faith' imposed by the West on an often recalcitrant world (Rist 2002). For Christopher Lasch (1991), with its belief in a linear, steady, indefinite rise in living standards as the inevitable destiny of mankind, 'faith in progress' assumes the eschatological trappings of established religions.

Here I intend to point out that there is an apparent link between the notions of modernity, progress and nationalism. In fact, modernism as the ideology of progress is deeply related to nationalism. For Liah Greenfeld (1992) it is impossible to conceive of modernity outside nationalism, since the latter provided the ideological forge and mould to shape the former. Modernity is simply unthinkable outside a non-nationalist world, so that nationalism 'represents the cultural foundation of modern social structure, economics, politics, international relations, education, art, science, family relation, and so on and so forth' (Greenfeld 2006: 162). However, the opposite can also be said in that modernism is seen as the structural foundation of all of the above. The totalising nature of nationalism thus overlaps and interpenetrates with the doubly totalising nature of modernity. For this reason, one can legitimately suspect that Greenfeld is speaking about the ideology of modernity, rather than the ideology of nationalism – even though she seems to reject a clear-cut distinction between the two.

Modernity, nationalism and ideology

One of the problems in nationalism studies is the peculiar use of the term 'modernism' to refer to a group of scholars stressing the modern origins of nations and nationalism – a usage largely derived from Anthony D. Smith's classification proposal (Smith 1998). The problem with both the classification and the debate is that most studies tend to treat 'modernity' as a 'fact' or a world vision rather than as an idea. The term 'modernism' has different meanings in other fields, notably among art historians, where it is more often used to describe an artistic movement that emerged in late nineteenth and early twentieth-century Europe. In this chapter, 'modernism' refers to a wider ideological category, which sees modernity as the founding parameter of a new era implicitly defined by the belief in unlimited progress. This has remained the dominant ideology and paradigm at least up to the beginning of the twenty-first century and it is probably the most popular ideology across the world. Modernism thoroughly accompanied the growth of nationalism and, in most cases, preceded it – although Greenfeld asserts that nationalism preceded modernity and indeed acted as its midwife.

For most scholars of nationalism and modernity, the incipit of both remains the French Revolution, which is also when the term ideology was first coined. The doctrine of nationalism was officially formulated in the Declaration of the Rights of Man, its public display of symbols touched off with the *Fête de la Fédération* in the summer of 1790 and its definitive test occurred in the battlefield at Valmy (1792). Before the French revolution, the propaganda apparatus of absolute monarchs was largely confined to the upper elites and exercised via the courts, as loci of aggregation and public display of royal paraphernalia aiming to 'seduce' or co-opt provincial elites. Absolute sovereigns increasingly appropriated religious symbolism to prop up their legitimacy via appeals to their subjects, particularly under Louis XIV, the *Roi Soleil*. At those times, ideology was still largely overlapping with religion. Although the primary movers and motives have not been clearly identified, the St Bartholomew's Eve massacres against Huguenots (Protestants) in Paris (1572) indicated an obsession by ruling elites with the power of

socioreligious ideas. The targets were not cultural or religious differences per se but 'ideological' opposition and dissent, as heterodox communities were considered dangerous by ruling elites (Conversi 2010a).

With modernity, secular ideology seized the state in 'absolute' terms. The targets were no longer framed in purely religious terms, but in terms of their entropy or anti-entropy (Gellner 2006), that is, cultural compatibility or incompatibility with an increasingly centralised, expanding and controlling state. To the most radical of Jacobins, cultural difference became anathema.

Under the French revolution, the physical extermination of ideological-cultural opponents was pursued within a new 'national' framework, which slowly evolved into a broader drive to 'nationalise' the masses (Conversi 2007, 2008b). The Jacobin media played a key role: from July 1791 to July 1794, 7 million copies of various journals were purchased for distribution in the army, even though most conscripts could not read or write (Lynn 1996: 127). We have scant documentation of local resistance to Parisian directives, although we do have sketchy records of the harsh condition of army life in post-revolutionary France (see Bell 2008: 121–23). During the ensuing years of ideological emphasis on the sacred nature of *La Patrie* (the Fatherland), the average French citizen began slowly to identify with the soldier as the supreme expression of collective will, viewing war as the finest of national virtues (Lynn 1996: 121). Before the levée en masse, volunteers were recruited through an array of visual effects and media grandeur, often surrounded by a festival atmosphere punctuated by martial music (Ozouf 1991).

On the other hand, ideology alone was not enough. After France was invaded (1792), a deeper cycle of conflicts began, so that revolutionary violence became the main unitary catalyst among the Jacobins. The victory at Valmy (20 September 1792) was the first one in human history of an army inspired by nationalism as throngs of soldiers immolated themselves to shouts of 'Vive la Nation!' (Bell 2008: 130–35). Although victory was made possible by casual events such as bad weather, Valmy was fully seized by Jacobin propaganda as a foundational myth unleashing waves of enthusiasm and the belief that fighting in the name of freedom would grant soldiers a sort of immortality and even invincibility. Also for this reason, the first 'total war' in modern history was conceived and put into practice by French revolutionary elites (Bell 2008), so that ideology became essential in the way wars were to be fought over the next two centuries. The 'first total war' was also the first ideological war and the first nationalist war in human history. This is the foundational myth of the first explicitly modern nation-state and represents the triumph (even if no one realised it at the time), of a new ideology linked to (positivistic) ideas of modernity and progress.

The French revolutionaries were divided into multiple ideological currents. But nationalism provided the unifying ideology and was constantly mobilised by all factions without exception. As competing ideologies vied for mass following, they mobilised their own media by seizing, creating and disseminating propaganda through local venues, from public speeches at mass rallies to manifestoes, slogans, patriotic songs, bulletins and newsletters. Competition among ideologies became fierce, peaking under the Reign of Terror. Robespierre made it clear that this was a struggle for personal survival and those politicians who could not control the mob or posed a threat to his power risked falling under the guillotine. Initially adverse to war (Scurr 2006), Robespierre became in the end one of its main beneficiaries. By continuously mobilising people in preparation for war, Parisian elites could achieve unified support in what had

become one of the most fragmented, ideologically splintered and identity-fractured countries in Europe. The traditional gap between Paris and the provinces was to be overcome through coercion and consensus, and via the simultaneous use of terror, war and ideology. The systematic mass killing by government troops also led some historians to identify the Vendée uprising (1793–96) as the first modern genocide (see Conversi 2010a). In the 1990s, egalitarian Jacobin slogans and directives permeated the discourse of genocidal leaders in Rwanda, such as 'to ban, once and for all, the spirit of intrigue and feudal mentality' and to extol 'the valuation of labour' (Verwimp 2000).

Most historians recognise the use of ideology and nationalism as drivers of mass engagement since the French revolution. The destructive nature of European state-building was palpable to many citizens, yet patriotic-nationalist intoxication made opposition impossible. Thus, few intellectuals found the courage to oppose state-building, let alone denounce it. The 'thinner' ideology of anarchism developed largely in contrast to the practice of *étatisme*, whose ideological glue was provided by nationalism (see Ostergaard 1981). Intensively mobilised during periods of inter-state conflict, patriotism allowed the state to gain a foothold in society and penetrate areas from which it was initially excluded. Opposing the nation-state as an institution and patriotism as its legitimating belief, Leo Tolstoy linked both to organised violence (Christoyannopoulos 2009).

Dominant nations, dominant ideologies and class analysis

The rapid demise of Marxism after 1989 has involved the abandonment of some important concepts, which can still be useful to sociopolitical analysis. In Marx's analysis, ideology is part of the superstructure, merly an accessory of the economic structure made of class relations. Yet, beyond this apparent blunder, Marxist scholars have refined the concept through the years, while still holding that ideology is forged by the bourgeoisie as a tool to convince members of other classes that the bourgeoisie's interests are the interests of all. For Antonio Gramsci, the dominant classes establish cultural hegemony through patterns of consumptions, values, norms, habits, and so on. Cultural hegemony explains why the bourgeoisie can so easily enforce its models of 'false consciousness' amongst the working class, whose interests should be rationally at odds with those of the bourgeoisie, but are sidelined in the name of inter-class allegiances, notably through consumerism and nationalism. In fact, nationalism shares the status of 'false consciousness' with other non-class-related ideologies and practices, *in primis* the 'fetishism of commodities', so vital to maintain the system of 'class supremacy'.

More recently, ideology has been defined as the way 'in which meaning serves to sustain relations of domination' (Thompson 1990: 58), specifically the domination of some classes over others. This 'meaning' needs to be synthesised and diffused through the articulation of ideas into a cohesive and viable ideology. In fact, once firmly established and enshrined in power relations, ideology is spread by means of mass manipulation. If seized by the state and the mainstream media, nationalism/patriotism can certainly become an ideology most suitable for the concentration of power into the hands of a few.

Most ideologies are embedded into political power and the crucible of power in the modern era is the nation-state. The more controlling and authoritative the state is, the more pervasive its founding ideology, and vice versa. Althusser identifies a plurality of ideological state apparatuses (ISA), those 'realities' which 'present themselves to the

immediate observer in the form of distinct and specialised institutions' and which function both via violence and ideology (Althusser 1971: 143). These are distinct from the unchallenged "(repressive) state apparatus" holding sway alone over the public domain, yet the distinction between public and private 'is a distinction internal to bourgeois law', while 'the State [controlled by the ruling class] … is 'above the law'. …, [it] is neither public nor private; on the contrary, it is the precondition for any distinction between public and private' (144).[1] The essential distinction is in fact that 'the Repressive State Apparatus functions "by violence", whereas the Ideological State Apparatuses function "by ideology"' (145). This is important for what we have described so far, in that violence is opposed to ideology, yet there is an obvious complementarity between them.[2] An ideal model of supremely repressive state functioning purely by repressive measures is clearly impossible, so that violence and repression always need to be supplemented by ideology. Althusser brings forward the example of the army and the police which 'also function by ideology both to ensure their own cohesion and reproduction, and in the "values" they propound externally' (145). On the other hand, a 'pure' ideological state apparatus cannot exist, as ideology also needs to be supplemented by violence, even though this may be 'very attenuated and concealed, even symbolic'. As various forms of nationalism always underpin the functioning of the modern state, its performance has been historically rooted in both violence and ideology. However, before seizing the state, nationalism is also expressed in a plurality of 'ideological state apparatuses', including trade unions, lawyers, physicians, lower and higher education, and the very family, where notions of common descent are actuated since early childhood. For Althusser, these apparatuses serve their purpose of reproducing the power of the bourgeoisie and reinforcing the capitalist system. He then relates nationalism explicitly to the communications apparatus ruled by the mass media, together with chauvinism, liberalism, moralism and economism (154–55).

In terms much cruder than Gramsci, the Orwellian word 'brainwashing' as a strategy of mind control was coined to define a method of coercive persuasion widely used under communism. The original Chinese term was adopted in English during the Korean War and its popularisation is credited to the anti-communist intelligence agent Edward Hunter (1902–78) (Seed 2004: 27–31; Taylor 2004: 3–6). Beyond its obsession with the spectre of 'communist world domination', Hunter's *Brainwashing in Red China* (1951) became a classical crude description of how ideology-driven manipulation can radically alter the very identity of the individual and destroy her/his sense of the past.[3] Such a form of all pervasive control has been absorbed into daily routine and assumed as habitus by most citizens. To resume, China's ideological state apparatus was used in full strength to instil the official ideology into the minds of most citizens to the point of terminating previously existing sentiments, attitudes and world visions. Although during the Cold War only communist brainwashing became 'worth' considering, both Mao and Stalin operated through patriotic/nationalist mobilisation, speaking in the name of the very subjects to be oppressed, which can be even harder to oppose.

Is nationalism an ideology?

In the modern era, ideologies have become mass phenomena that moved millions of people: as such they have permeated most forms of thought, including scholarly thought. They have been often embraced with such an ardour and naive enthusiasm as to become avenues of fanaticism, self-immolation and mass suicide. After the end of

World War II, the word 'ideology' was unsurprisingly discredited. Many observers at the time considered that competing ideologies had led to some of the worst human excesses in human history. Nationalism came in for particularly heavy criticism, as it was claimed by some to be the direct ancestor of fascism in its various guises.

After World War II (later on, outside Europe), political ideologies were thus seen as drivers of mass engagement unleashing major human dislocations. Amongst them, it is customary to consider nationalism as a particularly powerful ideology destined to mobilise massive crowds. Unlike other ideologies, nationalism was rarely formulated through a coherent system of thought and a precise programme. It lacked recognised foundational thinkers and its protean nature meant that it remained often parasitic on other ideologies by simply adapting to them, while, of course, shaping them. Therefore, there are authors who consider nationalism as a dependent, weak form of ideology (see San Martín 2008). Postulating a distinction between fully fledged and 'thin' ideologies, Freeden argues that nationalism 'severs itself' from a broader ideological agenda, while being incorporated into various 'host' ideologies. Like green thought and feminism, nationalism deliberately replaces and removes central concepts, thus being structurally unable 'to offer complex ranges of argument, because many chains of ideas one would normally expect to find … are simply absent' (Freeden 1998: 750). As its operational incapacity leads to a shrinking of the political dimension, nationalism is defined as a 'thin-centred ideology'. Yet, it is still recognised as an ideology.

If nationalism is an ideology, either 'thin' or 'fat', is it plausible to see it, not merely as an ideology among others, but as the dominant ideology of the modern age? Indeed there is strong scope/reason for arguing so and for affirming that nationalism is 'the dominant operative ideology of modernity' since 'nearly all contemporary sociopolitical orders … tend to legitimise their existence in nationalist terms' (Malesevic 2006: 317). This is in line with Smith's assertion that in every continent 'nationalism has become the main legitimating belief system' (Smith 1998: 116) and Connor's recognition of the centrality of nationalist ideology in legitimating power (Connor 2004). If nationalism is the ideology that underpins the nation-states system, then nationalism can be described as 'the most successful ideology in human history' (Billig 1995: 22). It is a convincing argument, but this chapter reformulates it by incorporating the wider ideological context within which nationalism first emerged and then thrived. This is the all-pervasive context of expanding modernity and the ideology of technocratic materialism and corporatism which accompanied it.

To the extremes: nationalism, modernism and developmentalism

Modernism assumed various forms: from a 'right' to which all citizens are entitled, to a 'must' for state leaders to impose upon often reluctant populations. In its extreme forms, it became the ideology of development for development's sake at whatever the costs. At such extremes, modernism can be redefined as 'developmentalism'. Far from being a secondary ideology, the latter has indeed accompanied nationalism and socialism well into the twentieth century, moving at centre-stage with the advent of totalitarianism and its obsession with mass industrialisation and the development of tightly controlled communication networks. This can be exemplified by Fritz Todt's (1891–1942) ideology of road-building as key to German economic strength and Gottfried Feder's (1883–1941) Taylorist vision of technocracy as the 'perfect' society ruled by engineers. Turning citizens and peasants into pliable 'masses'

through overwhelming state machines, totalitarian and post-totalitarian regimes justified destruction in the name of 'progress' and economic development. Extreme developmentalism, or the obsession with 'catching up' with the core countries of the wealthy West irrespective of its human costs, was already visible in the 'desperately modernising' drive of the Russian military before the Bolshevik revolution (Mann 2005: 99) or in the obsessive Westernising trends emerging within the Ottoman Empire just before its collapse (Mann 2005: 114–19). More recently, the ideology of development allied with security concerns has been central in carrying out most contemporary genocides, notably in Rwanda (Uvin 1998; Verwimp 2000).

Later on in the twentieth century, Taylorism became an influential method of maximising industrial efficiency and serialising mass production. The Soviet Union's New Economic Policy (NEP) before 1928 belonged to a broader developmentalist crusade and Lenin's embrace of Taylorism's 'scientific' method was more than:

> a means of discipline that could remould the worker and society along more controllable and regularized lines … Lenin encouraged the cult of Taylor and of another great American industrialist, Henry Ford, inventor of the egalitarian Model T, which flourished throughout Russia at this time: even remote villagers knew the name of Henry Ford (some of them believed he was a sort of god who organized the work of Lenin and Trotsky).
>
> (Figes 2002: 463)

From a scientific method, Taylorism had become an ideology, indeed a faith, which was host of a broader ideology of progress. The 'natural' unit of reference for the ideology of progress was the nation, indeed the nation-state, remarkably so in the Soviet Union, where Wilsonian-Leninist principles of self-determination and popular sovereignty became the norm (Connor 2004: 34–37). The cult for discipline and work became part of a wider militarisation of society which reached its peak later on under Stalin, as totalitarianism reinforced and extended its grip. Some radical Taylorists envisaged indeed 'the mechanization of virtually every aspect of life … from methods of production to the thinking patterns of the common man' (Figes 2002: 463).

Taylorism's weight upon Hitler's plans was even more substantial: by 1938, the German Autobahn network of over 2,000km began to surpass in extent the United States' highway system. The ideology of a highly interconnected and powerful nation, envisioned as a unified living body, aimed at seducing every single citizen. Hitler's idea of a Volkswagen (people's car) dated back as early as 1933, owing much to Ford's Model T. This is well beyond what elsewhere has been narrowly defined as 'the paradox of reactionary modernist reconciliation' (Herf 1986).[4] In Italy, the avant-garde ideology of futurism (1909–45), with its idolatry for the machine, its cult of mass violence and its contempt for ordinary lives, produced the first artistic synthesis of all these trends (Conversi 2009). In general, as I have argued, the stress on mass emotions and irrationality (including the rejection of Enlightenment rationalism) and the full embrace of modern technology were coeval and belong to the same world vision. They date back to the battle of Valmy and the birth of state-making nationalism with its radical, exclusive and unrivalled appropriation of '*Vive la Nation*!' cries and easily stirred cheering crowds.

The concept of *developmental dictatorship* has been applied to the cases of Italy's Fascism (Gregor 1979) and Spain's Francoism (Saz 2004). A national developmentalist

ideology underpins nearly all totalitarian systems, whose regimes attempted to shape a new man as the ideal citizen ready to inhabit the promised land of a new industrialist utopia. Soviet and Maoist propaganda posters depicted the advent of mass industrialisation in superbly idealised terms, as the gateway to a new millennium. Nazi-fascist regimes shared with socialist-communist ones variants of a Western-centred ideology of development while paying lip service to 'tradition' and honouring the 'fathers' of the nation. Totalitarian systems married nationalism and ideologies of progress in quasi-religious, mythopoietic terms (Griffin 2007). An extreme, rather than moderate, modernist ideology was the main common denominator amongst all these regimes and surpassed by a long way the already commanding prominence of nationalism and patriotism.

Progress, modernisation, development are social concepts associated with power and thus conceal the traits of ideology. Indeed, being more pervasive and 'material' than other ideologies, modernism can be described as the dominant ideology of modern times. As progress and related concepts became intrinsic attributes of the nation, they were fully appropriated by nationalism. A step further, Greenfeld (1992) suggests that they cannot even be conceived in a world without nations and outside nationalism.

I have defended the general view that nationalism cannot be conceived outside modernity, but only to identify modernity itself as embedded in its own ideology, modernism. Let us now relate the above to what nationalism studies have so far produced on this relationship. Although for most scholars nationalism is indissociable from modernity, others argue that modernity provided only a catalyst for pre-existing groups to seize power or negotiate power-sharing arrangements through representative leaders. For some authors, nationalism was no mere chaperon of modernity, but it provided a congenial tool to impose modernisation and spread the ideology of progress among the masses: in the footsteps of Hans Kohn, Liah Greenfeld (1992, 2006) argues that ideas were central to the birth and spread of nationalism. This is a view shared by political philosophers, like Kenneth Minogue, and historians of ideas, like Elie Kedourie. Greenfeld (2006) also argues that nationalism was essential to the propagation of the 'spirit of capitalism'.

Intellectuals and the media: from ideology to imagology

Intellectuals play a different role at different times and in different countries. A clue to their importance can be found in the way their freedom of speech is restrained by incumbent regimes. How do governments react to the activity and writing of intellectuals able to articulate some form of uncomfortable political opposition? The murder of Anna Politkovskaia (2006), Sergei Protazanov (2009), Natalia Estimirova (2009) and other Russian activists points to the central role of the writer in articulating ideas about freedom in Russian politics and society. It also underlines the government's fear of losing control of the official discourse and the ruthless way the citizen is supervised by exercising absolute jurisdiction over the public sphere. Similarly in Tajikistan fifty to eighty journalists have been killed from 1990 to 2000, a period in which Glasnost and Perestroika were just beginning to enable a liberal press (Allison 2006; see also Atkin 1995).

Situated in between the media pundit and the fully fledged intellectual, the figure of the journalist has a specific impact in early stages of democratisation, when the written word may still enjoy a greater influence than the unmediated image. The stance articulated by the murdered Russian writers was powerful enough to warrant their

elimination, also because it was framed in highly non-nationalist terms and advocated universal human rights transcending nationhood. Quite the opposite can be said of the nationalist raison d'état of the murderers, since Putin's exploit of state patriotism has affected minorities, non-nationalists, universalists, human rights activists and rival Russian nationalists as well.

The intellectuals have often played a central role in nationalism studies, beginning with the work of Carlton Hayes and, to a lesser extent, Hans Kohn. As we have seen, Elie Kedourie places intellectuals at the core of his explanation of the spread of nationalism. From an original emphasis on the role of intellectuals, Anthony D. Smith has subsequently nuanced their centrality, because nationalist ideologies are 'not simply the product of intellectuals, nor are most intellectuals … free-floating and disoriented, nor are most of them able to exercise the kind of influence that Kedourie attributes to them. The same is true of their ideas, which are effective in society to the extent that they mesh with pre-existing popular notions and collective memories. Only then can they mobilise large numbers of people' (Smith 1988: 116). However, ethnosymbolism dismisses elites' manipulation outright, so that the dynamics of power are not laid bare or critically discussed. On the other hand, intellectuals played a key role in the passage from ethnie to nation (Conversi 1995).

But what does the word 'intellectual' mean? Which are its contours? How sophisticated does a nationalist intellectual need to be? How refined and deep are the ideas to be propagated? The founder of Basque nationalism, Sabino Arana y Goiri (1865–1903), was not a champion of finesse and could scarcely articulate his thoughts in a coherent, let alone pleasant, way. Reading his *Obras Completas* (Complete Work) is a daunting task, as its works are replete with vehement interjections, caustic tirades and ranting sermons interspersed with slang and xenophobic epithets. Yet, Arana's work was central to the success of Basque nationalism, with long-term repercussions on its subsequent evolution (Conversi 1997). What matters is the founding intellectual(s)' organisational capacity. In spite of his limited vocabulary and incapacity to enunciate in-depth observations, Arana was certainly an excellent agitprop, an orator and haranguer perfectly capable of perorating the Basque cause amongst a small coterie in which he emerged as the charismatic catalyst. Such managerial ability also derived from his ability to communicate in the language of the people and from his ability to mobilise the founding myths of Basque nationalism (Douglass 2004). Basque nationalism owed most of its visual symbols and values to Arana. Considering that he died at the young age of thirty-eight, Arana's achievement was immense: single-handed he formulated the first Basque nationalist programme, coined the country's name (Euskadi), defined its geographical extension, founded its first political organisation, wrote its anthem and designed its flag (Conversi 1997: 53). All these required impeccable organisational skills and a total dedication to the cause. Thus, in spite of his hidebound and paltry educational qualifications, Arana could be described as an 'intellectual' because he was able to articulate and marshal the national aspirations of his followers. This can be visualised as a boundary-building enterprise: Arana's goal was to create, recreate, and reinforce the boundary between Basques and non-Basques, that is, to define a modern Basque identity.

Nowadays, the surrogate 'intelligentsia' is centred around media operatives – those who need more appearance than brain, and those whose subliminal passages have direct impact on human thought and actions. Does this mean that nationalism can today subsist without intellectuals? Is ideology possible or even thinkable without intellectuals? A passage from Milan Kundera's novel *Immortality* can shed light on this question:

… we can rightfully talk of a gradual, general, planetary transformation of ideology into imagology … All ideologies have been defeated: in the end their dogmas were unmasked as illusions and people stopped taking them seriously … Reality was stronger than ideology. And it is in this sense that imagology surpassed it: imagology is stronger than reality, which has anyway long ceased to be what it was for my grandmother, who lived in a Moravian village and still knew everything through her own experience: how bread is baked, how a house is built, how a pig is slaughtered and the meat smoked, what quilts are made of, what the priest and the schoolteacher think about the world … she had, so to speak, personal control over reality.

<div style="text-align: right">(1991: 126–27)</div>

In their triumphant path towards the conquest of hearts and minds, dominant ideas have regularly been accompanied by powerful images. Images serve to convey rational, irrational and non-rational messages by using emotional styles and instinctive methods. In an era dominated by one-way, or unidirectional, media, most notably the radio and television, these images have become increasingly simple. (The internet is not necessarily unidirectional, allowing the user a margin of self-determination and sometime the possibility to interact and respond.) In the passage from ideology to imagology, forms of banal nationalism have rapidly spread without the mediation of intellectuals and without soliciting critical thought. This has led to a global impoverishment of politics and the rise of 'banal' forms of mass mobilisation though artificial simulation (Simons 2000). In practice, the reign of image belongs to a 'hyperreality' which merges reality with fantasy (Baudrillard 1994: 1–42), as well as to a generalised ideology which is no longer mediated by intellectuals. Thus the answer to the opening question is that in technologically advanced postmodern societies intellectuals may indeed become redundant, despite the fact that ideology permeates society at all levels. In various ways, the totalitarian dream of a homogeneous world order deprived of critical thought, yet firmly grounded on ideology, has become a potential reality with globalisation. Where the iron fist of totalitarianism failed, the velvet glove of globalisation seems on the verge of succeeding. Yet nationalism and ethnic conflict seem to expand with global homogenisation, either as a reaction to it or as their inevitable companion.

Why have intellectuals become redundant in a media-dominated, 'post-critical' world? Part of the answer lies in the raise of banal nationalism. As we have seen, a purely mentalist definition of ideology is no longer commonly accepted. Ideology is rather seen as encompassing a variety of current pre-reflexive manifestations, including behaviour, attitudes and patterns of consumption. For Michael Billig (1995) even the prettiest manifestations of nationhood are based on nationalist ideology: We are deeply steeped in a nationalised world vision, thus becoming unconscious carriers and replicators of nationalist ideology, whether we accept or reject nationalism in principle. Typical examples are those who 'restrict the term "nationalism" to the ideology of "others"' (Billig 1995). By sin of omission, the very fact of nationalising/ethnicising (i.e. attributing blame of nationalism to) others, particularly stateless nations, implies a certain degree of nationalist performance. As with other ideologies, its proponents can easily detect its shadow elsewhere, but not at home. 'Subconscious' nationalism is also common in mainstream academia: when scholars quote approvingly Ernest Renan's famous defence of the '*nation de volonté*' (nation of will) smuggling it into their argument as an example of 'civic', or even 'civilised', nationalism, they are not simply espousing

an ideological stand, but also tacitly endorsing a nationalist-inspired vision, which is ultimately directed towards exclusion.

Whereas Billig focuses on the daily ideology of banal nationalism, Althusser focuses on the untold, which he calls lacunar discourse; things are merely suggested rather than openly enunciated. Indeed, ideology-supporting discourse does often work by changing the meanings of terms. The revolutionary triad *liberté–egalité–fraternité* served to underpin its opposite: servility, inequality and conflict. The most nationalist of the triad, *fraternité*, was the last one to be added, with its emotional and communitarian stress on kin-related moral obligations (Ozouf 1997: 4353–89). Nationalism seems to advocate strong egalitarian values proclaiming the equality of all citizens or, rather, all the members of the nation. However, this 'equality' is largely fictitious and, once seized by the state, the concept is usually usurped to promote more demanding forms of surreptitious inequality (Conversi 2008a). In times of war and under mass conscription, 'equality' is to be paid by ordinary citizens with their own lives: war demands that ultimate sacrifice is made on the basis of citizens' equality, although informed citizens may know that the richest usually buy or arrange their way out of the front line.

Finally, a whole set of irreflexive habits can be thought as expression of ideology. As externally induced behaviour, consumerism may not be perceived as an ideology in itself, but as part of a collective inclination to equate personal satisfaction with the incessant pursuit of material possessions. Already in 1899, the US sociologist Thorstein Veblen (1857–1929) identified patterns of 'conspicuous consumption', that is, the act of spending money for the sake of appearance and for attaining or maintaining social status – although the phenomenon was much less pronounced at that time than it is today. With the expansion of global consumerism since at least the 1970s, the ideological aspects of the process seem to have passed unnoticed. Yet, systematic attempts to oppose consumerism and other behavioural '-isms' are likely to be perceived in terms of ideology. For instance, enoughism, a set of recently proposed practices and lifestyles based on ideas for a better world, is clearly dedicated to defeat consumerism in both ideology and practice (Naish 2008). Enoughism, not inevitably a branch of Green thought, is a quintessential cosmopolitan ideology, where the concern for the nation is wholly subordinated to that for the ecumene. In this sense, it belongs to a large group of universalist ideologies which aim to provide an alternative to nationalism, as well as to consumerism.

Globalism, nationalism and ideology

In the 1960s the 'end of ideology' was prematurely announced, anticipating a new era liberated from the dogmas of socialism, liberalism and conservatism (Bell 1960). Over a quarter of a century on, some of these conjectures have seemingly materialised, finding a suitable symbolism in the fall of the Berlin Wall. But, whether or not an end of all ideologies really took place during the age of 'reflux', those vast sociopolitical changes are still firmly set within a greater ideological narrative: modernity. Moreover, nationalism remained with us and, as we all know, its appeal has done nothing but grow.

The ostensibly 'paradoxical' relationship between globalisation and nationalism has been stated and restated countless times. Likewise, various reasons have been indicated as the main culprits for this 'unexpected' outcome. One of them is the demise of cultural certainties and traditions accompanying the process of global homogenisation. It is still highly debatable whether globalisation has actually bolstered cultural exchanges and

métissage, or has rather limited inter-ethnic relations to superficial domains by filtering inter-cultural contacts through the lenses of Westernisation – or indeed Americanisation (Conversi 2010b).

The copious and repetitive literature in globalisation studies has so far failed to produce any groundbreaking text, even in the form of a journal article. The very term 'globalisation' appears increasingly undefined, hard to grasp and shrouded in conceptual mystery, with some authors pushing its meaning back to Portugal's imperial expansion or even to Roman times, thus making it scholarly inoperative. Historically, the concept's current usage emerged in the wake of an extreme variant of liberalism, neo-liberalism, sometimes defined as 'the ideology of the Washington consensus' (Callinicos 2003: 149).

There is an ongoing debate as to whether globalisation is part of an ideology, an ideology in itself, or rather a mere economic/cultural fact. For William Greider (2000), globalisation is not ideology, but naked power: 'The great, unreported story in globalisation is about power, not ideology. It's about how finance and business regularly continuously insert their own self-interested deals and exceptions into rules and agreements that are then announced to the public as "free trade"' (Greider 2000). For others, globalisation is a new phase of particularly harmful and penetrating imperialism and some see it as deeply related to war (Barkawi 2005). Finally, others see its hidden agenda as implying a total restructuring of power relations throughout the world with the dramatic potential of unleashing an unpredictable blowback effect: thus, for Dennis Smith, globalisation has stirred up 'a tide of global resentment' which can only be 'held back by fear of American military power' (Smith, D. 2006).

However, in line with what we have said, globalisation was also accompanied by the all-pervasive ideology of globalism: In other words, globalisation, the actual practice, should be distinguished from globalism, its accompanying ideology – which is tacitly assumed by many scholars working in the area of globalisation. For Manfred B. Steger (2002), globalism not only is 'a new ideology, but also constitutes the dominant ideology of our time against which all of its challengers must define themselves'.

If globalism is an ideology, is it a variant, indeed a deepening, of the ideology of modernism? Given the latter's relationship with nationalism, we should not be surprised to see patriotic and ethnic conflict accompanying both. Ultimately, the answer depends on whether we choose to consider globalisation as a new, and more radical, phase of modernisation, or as an entirely new departure from it, as argued by post-modernists.

Some of the scholars who years before had anticipated and celebrated the end of ideology found nothing to rejoice about in the new era as they discovered that corruption had largely replaced ideology on a global scale (Bell 1993). After the Cold War, unconstrained American rule over world politics, economy, law and culture became the norm and its consequences upon daily practices, attitudes and lifestyles will permeate contemporary ideology for generations to an extent which still needs to be fully weighed up.

Conclusion

Although ideologies are central to the study of nationalism, there has been disagreement about whether or not nationalism is truly an ideology. However, it is undeniable fact that nationalism is associated with modernity and, as I have argued, modernity in itself is based on the ideology of modernism.

We have seen how nationalism can be either described as the dominant ideology of modernity, or as one among many modern ideologies. If nationalism is freeloading on other ideologies, which is then the core ideology around which it gravitates? Whereas most scholars agree that nationalism developed in tandem with modernity, few have considered modernity as conveyed by its own specific ideology. None of the leading nationalism scholars identifies the possibility that nationalism can indeed be the host of the wider ideology of modernism, since the latter is rarely identified as such.

By articulating specific projects for action, ideologies can become modern tools for mass domination, particularly when seized by incumbent regimes. They are distinguished from other forms of manipulation by their reliance on political thought and action, obedience to a set of principles, and the embodiment of related ideas in symbols, myths and rituals. As we have seen, this implies that our daily lives are unconsciously permeated by ideological content, including many routine habits that we may perceive as 'facts'.

This chapter has asserted the following points: a definition of ideology cannot be conceived in purely mentalist terms and needs to incorporate more general dispositions, particularly the dimension of habitus and unreflective behaviour. At any rate, nationalism is an ideology, either 'thin' or 'banal'. Indeed, it is the most powerful ideology of the modern age and it may even be its defining ideology. However, modernity itself needs to be reconceived and redefined as an ideology and for this scope the term modernism has been used here. The root of all the above phenomena (nationalism, ideology and modernity) is firmly placed in the French revolutionary wars.

Notes

1 As for the state ideological apparatuses, 'it is unimportant whether the institutions in which they are realised are "public" or "private." What matters is how they function' (144).
2 'No class can hold State power over a long period of time without at the same time exercising its[cultural] hegemony over, and in, the State Ideological Apparatuses' (Althusser 1971: 146, original in italics, 340–42).
3 Recently the brainwashing metaphor has been extended to 'deep capitalism' and cultural Americanisation. Conveyed through films and fictions, brainwashing has slowly mutated 'from an external threat to American values to an internal threat against individual American liberties by the US government' (Seed 2004: 1).
4 Indeed, its roots go back to Weimar and earlier: Germany's 'three mandarin thinkers', Heidegger, Schmitt and Freyer, all devoted numberless pages to the issue of technological supremacy. Before handing in his resignation as rector of the University of Freiburg, Martin Heidegger had advocated Germany's urgent need to combine *Technik* and *Kultur* (Herf 1986: 109).

Further reading

Baudrillard, Jean 1994 *Simulacra and Simulation*. Ann Arbor MI: University of Michigan Press

Billig, Michael 1991 *Ideology and Opinions: Studies in Rhetorical Psychology*. London and Thousand Oaks CA: Sage

Brown, David 1998 *Contemporary Nationalism*. London: Routledge

la Branche, Stêphane 2005 'Abuse and Westernization: Reflections on Strategies of Power', *Journal of Peace Research*, Vol. 42, No. 2, pp. 219–35

Smith, Anthony D. 1996 *Nations and Nationalism in a Global Era*. Oxford: Polity

References

Allison, Olivia 2006 'Selective enforcement and irresponsibility: Central Asia's shrinking space for independent media', *Central Asian Survey*, Vol. 25, Nos 1–2, March, pp. 93–114

Althusser, Louis 1971 'Ideology and ideological state apparatuses', trans. Ben Brewster, in *Lenin and Philosophy*, *and other Essays*. London: New Left Books, New York: Monthly Review Press, pp. 121–76

Atkin, Muriel 1995 'Islam as Faith, Politics, and Bogeyman in Tajikistan', in M. Bourdeaux (ed.) *The Politics of Religion in Russia and the New States of Eurasia*. Armonk NY: Sharpe, pp. 257–59

Arendt, Hannah 1970 *On violence*. New York: Harcourt Brace

Barkawi, Tarak 2005 *Globalization and War*. Lanham MD and Oxford: Rowman & Littlefield

Baudrillard, Jean 1994 *Simulacra and Simulation*. Ann Arbor MI: University of Michigan Press

Bell, Daniel 1960 *The End of Ideology: On the Exhaustion of Political Ideas in the Fifties*. Glencoe IL: Free Press

—1993 'The old war: after ideology, corruption', *New Republic*, 23–30 August, pp. 18–21

Bell, David A. 2008 *The First Total War: Napoleon's Europe and the Birth of Modern Warfare*. London: Bloomsbury

Billig, Michael 1995 *Banal Nationalism*. London and Thousand Oaks CA: Sage

la Branche, Stéphane 2005 'Abuse and Westernization: Reflections on Strategies of Power', *Journal of Peace Research*, Vol. 42, No. 2, pp. 219–35

Callinicos, Alex 2003 *An Anti-capitalist Manifesto*. Oxford: Wiley Blackwell

Chambers, S., and Kymlicka, Will (eds) 2002 *Alternative Conceptions of Civil Society*. Princeton NJ: Princeton University Press

Christoyannopoulos, Alexandre J. M. E. 2009 'Leo Tolstoy's Anarchist Denunciation of State Violence and Deception', in Erich Kofmel (ed.) *Anti-democratic Thought*. Exeter and Charlottesville VA: Imprint Academic

Connor, Walker 2004 'Nationalism and political illegitimacy', in Daniele Conversi (ed.) *Ethnonationalism in the Contemporary World*. London and New York: Routledge

Conversi, Daniele 1995 'Reassessing theories of nationalism: nationalism as boundary maintenance and creation', *Nationalism and Ethnic Politics*, Vol. 1, No. 1, pp. 73–85

—1997 *The Basques*, *the Catalans*, *and Spain: Alternative Routes to Nationalist Mobilization*. London: Hurst, Reno NV: University of Nevada Press

—1999 'Nationalism, boundaries and violence', *Millennium: Journal of International Studies*, Vol. 28, No. 3, pp. 553–84

—2006a 'Genocide and nationalism', in Gerard Delanty and Krishan Kumar (eds) *Handbook of Nations and Nationalism*. London: Sage, pp. 319–33

—2006b 'Mapping the field: Theories of nationalism and the ethnosymbolic approach', in Athena S. Leoussi and Steven Grosby (eds) *Nationalism and Ethnosymbolism: History*, *Culture and Ethnicity in the Formation of Nations*. Edinburgh: Edinburgh University Press, pp. 15–30

—2007 'Homogenisation, nationalism and war: Should we still read Ernest Gellner?' *Nations and Nationalism*, Vol. 13, No. 3, pp. 371–94

—2008a '"We are all equals!" Militarism, homogenization and "egalitarianism" in nationalist state-building, 1789–1945', *Ethnic and Racial Studies*, Vol. 31, No. 7, pp. 1286–314

—2008b 'Democracy, nationalism and culture. The limits of liberal mono-culturalism', *Sociology Compass*, Vol. 2, No. 1, January, pp. 156–82

—2009 'Art, Nationalism and War: Political Futurism in Italy, 1909–1944', *Sociology Compass*, Vol. 3, No. 1, January, pp. 92–117

—2010a 'Cultural Homogenization, Ethnic Cleansing and Genocide', in Robert A. Denemark (ed.) *International Studies Encyclopedia*. Oxford and Boston MA: Wiley Blackwell

—2010b 'Globalization, Ethnic Conflict and Nationalism', in Bryan Turner (ed.) *Handbook of Globalization Studies*. London: Routledge

—2010c 'Post-September 11th conflicts', in Nigel Young (ed.) *The Oxford International Encyclopaedia of Peace*. Oxford: Oxford University Press

Douglass, William 2004 'Sabino's Sin: Racism and the Founding of Basque Nationalism', in Daniele Conversi (ed.) *Ethnonationalism in the Contemporary World: Walker Connor and the Study of Nationalism*. London and New York: Routledge

Figes, O. 2002 *Natasha's Dance: A Cultural History of Russia*. London: Allen Lane

Freeden, Michael 1998 'Is Nationalism a Distinct Ideology?', *Political Studies*, Vol. 46, No. 4, pp. 748–765

Gellner, Ernest. 2006 *Nations and Nationalism*. Oxford: Blackwell, Ithaca NY: Cornell University Press (1st edn 1983)

Greenfield, Liah 1992 *Nationalism: Five Roads to Modernity*. Cambridge MA: Harvard University Press

— 2006 'Modernity and nationalism', in Gerard Delanty and Krishan Kumar (eds) *Handbook of Nations and Nationalism*. London: Sage, pp. 157–68

Gregor, A. J. (1979) *Italian Fascism and Developmental Dictatorship*. Princeton NJ: Princeton University Press

Greider, William 2000 'Media and trade: a love story', *The Nation*, 24–31, 13 July, http://www.thenation.com/doc/20000724/greider/2

Griffin, Roger 2007 *Modernism and Fascism: The Sense of a Beginning under Mussolini and Hitler*. New York: Palgrave Macmillan

Herf, Jeffrey 1986 *Reactionary Modernism: Technology, Culture, and Politics in Weimar and the Third Reich*. Cambridge: Cambridge University Press

Hroch, Miroslav and Jitka Malecková. 2000 'Nation: A Survey of the Term in European Languages', in Athena S. Leoussi (ed.) *Encyclopedia of Nationalism*. New Brunswick NJ: Transaction, pp. 203–8

Kedourie, Elie 1993 *Nationalism*, 4th edn. Oxford and Cambridge MA: Blackwell

Kundera, Milan 1991 *Immortality*. London: Faber, New York: Grove Weidenfeld

Lasch, Christopher 1991 *The True and Only Heaven: Progress and its Critics*. New York: Norton

Latouche, Serge 1996 *The Westernization of the World: The Significance, Scope and Limits of the Drive Towards Global Uniformity*. Cambridge: Polity Press

Leoussi, Athena S., and Steven Grosby (eds) 2006 *Nationalism and Ethnosymbolism: History, Culture and Ethnicity in the Formation of Nations*. Edinburgh: Edinburgh University Press

Lustick, Ian S. 2006 *Trapped in the War on Terror*. Philadelphia: University of Pennsylvania Press

Lynn, J. (1996) *The Bayonets of the Republic: Motivation and Tactics in the Army of Revolutionary France, 1791–1794*. Boulder CO: Westview Press

Malesevic, Sinisa 2006 'Nationalism and the power of ideology', in Gerard Delanty and Krishan Kumar (eds) *Handbook of Nations and Nationalism*. London: Sage, pp. 307–19

Mann, Michael (2005) *The Dark Side of Democracy: Explaining Ethnic Cleansing*. Cambridge: Cambridge University Press

Naish, John 2008. *Enough: Breaking Free from the World of More*. London: Hodder & Stoughton

Ostergaard, Geoffrey 1981 'Resisting the nation-state: the pacifist and anarchist traditions', in Leonard Tivey (ed.) *The Nation-state: The Formation of Modern Politics*. Oxford: Martin Robertson

Ozouf, Mona 1997 'Liberté, égalité, fraternité', in Pierre Nora (ed.) *Lieux de mémoire*, Vol. III, Paris: Gallimard, pp. 4353–89 (abridged trans. *Realms of Memory*, 1996–98)

— 1991 *Festivals and the French Revolution*. Cambridge MA: Harvard University Press

Pasolini, Pier Paolo 1960 *Passione e ideologia 1948–1958*. Milan: Garzanti

Rist, Gilbert 2002 *The History of Development: From Western Origins to Global Faith*. London: Zed Books (trans. *Le Développement: histoire d'une croyance occidentale*, 1996; also trans. Italian and Spanish)

Ruzza, Carlo 2010 'Italy: the political right and concepts of civil society', *Journal of Political Ideologies* (in press)

San Martín, Pablo 2008 'Is Nationalism an Ideology? A critical exploration from the Asturian case'. *Dissidences: Hispanic Journal of Theory and Criticism*, http://www.dissidences/4SanMa tinNationalism.html (accessed 15 December 2009)

Sanders, Barry 1998 *The Private Death of Public Discourse*. Boston MA: Beacon Press

Saz, I. (2004) 'Fascism, Fascistization and Developmentalism in Franco's Dictatorship', *Social History*, Vol. 29, No. 3, pp. 342–57

Scurr, R. (2006) *Fatal Purity: Robespierre and the French Revolution*. London: Vintage

Seed, David 2004 *Brainwashing: The Fictions of Mind Control: A Study of Novels and Films since World War II*. Kent OH: Kent State University Press

Seligman, Craig 2005 *Sontag and Kael: Opposites Attract Me*. Berkeley CA: Counterpoint Press

Simons, J. (2000) 'Ideology, imagology, and critical thought: The impoverishment of politics', *Journal of Political Ideologies*, Vol. 5, No. 1, pp. 81–103

Smith, Anthony D. 1999 *Myths and Memories of the Nation*. Oxford: Oxford University Press

— 2001 *Nationalism: Theory*, *Ideology*, *History*. Oxford: Wiley Blackwell,

— 1996 *Nations and Nationalism in a Global Era*. Oxford: Polity Press

—1998 *Nationalism and Modernism: A Critical Survey of Recent Theories of Nations and Nationalism*. London: Routledge

—2004 'Dating the nation', in Daniele Conversi (ed.) *Ethnonationalism in the Contemporary World*. London and New York: Routledge

—1991 *National Identity*. Harmondsworth: Penguin, Reno NV: University of Nevada Press

Smith, Dennis 2006 *Globalization: The Hidden Agenda*. Cambridge: Polity Press

Steger, Manfred B. 2002 *Globalism: The New Market Ideology*. Lanham MD: Rowman & Littlefield

— 2005 'Ideologies of globalization', *Journal of Political Ideologies*, Vol. 10, No. 1, pp. 11–30

Taylor, Kathleen 2004 *Brainwashing: The Science of Thought Control*. Oxford: Oxford University Press

Thompson, John 1990 *Ideology and Modern Culture*. Stanford CA: Stanford University Press

Uvin, Peter 1998 *Aiding Violence: The Development Enterprise in Rwanda*. West Hartford CT: Kumarian Press

Verwimp, Philip 2000 'Development ideology, the peasantry and genocide: Rwanda represented in Habyarimana's speeches, 1973–1994', *Journal for Genocide Research*, Vol. 2, No. 3, pp. 325–61

4 The nation-state

Civic and ethnic dimensions

Colin Clark

Nationalism is not a single beast. There are different varieties of nationalism. It can be well argued that some of the speeches by Conservative members – particularly those who regard themselves as Eurosceptic – are nationalistic. It seems that British nationalism is fine, but any other nationalism – Scottish, Welsh or Irish – is bad. That is not an acceptable distinction. If I were to draw such a distinction, it would be between ethnic nationalism, which is bad and should be rejected wherever it raises its ugly head, and civic nationalism, which is a good and progressive force that can be found all over the world spreading democracy and increasing the rights of ordinary people whatever their ethnic background. It is civic nationalism which is wound up in the Bill – a nationalism that gives the people who live in Scotland, no matter who they are, the same democratic rights as can be expected by people living in any other democratic society.

(John McAllion, Hansard, 23 February 1998: column 134)

On 23 February 1998, during a debate in the House of Commons on the intricacies of the Scotland Bill, the Labour MP for Dundee East, Mr John McAllion, offered the above contribution in response to a suggestion by the Conservative MP for Woodspring, Dr Liam Fox, that certain devolutionary aspects within the Bill could trigger negative forms of 'residual English nationalism' and damage the nature of the Union holding Great Britain together. Of course, Fox's undue concerns were placed to the side and the Scotland Bill soon became an Act. In May 1999 the Scottish Parliament, located in Edinburgh, started up again for business, having last met in March 1707. The Scotland Act (1998) devolved all powers to the Edinburgh Parliament except those issues referred to as 'reserved matters' – and, indeed, it was a lengthy list, including constitutional affairs, foreign policy and immigration, and as such the Union was not about to crumble any time soon. In relation to this chapter on the civic and ethnic dimensions to the nation-state, McAllion's statement at Westminster gives us some indication of the lively, dichotomous debates that can occur when examining the many philosophical, geographical and political territories that nationalism can cover. It is also emblematic of the rather broad and sweeping statements that have been made in the respective names of both civic and ethnic forms of nationalism. We shall see that the reality of this apparent distinction to which McAllion refers – 'good' civic nationalism and 'bad' ethnic nationalism – is much more contested and complex than would first appear. The dichotomy itself needs to be explained and problematised as well as asking questions about whether or not different forms of civic nationalism can in fact be reactionary and, similarly, whether some forms of ethnic nationalism can actually be progressive.

In this chapter we will examine this apparent divide and offer some thoughts, analysis and examples to illustrate that the ethnic–civic distinction is indeed less stable and more fragile than appears from a brief examination of the literature within nationalism studies, as well as looking at different views from civil society and other agencies. To begin with we need to set out the parameters of the debate and look closely at what the civic and ethnic dimensions to the nation-state are.

> 'Civic nationalism maintains that the nation should be composed of all those – regardless of race, colour, creed, gender, language or ethnicity – who subscribe to the nation's political creed. This nationalism is called civic because it envisages the nation as a community of equal, rights bearing citizens, united in patriotic attachment to a shared set of political practices and values.
>
> (Ignatieff, 1994: 3–4)

> There is considerable evidence that modern nations are connected with earlier ethnic categories and communities and are created out of pre-existing origin myths, ethnic cultures and shared memories; and that those nations with a vivid, widespread sense of an ethnic past, are likely to be more unified and distinctive than those which lack that sense.
>
> (Smith, 1996: 385)

Debates rage on the topic of the 'ethnic' and the 'civic' in nationalist discourses. For Ignatieff (1994) the appeal of civic nationalism is obvious, rejecting as it does any appeal to the 'who and what' of the citizens found within its territory – more important is a common belief in agreed political practices and values. For Smith (1996) this is somewhat illusionary because you cannot escape the fact that the 'ethnic past' is a vital element for even the most 'modern' of nations and indeed those without, or denying, this past will ultimately become undone in denial. But where do these discussions begin? A common starting point for discussing the ethnic-linguistic and civic-political distinction is the work of historians such as Friedrich Meinecke (1907) and Hans Kohn (1944). In his influential work, Meinecke made an important distinction between what he termed 'cultural nations' and 'political nations' – the former having common 'cultural heritage' and the latter having a shared 'political history and constitution'. For Kohn (1944), a useful distinction was to be drawn between 'Eastern' and 'Western' nationalisms with the dividing line being the river Rhine. To the West of this river was a kind of nationalism that displayed qualities of being both rationalistic and voluntaristic in nature, whilst to the east was a nationalism that was much more deterministic and organic. Such early work set the tone for more recent debates, many of which still tend to offer generalised caricatures rather than substance and specifics: it is regularly, and lazily, asserted that ethnic nationalism is associated with xenophobic attitudes and exclusionary policies, as well as violence when required, and civic nationalism is associated with highly liberal states who actively encourage the integration of new members with appeals to humanistic and universal values. Is it really this simple?

The distinction is clearly not as straight forward as convention dictates. And whilst accepting this, it is still useful to spend time looking at Kohn's 1944 book *The Idea of Nationalism*. This text has attracted much attention, largely because some of its content still resonates today. Kohn, writing in the context of Nazism and the war, was focused

on looking at the origins of national identities and he clearly regards nations as modern entities that emerged around the mid-late eighteenth century. However, in arguing this, he acknowledges that modern nations are a 'product' of historical forces and do come from 'somewhere' and this past needs to be recognised and paid attention to. In many ways, the work of Kohn has been pivotal in shaping the thinking and direction of many scholars in the field of nationalism studies offering a variety of perspectives, such as Anthony Smith, Ernest Gellner and Benedict Anderson. For example, the place and role of history and the past is important in Smith's 'ethnosymbolist' work whilst Kohn's ideas of nationalism being ingrained within populations via 'high culture' and mass education systems is familiar to Gellner's body of work. Similarly, Kohn also notes the role of print capitalism in such 'nationalising' campaigns and also speaks of nationalism being a 'state of mind'; this somewhat akin to Anderson's later claims to the 'imagined communities' that we all, by necessity, inhabit. In Kohn's framework, nations are something different from the other group identities we all share, such as those governed by family, community, town or religion. Kohn appreciates the ever-changing, non-static nature of nations and the political and socioeconomic forces that can often drive such changes and redrawing of maps, borders and boundaries. However, despite this ebb and flow, Kohn offers some foundations that are usually required to assist in the development of nations, including language, traditions, descent and religion.

In considering the place and direction of German nationalism, Prague-born Kohn established the dichotomy between what could be termed 'Eastern' and 'Western' nationalisms. He looked around Europe at the time of writing and concluded that rather more progressive and favourable forms of nationalism could be identified in the West, when compared to the more reactionary and hostile types witnessed in the East. Drawing on contemporary examples, Kohn suggested that those nationalisms evident in the West were forms that were influenced by ideas of the nation as a grouping or 'association of citizens' who were governed by common laws within a shared, bordered territory. Within its borders, and on its own soil, the civic nation promotes the principle of *jus soli* ('law of ground') and membership is theoretically open to all, or at least not closed off in any definitive and absolute way. Across in the East, Kohn argued, it appeared that different examples of nationalisms were formed and established on a foundation that much preferred a strong belief in similar ethnic origins and common culture. On this basis, members of the nation were part of something larger than themselves and were part of the nation for life, even if moving across shores and residing in other territories. In the case of the East then, it was argued that citizenship was given by birth, through descent and blood, and fixed via the principle of *jus sanguinis* ('right of blood') rather than *jus soli*. It has been argued by Smith (2001), that the source of this contrast is largely concerned with class dynamics – that is, in the East, due to the rule of autocrats and landowners, organic and authoritarian forms of nationalism developed whilst in the West, due to an assertive (some would say ruthless) bourgeoisie class, civic enterprise and mass citizen-nations were promoted.

It goes without saying that, like much work in the social sciences, Kohn's framework is rather static and one-dimensional in character. The rigid dichotomy between East and West does present somewhat essentialised and reified ideas of nationalism, identity and culture and as such has been subject to criticism, especially when considering the nature and extent of any such distinction between East and West as well as specific examples that challenge the divide (such as the Czech lands and Ireland, to name but two cases in point). Indeed, Smith (1991: 11) informs us that it is 'historic territory,

legal-political community, legal-political equality of members, and common civic culture and ideology' that give us the building blocks of the 'Western' *model* of the nation but are such aspects, to some degree, not also evident in certain 'Eastern' *realities*? If nothing else, we can see here the issue in comparing and contrasting 'models' with 'real life': clear boundaries and borders tend to collapse when shifting between the two worlds, depending on the examples being drawn upon and the time period being consulted. Indeed, with the time/place context very much placed in the foreground, Shulman (2002) sought to show the inherent weaknesses in those common arguments that suggest that civic nationalism is dominant in Western Europe and North America whilst ethnic nationalism is somehow the preserve of Central and Eastern Europe. Shulman argues that state policies, in practice, tend to flow from a combination of civic, ethnic and cultural conceptions of national identity and he gives us various explanations for finding strong cultural national identities in the West as well as strong civic national identities in the East. To support his contention, Shulman analyses a range of survey data from some fifteen countries to get a sense of what such measurements can tell us about 'common' thinking and practices with regard to national identity. This is done by assessing attitudes on issues such as state policies towards assimilation and immigration as well as the various criteria adopted for granting national membership. Shulman, in presenting and analysing the survey data, argues that on the basis of this data the 'civic as West' and 'ethnic as East' dichotomy on many measures is false and on other measures is only 'weakly true'.

However, before consigning Kohn's classic work to a dusty shelf we should note that some (normative) elements of Kohn hold good and are worthy of retaining, not least the notion (at least in theory) of 'choice' – that is, within the civic engagement, we can *choose*, to some degree, where we belong, whereas in the ethnic model we are born into a nation and even though we may decide to leave (to begin a new life on another continent) we are for ever attached to our place of birth. And Kohn is not alone, obviously, in attempting to draw up such typologies and you can find in other work notions of what might be termed 'continuous' (Seton-Watson, 1965) and 'created' (Tilly, 1995) nations as well as broader separations between nationalisms based on ethnicity and those based on territory. However, what is important to bear in mind here is that these typologies and models are exactly that – typologies and models. The truth of the (practical, geographical) matter is that nationalisms change shape and identity over time and place and, indeed, in most cases, will incorporate aspects of *both* the civic and ethnic. So the question remains: is the distinction between the two types of nationalism worth anything more than a theoretical exercise on paper or can it have analytical purchase as Kohn hoped it would?

This is a question that hangs and has many answers. It is unfortunate that crude distinctions still abound, where civic nationalism – especially when combined with hearty doses of liberalism – is regarded as being (almost) a step in the right direction and deserving of space whilst varieties of ethnic nationalism – especially in the context of events in the Balkans and other territories in the 1990s and 2000s – are widely regarded as being outside mainstream democratic discourse and consideration. Indeed, if we look to the work of political philosopher David Miller (1995) we can see that his concept of the nation revolves around a set of preferences that specifically and intentionally avoid mention of genealogies and ethno-linguistic heritage and practices. Instead, public culture, residence and history come to the foreground, excluding any 'dangerous' aspects that rely on 'blood and belonging' – ideas of descent. Even so, as

Orwell (1945) powerfully argued, it does seem that nationalism, whatever its key ingredients, must *always* have the potential to produce exclusionary policies that are driven by latent xenophobic sentiments and tendencies. One of the most obvious examples of this has been the plight of minority groups such as Jews and Roma, whose treatment over many years, across different areas of Europe and beyond, has shown in explicit detail that even those nations with strongly developed civic nationalist states – such as France or England – can spectacularly fail to support minority group rights and offer appropriate protection (Smith, 1994). It is evident then that although ethnic nationalism is characterised as exclusionary, reactionary, 'bad', it is also the case that examples of civic nationalism can also struggle and fail when it comes to hearing the claims of different cultures within its borders. A genuine and meaningful multiculturalism, if nothing else, demands for a 'plural nation' that is not content to stop at merely 'celebrating diversity' but goes further than this to specifically include the many cultures that are represented within its borders: to weave and embed myriad cultures into the fabric of the nation-state and the governing bodies and institutions that claim to speak in its name (Parekh, 2005). As an example of this, but not without its controversy, is the United States. Built up via historical processes of conquest, slavery, civil war, migration and immigration, America has become, when compared to other nations, a relatively plural and polyethnic nation and yet it is also a nation that is bound together by common laws, languages and allegiances, not to mention the everyday celebrations of flag and constitution. This does not change the fact, however, that the (very relative) unity we see today is the product of earlier brutality and oppression – a point made famous by Renan in his essay *Qu'est-ce qu'une nation?* back in 1882 (Renan 1882/1994: 17–18). Indeed, America is often upheld in the literature as something of an 'ideal' civic nation and yet like many other countries, such as France and England, it consciously, for many years, withheld civic status from various groups of people, not least women, Native Americans and Black slaves.

A key idea then is that civic nationalism offers the possibility to all people that they can be citizens of the nation. If we look at the examples of France and England at different time periods this idea seems problematic. For example, at the time of the French revolution – often viewed as the dramatic and bloody beginnings of civic nationalism – we can see that conditions were attached to who could, or might, be a citizen, especially when gender entered the equation. Certainly, it is noteworthy that women gained the right to vote in France only in 1945, so it took a long time to reformulate the notion of 'universal citizenship' to ensure this wasn't just about male citizens. Similarly, if we turn to England, and draw on the work of Liah Greenfeld (1992), we can see that for Greenfeld the civic–ethnic contrast or dichotomy is fundamentally related to the differences between individualism and collectivism and she goes on to argue that during the fifteenth and sixteenth centuries, due to major socioeconomic structural changes, the word 'nation' in England adopted new meanings. However, despite the promises and possibilities within the civic–individualist framework for all to be members of the nation, the reality in England meant that many sections of the population, for historical and contemporary reasons, were routinely ignored from the benefits and rights of civic membership, such as women, Catholics and the poor. The issue here, in a sense, is to illustrate the fact that the 'rules' of the civic conception of nationhood have been 'broken' from almost the very beginning and the exception soon becomes the norm. We need to acknowledge, of course, the dangers of applying present day standards to the past, but the concern is that such exclusions are not just

confined to the vaults of history: we continue to witness the operation of exclusionary politics in both East and West that seeks to deny citizenship to those considered to be on the 'outside' (of the civic nation) looking in. You only need to think of the problems faced by refugees, migrants and asylum-seekers in trying to gain entry to many different nations to get a perspective on the seriousness of this issue. Indeed, the recent work of Vicki Squire confirms this point by critically examining the debates over asylum in recent years and she shows us how far asylum has been characterised as a matter of asylum seekers ('them') being a socioeconomic and political 'problem' and a 'threat' to 'host' states ('us'). Looking across the United Kingdom and the European Union in particular, Squire argues that various neo-liberal responses to the asylum process have been chiefly driven by concerns over securitisation, criminalisation and economics rather than any adherence to international conventions or laws. When examined in their historical and political context, this is not a surprise and asylum seekers are routinely rendered as scapegoats for the dislocations that are produced as a result of broader shifts in globalised thinking on the nation-state. To escape this manner of exclusionary politics, Squire argues for a radical change of direction in how states conceive and respond to asylum as well as identity and citizenship more broadly (Squire, 2009).

In all of this, it does seem to be the case that despite the apparent contrasts and differences between the ethnic-linguistic and civic-political nationalisms on display, there is a particular 'closeness' between the actual *policies* that emerge out of such manifestations. In a sense, for analytical precision and depth, it is perhaps better to think of nationalism as a whole rather than trying to create 'civic–ethnic', 'political–cultural' or 'good–bad' distinctions that might be helpful at a general hypothetical level but are rendered problematic when applied to 'real world' examples and situations. Indeed, it is important to remember that this distinction is merely a normative and analytical one: it cannot account for specific nationalisms and it cannot account for potential trajectories of any 'nationalism at large'. It seems clear, whether reading the work of Anthony Smith (1998) or Eric Hobsbawm (1992), that even those nationalisms claiming to be 'the most' civic and political ('Western') are, in reality, very often guided, forged and influenced in their development via the ethnic and linguistic. The example of France alone illustrates this point, both during and after the revolution. The same is true for those nationalisms that seem, at first glance, to be virulent strains of the 'ethnic': for example, John Breuilly (1993) has shown that in the case of German nationalism around the 1850s, many speeches and debates in Parliament illustrated both civic and territorial aspects in addition to the 'ethnic' ones on display (and Germany is often presented in the literature as an atypical model of the 'ethnic'). You can see today, all around Europe, examples of the relatively harmonious fusion and merging of the ethnic and civic, whether in Scotland, Switzerland or the Czech and Slovak lands. Of course, we can also witness the opposite, especially if we extend our gaze to Israel or India. In essence, tracing a clear pattern of historical development using such dichotomous concepts is inherently problematic.

It is worth looking at the critiques of the ethnic–civic distinction a little more to fully understand these discourses. Indeed, as has been noted by Spencer and Wollman (2002), the distinction between ethnic and civic forms of nationalism is problematic in many ways. At a 'deep' philosophical level, the actual separation of the two is not without concern. Is it not the case, for example, that all nations are, at a fundamental level, 'ethnic' nations? Each nation will claim their uniqueness and their borders and

boundaries and in so doing will be excluding of those who are not considered members of that particular nation ('aliens' or 'others'). If we follow the work of Brubaker (1998), for example, we can see how it often depends on how narrow or broad we stitch 'culture' onto the distinction that is suggested operates between the ethnic and the civic. Ethnic nationalism can place emphasis on the importance on descent and heritage, and by doing so, can be restrictive. This narrowness of interpretation can mean that there are few examples of ethnic nationalism in existence as such a framework means that any emphasis on 'common culture' has to be defined as an example of civic nationalism. From the other side, if ethnic nationalism is classified in a broader ethnocultural sense, and conversely civic nationalism is interpreted narrowly as displaying acultural notions of citizenship, then the problem is reversed – all nationalisms would be defined as ethnic/cultural and the civic conception would be rendered almost meaningless. You can see here the power of questioning the intellectual distinction between ethnic-linguistic and civic-political and, further, Kohn's (1944) Western and Eastern division is challenged. In this kind of framework, even the prime examples of civic nationalism – America, England, France, etc. – would be reclassified as they obviously contain ethnic/cultural aspects to their nationalisms (Özkirimli, 2005).

Is the civic 'model' the one to aspire to then? If we look to the work of Gans (2003) it can be observed that the idea of civic nationalism, as a political entity that is voluntary and is ethnically 'colour-blind' (both literally and metaphorically), is in fact a fallacy that does not hold true. Gans argues that adherence to shared ideas cannot be seen as any kind of nationalism, unless drawing upon vague and abstract notions of 'common culture'. That is, civic nationalism in any kind of 'pure' form does not actually exist, given historical developments and philosophical definitions of what constitutes nations. Similarly, Brown (2000) argues that the ethnic–civic question is, for most people, a mute one – given that the majority of the population in so-called civic nations have no choice in their national identity as the acquire citizenship by birth. Further, gaining entry to other 'civic' nations may be as limited as in the case of 'ethnic' nations (for example, witness the visa/legal problems faced by someone trying to move permanently from France to the United States, especially for reasons *other* than work or marriage). So, civic nations, like ethnic nations, can be equally demanding in terms of allegiances to 'blood and soil' and can also take measures to resist voluntary renunciations of national identity and citizenship. This point is made very well by Muro and Quiroga (2005), who look at the example of Spanish nationalism, a geography that provides fertile ground for examining the interplay between the ethnic and civic. They argue that when considered historically, Spanish nationalism has had at least two recognisable 'versions' – a 'liberal' incarnation and a 'conservative traditionalist' project. This was especially the case during the nineteenth century. However, in turning to the twentieth century, Muro and Quiroga suggest that although these two ideological projects cemented themselves into party politics, the Basque and Catalan nationalist movements caused a shift in thinking and helped, to an extent, unify Spanish nationalists to defend *'Renio de España'* ('the Kingdom of Spain') against these new regional sources of separatist identity politics. In the present context, they suggest, Spanish nationalism is a struggle between centre and periphery with appeals to 'civic' status and nationhood used to compete with regionalist forces.

Another criticism of the ethnic and civic distinction is the 'normative project' (Smith, 1996) that can shadow and follow the debate, leading to the airing of moral favouritism, prejudice and bias. For example, McCrone (1998: 7) discusses the 'great fault lines' of

Eastern and Western thinking on nationalism and notes that, even going back to Kohn's work, we can recognise the thinly disguised idea that Western (political) forms of nationalism – the kinds that produced 'citizens' – are somehow superior or 'better' than Eastern (ethnic and cultural) forms of nationalism which simply produce 'the folk'. McCrone (1998: 9) concedes that whilst commentators such as Gellner (1994), in his work on the time zones of Europe, and Brubaker (1992), in his work on French and German models of nationalism, have put the civic–ethnic distinction to good academic use he still suggests that ultimately the distinction '…does lend itself to Eurocentric caricature – why can't *they* be more like *us*?'. This is certainly a theme that is apparent in some of the literature on the ethnic/civic distinction and moral judgments do not seem to be too far from the surface. Consider the work of Plamenatz (1976) who as recently as the mid-1970s spoke of an Eastern kind of (ethnic) nationalism as being 'backward', 'imitative' and 'illiberal' whilst the Western (civic) variety is upheld as one that is 'culturally better equipped' for ensuring 'success and excellence'. Challenging such static and reified ideas is the more recent work of Stefan Auer (2004). In an interview for Radio Prague (Vaughan, 2005) about his book *Liberal Nationalism in Central Europe*, Auer (2004) captures this theme vividly and his last sentence is especially important I would suggest:

> … the book is partly a response to a number of scholarly studies that were written immediately after the collapse of communism, that argued or suggested that the process of post-communist transition will be hampered or undermined by the forces of nationalism. So what happened in Yugoslavia was seen as epitomising the problems of Eastern Europe. It was argued that the nations of Eastern Europe were more inclined to adopt this kind of xenophobic form of nationalism … There is a vast body of literature that differentiates between 'civic nationalism' and 'ethnic nationalism'. Civic nationalism is seen as a kind of progressive force that fits into the project of liberal democracy and is characteristic of Western nations like Britain and France. Opposed to it is usually a concept of ethnic nationalism that, so it was argued, was characteristic of Eastern Europe. I thought that that sort of schematic division of Europe was unhelpful in understanding what was going on in Central and Eastern Europe. In fact, it's quite unhelpful in understanding what's going on in Western Europe.

So what are we left with here? Has the ethnic/civic distinction – such a 'keeper' within the field of nationalism studies – lost all of its contemporary analytical purchase? In an increasingly global world is it now somehow less important, given that nation-states have, it is argued, given way to cosmopolitan cities and new transnational realities? As has been suggested above, there is perhaps some scope for continuing to employ the distinction as a Weberian 'ideal type' model and focus more on the advantages this approach can give us and focus less on using the dichotomy when it comes to 'real world' scenarios. Or, perhaps, a better approach is to recognise that the distinction between civic and ethnic is now redundant and actually creates more problems than it could ever solve – and in its place alternatives should be fostered and employed. This is where we can return to Brubaker (1998) who has helpfully suggested a 'state-formed' and 'counter-state' dichotomy for (better?) understanding different types of nationalism. In using the term 'state-formed', Brubaker is arguing that the terms 'nation' and 'state' are in accordance, both in terms of territory and institutions. By 'counter-state', he is

talking about the exact opposite – where 'nation' is *opposed* to the territorial and institutional framing of the currently positioned state. As Brubaker argues (1998: 300–01) in explaining each new distinction, there is nothing necessarily 'civic' about state-formed nationalism and likewise counter-state nationalism need not be 'ethnic'. What is important here is that the *state* is the frame of reference, not the *nation*. These conceptions of nationalism can incorporate ethnic and cultural aspects of nationhood as well as paying heed to the importance of territory and individual political histories. So, counter-state nationalisms can have 'civic' qualities whilst 'state-formed' nationalisms can have 'ethnic' components and roots. However, is this distinction any more relevant and useful than the 'Eastern' and 'Western' options presented by Kohn back in 1944?

It is worth noting, in closing this brief chapter, that even though the distinction between civic and ethnic nationalisms has been largely agreed as problematic, and of limited value beyond a kind of 'ideal type' model-making, it continues to be a source of much scholarly angst and debate. Indeed, if commentators are not arguing about the origins and/or endings of nationalism, then it is usually the civic–ethnic distinction – and other such dichotomies – that spills forth and holds attention. An example of this was the eighteenth annual meeting of the Association for the Study of Ethnicity and Nationalism at the London School of Economics, London, during April 2008. Including speakers such as Oliver Zimmer, Paul Gilroy and Bhikhu Parekh, the conference was concerned with the topic of ethnic and civic conceptions of nationhood and the conference promotional material suggested that:

> 'It has long been standard in the field of nationalism studies to classify nations according to which principle serves to unify the nation. The distinction between the Western, political type of nationalism, and Eastern, genealogical nationalism as systematised by Hans Kohn in 1945 has been used, extended and adjusted by scholars of nationalism to conceptualise a framework of 'inclusive' nationalism based on citizenship and territory and 'exclusive' nationalism based on common ethnic ties and descent. This conference seeks to assess the continuing relevance of this dichotomy in its various forms: its contribution to theoretical work on nationalism, its usefulness for historical interpretation and its value for contemporary policy-making.

Although clearly written to attract papers and general interest, the framing of the conference is nonetheless interesting and reflects the continued 'hardness' and rigidity of thinking on this dichotomy. It has been shown in this chapter, by drawing on some of the thinking of key scholars in the field, that the civic–ethnic distinction is an extension or a new way of thinking about the political–cultural distinction and in the field of nationalism studies such dichotomies are going to be around, just like nation-states, for a long time yet.

Acknowledgement

Further reading

Brubaker, R. (2004) *Ethnicity without Groups*, Cambridge MA: Harvard University Press.

Greenfeld, L. (2002) *Nationalism: five roads to modernity*, Cambridge: Cambridge University Press.

Kohn, H. (1944) *The Idea of Nationalism: a study of its origins and background*, New York: Macmillan.

Miller, D. (1995) *On Nationality*, Oxford: Oxford University Press.

Smith, A. (1998) *Nationalism and Modernism*, London: Routledge.

References

Auer, S. (2004) *Liberal Nationalism in Central Europe*, London: Routledge.

ASEN (2008) *Nationalism*, *East and West: civic and ethnic conceptions of nationhood*, annual conference announcement and call for papers, London School of Economics, available on line: http://www.lse.ac.uk/collections/ASEN/conference_08.html (accessed 18 June 2009).

Breuilly, J. (1993) *Nationalism and the State*, 2nd edn, Manchester: Manchester University Press.

Brubaker, R. (1992) *Citizenship and Nationhood in France and Germany*, Cambridge MA: Harvard University Press.

—(1998) 'Myths and misconceptions in the study of nationalism', in John Hall (ed.) *The State of the Nation: Ernest Gellner and the theory of nationalism*, Cambridge: Cambridge University Press.

Brown, D. (2000) *Contemporary Nationalism: civic*, *ethnocultural and multicultural politics*, London: Routledge.

Gans, C. (2003) *The Limits of Nationalism*, Cambridge: Cambridge University Press.

Gellner, E. (1994) *Encounters with Nationalism.* Oxford: Blackwell.

Greenfeld, L. (1992) *Nationalism: five roads to modernity*, Cambridge: Cambridge University Press.

Hobsbawm, E. (1992) *Nations and Nationalism since 1780: programme*, *myth*, *reality*, 2nd edn, Cambridge: Cambridge University Press.

Ignatieff, M. (1994) *Blood and Belonging: journeys into the new nationalism*, London: Vintage.

Kohn, H. (1944) *The Idea of Nationalism: a study of its origins and background*, New York: Macmillan.

McAllion, J. (1998) Speech in the House of Commons on the Scotland Bill, 23 February, Hansard, col. 134, available on line at: http://www.publications.parliament.uk/pa/cm199798/cmhansrd/vo980223/debtext/80223–39.htm#80223–39_spnew2 (accessed 11 July 2009).

McCrone, D. (1998) *The Sociology of Nationalism*, London: Routledge.

Meinecke, F. (1970/1907) *Cosmopolitanism and the National State*, Princeton NJ: Princeton University Press.

Miller, D. (1995) *On Nationality*, Oxford: Oxford University Press.

Muro, D., and Quiroga, A. (2005) 'Spanish nationalism: ethnic or civic?'*Ethnicities* 5 (1): 9–29.

Orwell, G. (1953/1945) 'Notes on nationalism', in *England*, *your England*, *and other Essays*, London: Secker & Warburg.

Özkirimli, U. (2005) *Contemporary Debates on Nationalism: a critical engagement*, Basingstoke: Palgrave Macmillan.

Parekh, B. (2005) *Rethinking Multiculturalism: cultural diversity and political theory*, 2nd edn, Basingstoke: Palgrave Macmillan.

Plamenatz, J. (1976) 'Two types of nationalism', in E. Kamenka (ed.) *Nationalism: the nature and evolution of an idea*, Canberra: Australian National University Press.

Renan, E. (1994/1882) 'Qu'est-ce qu'une nation?' in J. Hutchinson and A. D. Smith (eds) *Nationalism*, Oxford: Oxford University Press.

Seton-Watson, H. (1965) *Nationalism Old and New*, London: Methuen.

Shulman, S. (2002) 'Challenging the civic/ethnic and west/east dichotomies in the study of nationalism', *Comparative and Political Studies*, 35 (5): 554–85.

Spencer, P., and Wollman, H. (2002) *Nationalism: a critical introduction*, London: Sage.

Smith, A. (1991) *National Identity*, London: Penguin.

—(1994) 'Ethnic nationalism and the plight of minorities', *Journal of Refugee Studies*, 7 (2–3): 186–98.

—(1996) 'Opening statement: nations and their past', *Nations and Nationalism* 2 (3): 358–65.

—(1998) *Nationalism and Modernism*, London: Routledge.

—(2001) *Nationalism: Theory, Ideology, History*, Cambridge: Polity Press.

Squire, V. (2009) *The Exclusionary Politics of Asylum*, Basingstoke: Palgrave Macmillan.

Tilly, C. (1995) *European Revolutions*, *1492–1992*. Oxford: Wiley Blackwell.

Vaughan, D. (2005) 'Can nationalism in Central Europe be a force for good? An interview with Dr Stefan Auer', *Radio Prague* 23 October, http://www.radio.cz/en/print/article/71970 (accessed 12 August 2009).

5   Stateless nations in a world of nation-states

Ephraim Nimni

Nations and states: a terminology in trouble

We are accustomed to understand nations as connected with states, and in many cases, particularly in everyday speech, we use the term nation as transposable with the term state. This assumption is prevalent around the world but it is based on an error. A state is an apparatus of governance and a nation is a cultural community; these are two very different kinds of human groupings. The symbiotic relation between nation and state (a nation-state) is an historical creation of early modern Western Europe, and it became in more than one way, one of its most successful exports. The Western European heirs of the architects of the nation-state, however, are paradoxically relinquishing some of the old sovereign powers of the nation-state with the expansion of the European Union. However, many of those outside Western Europe who copied the idea of the nation-state or inherited it from colonial masters are among its most zealous defenders. The nation-state model is not particularly well suited to govern states with culturally mixed populations who demand political recognition to their cultural identity. The problem is unfortunately common and solutions are hard to find, let alone implement.

There are more nations than states. States require a delimited territorial space to exercise sovereignty. In this regard, the match between nation and state is often problematic, as it is common to find that territorial spaces occupied by states that are home to more than one nation. A cautious estimate puts the number of nations in this world to well above 3,000, while, with the admission of Montenegro in 2006, there are 192 states represented in the United Nations. Fewer than twenty UN member states are ethnically homogeneous in the sense that cultural minorities account for less than 5 per cent of the population (Brown 1993: 6). Others consider that the number of nations is much larger. Minahan (2002: xx) argues that only 3 per cent of the world's 6,000 national groups have achieved statehood. Moreover, it is only from the eighteenth century onwards that one can speak of nation-states in the way we understand the term today, a type of state that derives its legitimacy from being a sovereign entity for a nation (Jáuregui 1994: 3).

Whatever the numbers one might wish to use, nations that have states are only a small fraction of all nations, but we insist in associating nations with states and in regarding the majority of nations that are stateless as problematic or lacking something. It is not an exaggeration to say that the term 'nation-state' – understood as one (cultural) nation in one state – is a misnomer (Govier 1997: 269). Stateless nations are the overwhelming majority of nations and only a small number of states represented in the UN are technically nation-states. The configuration of the political institutions of most

states, democratic or otherwise, often gives the impression that they are culturally homogeneous, trapping cultural minorities that have different national cultures into at best, ambiguity and, at worst, alienation, subordination and, in the worst case scenario, ethnic cleansing. In an influential and thought-provoking work, Michael Mann argues that murderous ethnic cleansing is the dark side of democracy because it carries the possibility that majorities might tyrannise minorities and pervert the ideal of rule by the people. This process converts *demos* into *ethnos* in some extreme cases, generating an organic nationalism that leads to the cleansing of minorities (Mann 2005: 2). In a larger number of less extreme cases, the standardisation and centralisation that is the hallmark of the modern nation-state, puts national and ethnic minorities in a difficult predicament and results in a complicated process of accommodation of stateless nations (Jáuregui 1994: 128).

However, change is on the way. The nation-state is just but one possible way among many on how to organise the political system, and changes in the relationship between territorial spaces, national identity, political institutions, may open up new possibilities (Keating 2001: 2), particularly by developing multination-states, with shared sovereignty and overlapping jurisdictions between two or more nations. In the last three decades we are experiencing a slow but relentless change in the idea that nations must match states. This change takes the form of a devaluation of the nation-state as a model for national emancipation – not only because democratic nation-states are internally and externally devolving power to regional forms of organisation – but crucially because many democratic nation-states have begun transferring jurisdictions to devolved regional governments that in many cases embody minority nations. Here, multi-level governance, understood as the exercise of authority across and within different jurisdictions, is changing the way democratic governance is understood, and this is particularly so in regions inhabited by stateless nations.

Consider the following few examples. Nunavut is the most recent and federal territory of Canada, and was created to allow for the autonomy of its indigenous populations, mainly the Inuit people. Quebec is a province of Canada, but one that has a special identity as the homeland of the Québécois nation. In a historic ruling, the Canadian parliament approved by acclamation in 2006 a motion submitted in French by Stephen Harper, the then Conservative Prime Minister of Canada, 'que cette Chambre reconnaisse que les Québécoises et les Québécois forment une nation au sein d'un Canada uni' (this House recognises that Quebeckers form a nation within a united Canada).[1] Catalonia is an autonomous region in the Spanish state, and the parliament of Catalonia has defined Catalonia as a nation, and this is specified in the Statute of Autonomy of Catalonia. Euzkadi is an autonomous region composed of three provinces in the Spanish state and whose peoples consider themselves a distinct nation, a part of the Basque Homeland (Euskal Herria). In the United Kingdom, devolved assemblies operate in the territories of the Scottish and Welsh nations. In settler liberal democracies, agreements between settler societies and indigenous peoples are transforming the way in which national self-determination is understood. Consider among many *La Paix des Braves* (the Peace of the Brave), an agreement between the government of Quebec and the Grand Council of the Cree Nation in Canada, to share governance, land and resources. In Northern Ireland a consociational arrangement is in place to allow for the representation of two national communities. This is only a small sample; there are many other similar cases in different parts of the world.

Stateless nations and demands for cultural recognition

One of the salient characteristics of the turn of the twenty-first century is that we are witnessing an extraordinary expansion of a variety of demands for cultural recognition. These increased demands come in many forms and shapes, including indigenous emancipatory movements, minority nationalisms and the politics of recognition for ethnic minorities. This extraordinary expansion in the politicisation of cultural communities signals, in Will Kymlicka's words, 'a veritable revolution' (2007: 1) in the relation between states and ethnonational communities. The reasons for this are clearly explained by Tony Judt:

> Most of the readers of this essay live in pluralist states which have long since become multiethnic and multicultural. 'Christian Europe,' pace M. Valéry Giscard d'Estaing, is a dead letter; Western civilisation today is a patchwork of colours and religions and languages, of Christians, Jews, Muslims, Arabs, Indians, and many others – as any visitor to London or Paris or Geneva will know.
>
> (Judt 2003)

From the perspective of the study of nations, the most mystifying dimension of this expansion is that it is taking place mostly among cultural communities that have no possibilities or indeed the desire to build separate nation-states. We can still identify a diminishing number of nationalist movements that steadfastly persist in the aim to build separate states. In these cases, intractable bloody conflicts fester without the prospect of resolution. Chief among these is the Israeli–Palestinian conflict. But in other increasing number of cases, ethnonational communities exercise self-determination without constituting separate states, using instead mechanisms of devolution or national accommodation. In such cases, conflicts are defused, become institutionalised and manageable because they are represented in the democratic interplay of political forces, or they simply disappear. Consider the case of Northern Ireland after the Good Friday Agreement. In sharp distinction with the Israeli–Palestinian case, and following the slow process of institution-building in Northern Ireland, the conflict has not disappeared. It was rather transformed through the mechanisms of power sharing into a manageable difference that finds its expression in democratic institutions.

The perplexing impasse of theories of nationalism

In whatever way we look at it, the relationship between nationalism, ethnicity and self-determination has changed significantly in the last three decades. But enigmatically, these changes have not been adequately reflected in the paradigms that dominate the study of nationalism. These paradigms continue to see that the goal of nations is to create nation-states because they are considered to be the best shell for the protection of nations. The tone is set by what is one of the most influential contemporary books for the study of nationalism, Ernest Gellner's *Nations and Nationalism*. Here Gellner in the opening sentences of the book argues that 'Nationalism is primarily a political principle, which holds that the political and the national unit should be congruent' (2006: 1).

Anthony Smith, a prolific and influential scholar in the study of nationalism, similarly argues that the aim of nationalism is to make the nation the mould and measure of the

state, to make the state bend to and express the will of the nation. 'In and of itself, the state is nothing but an instrument for executing the will of the nation,' and furthermore, 'the state that nationalism aims to create is a culturally defined and suffused polity; it derives its raison d'être as well as its character from the historic culture of the dominant ethnie' (Smith 1995: 112–13).

However, these assertions are not only becoming conceptually dubious, but as we enter the twenty-first century they are empirically incorrect. Consider the case of Puerto Rico, a nation with a vibrant national culture by any prevailing criteria. Its members have decided in plebiscites and elections not only *not* to become an independent state but, to the contrary, the electorate wishes to remain part of the United States. Notwithstanding the impassioned pleas of a tiny minority of nationalists demanding independence, the majority wish to remain as a commonwealth associated to the United States, while a large minority wish to join the United States as the fifty-first state of the Union. Only a mere 3 per cent of the electorate voted in a referendum for independence. An even larger majority, however, consider that Puerto Rican national culture is not negotiable, yet they emphatically reject independent statehood (Oquendo 2004: 299). Consider also the increasing numbers of multicultural nationalisms, such as the Catalan, Basques or Quebecois among others, who accept an accommodation within a multination-state, and are therefore left outside the domain of Gellner's mistaken generalisations. The large numbers of indigenous peoples in postcolonial settler societies as well as in Europe are also left outside Gellner's generalisations. Indigenous peoples use the terms 'nation' and 'self-determination' in cultural ways that show no interest in separate statehood (Keating 2001: 7).

But Gellner was not the only voice expressing the idea that nation-states should be monocultural (Tambini 1996). The argument has a long history associated with liberal thinkers at the onset of modernity. For a very long time the dominant conception of nation building was that stable democracies could not be maintained in the face of cultural diversity (Gagnon and Tully 2001: 319). The best known and most influential example was John Stuart Mill's assertion that:

> Free institutions are next to impossible in a country made up of different nationalities. … Among people without fellow-feeling, especially if they speak different languages, the united public opinion, necessary to the working of representative government cannot exist.
>
> (Mill 1976: 361)

Walker Connor, in a prophetic article over thirty years ago, argued that what developmental scholars called 'nation building' was in fact a process of nation destroying, because these nation-building scholars ignored the question of stateless nations or they treated ethnic diversity superficially as merely a minor impediment for state integration (Connor 1972: 319). In conceptual and comparative perspectives, the juridical concept of the state made sense in conjunction with a sanitised idea of the nation that emanated from the pre-eminence of a hegemonic fascination with the sovereign state model. The absence of ethnic minorities and stateless nations in theoretical and comparative literature on nationalism resulted from a conceptual myopia that reflected the low salience of cultural pluralism and a high salience of Western ethnocentrism (Young 1983: 655). Nowadays a decisive break with this fruitless tradition appears to be under way. A paradigm change since 1980 is giving

birth to a different, more plural and multidimensional understanding of the relationship between stateless nations and democratic governance, particularly in settings that encourage multiple jurisdictions. A common element across the various versions of the new paradigm is that the dispersal of governance across multiple jurisdictions is both more efficient than and normatively superior to a central state sovereign monopoly (Bache and Flinders 2005: 5). These new theoretical insights first emerged in the area of conflict resolution and multiculturalism. They advocate, in a vast array of empirical and comparative cases, a system of governance based on the participation of several democratically organised ethnonational communities operating in multiple jurisdictions. Here the governmental process is not of discrete, centralised, homogeneous units, as in the old nation-state model, but one in which governance is understood as a multilayered and multicultural mechanism, with regional and minority devolution, one that will allow stateless nations the possibility of self-determination without constituting a separate state and without dismembering an existing one.[2]

These new forms of democratic administration emerged precisely because they come to terms with a problem that paralysed old versions of nation-state sovereignty and centralised government. This problem is at the centre of the move for a paradigm change in relation to stateless nations in a world of nation-states. The shift responds to the crying need to break with the oppressive governance of stateless nations and end centuries of bickering about minority nation representation. Here forms of post-sovereign citizenship that retain the political and territorial dimension of citizenship, while experimenting with alternative forms of representation for national and ethnic minorities (non-territorial autonomy and concurrent or shared sovereignty) appear as influential tools of compromise and accommodation (Murphy and Harty 2003: 185). The need for a compromise with stateless nations is urgent and important because these stateless nations can be disempowered by a nation-state without violating the civil and political rights of their individual members. Consider settlement/migration policies, the gerrymandering of boundaries and, in official language, policies. While on the surface these policies appear not to violate individual rights, their effect is to alienate, demoralise and destroy the cultural identity of minority stateless nations (Kymlicka 2001: 23; Nimni 2008: 98–99). To avoid the pain and wanton destruction that minorities and majorities experience as a result of bitter struggles for secession, we urgently need to find ways to provide stateless nations with cultural recognition, equal rights, governance and political participation – without dismembering existing states.

The opposing solution to multinational integration, partition, has proved to be disastrous for the predicament of stateless nations. The examples of Palestine, Cyprus, Kashmir, Sri Lanka and more recently Kosovo, among many others, show that rather than resolving ethnic security dilemmas endemic to ethnic civil wars, partitions have the effect of institutionalising ethnic conflicts in the post-war period because they result in segregated communities that leave confrontational mechanisms intact (Jenne 2009: 274–75). Moreover, partitions are often the result of instigations by outside parties with ulterior interests rather than forms of ethnic conflict resolution. When minority nationalist leaders are confident of external support, their leaders will radicalise and reject attempts to compromise (Jenne 2007: 53). The tragic and senseless prolongation of the Israeli–Palestinian conflict results from this cruel equation.

Models for the self-determination of stateless nations

Fortunately, some models are available to alleviate the predicament of stateless nations. The first is more radical and it is normally applied in extreme cases of ethnic conflict. It involves the reorganisation of nation-states into multination-states with collective rights for all participant national communities. The national cultural autonomy (NCA) model and consociationalism use this organisational logic in societies deeply divided by ethnic and national conflict, when the residence of contending stateless nations overlaps and when there are marked and long-standing disagreements that cause the political system to be paralysed by violent struggles.

The NCA model has its origins in the late Habsburg Empire and the attempt of Austrian socialists to convert the decaying empire from a conglomerate of squabbling cultural communities into a democratic federation of nationalities (Nimni 2000: xxii–xxiii). In sharp contrast to most other forms of national autonomy, the NCA model rests on the idea that autonomous cultural communities could be organised as autonomous collectivities whatever their residential location within a multinational state. NCA is model for national self-determination without partitioning existing states and without infringing on the rights of overlapping national communities. As in the millet system in the Ottoman Empire, peoples of different cultural identities can coexist in a single polity without straining the principle of national autonomy, but, in sharp distinction from the millet system, these communities are organised in accordance with the principles of the rule of law and democratic representation of nations.[3] The model is very well designed to resolve demands of self-determination of nations that share the same territory with other nations. This is, unfortunately, not an uncommon situation and one that cannot be resolved by internationally sectioned models of territorial self-determination that prescribe the creation of a separate state for the aggrieved nation. A much watered down version of the NCA model was approved by the Duma of the Russian Federation in the Federal Law on the National-Cultural Autonomy in May 1996 (Bowring 2005: 164).

Consociationalism is a better known form of governance encompassing collective (group) representation. It presents an alternative to the principles of majoritarian democracy and for that reason it is normally used to manage conflict in deeply divided societies. The term was popularised by Arend Lijphart (1997) and was further developed by John McGarry and Brendan O'Leary in a series of seminal works on conflict resolution and on Northern Ireland (O'Leary 2005; McGarry and O'Leary 2006); for a debate and discussion of the model see Taylor (2009). It is more elite-based than the NCA model, and it is based on the principles of a grand coalition across cultural divides, mutual veto on matters vital for the continuity of the minority communities, proportionality in representation and the segmental autonomy of each community. As with NCA, the aim is to make government more responsive to the concerns of minorities and offer alternative outcomes to territorial nationalism and secession. In this way, secessionist groups are neutralised and cultural minorities are encouraged to feel confident of representation and protection for their vital concerns (Lustick et al. 2004: 210–11).

A second, less radical route is available to nation-states that have unresolved problems of representation of stateless nations. This model is the preferred option in societies that are not deeply divided, meaning that the inter-ethnic tension does not lead to paralysis or a breakdown of the political system. In these situations, it might seem

impractical to endorse *tout court* the model of a multination-state advocated by consociationalism or NCA. For one, nation-states are unlikely to concede willingly to wide-ranging demands for the restructuring of their state sovereignty, unless of course, the alternative is institutional breakdown. Even if the power of the nation-state as an institution has diminished in the contemporary world, states still remain the principal focus of institutional organisation. In these circumstances, when states are not paralysed by conflicts, these states are invited to recognise the representational problems of stateless nations, and implement internationally accepted standards and instruments, such as the Lund Recommendations on the Effective Participation of National Minorities in Public Life (1999). This important international document argues that the effective participation of stateless nations in the governance of the state requires specific arrangements to facilitate their inclusion within the system of governance, one that allows these stateless nations to maintain their identity and characteristics, and in that way promote the good governance and participation of all, not only individual citizens but also national or ethnic collectivities (Palermo and Woelk 2003: 225).

The Lund international standards have also the important function of ensuring coherent implementation. They provide a far-reaching set of specific recommendations that are designed to encourage and facilitate the adoption by states of concrete and specific measures designed to overcome the alienation of minority communities and alleviate the tensions inherent in situations of territorial cohabitation (Packer 2000: 41–42). They set standards to provide for representation of stateless nations without creating new states.

The world of nation-states poses limitations to the enforcement of real equality for stateless nations and, moreover, courtesy of its own example, the nation-state model provides solutions that exacerbate rather than alleviate the problem of secession and partition. Superficially, secession of stateless nations and their 'normalisation' into nation-states appears to some as a seductive remedy. However, the secessionist route is clouded with difficulties, for it almost always incurs the veto of the dominant nation (exceptions are Singapore and Slovakia), and the problem is further exacerbated when the residence of different cultural-national communities overlaps. When cultural grievances become entangled with territorial disputes they become bitter, protracted, bloody and extremely difficult to resolve. Cultural-territorial conflicts are classic zero-sum situations: the gain of one is by definition a loss for the other. The problem is aggravated by the sheer impossibility of finding in the contemporary world sufficient 'portions of real estate' to allow each and every national community to have a territorial state of its own. For the insurmountable problems that result from minority secession, see Dion (1996). The UN Charter offers contradictory advice here: on the one hand it sees the right of self-determination as the right to constitute separate states, but on the other it opposes the dismemberment of its members (Musgrave 2000: 69–77). The problem can be resolved only by a redefinition of national self-determination into something other than separate nation-states, and the principled application of asymmetrical modes of autonomous governance for stateless national communities.

Stateless nations and asymmetrical modes of governance

The egalitarian ethos of liberalism required until recently that each unit of a system of governance receive the same symmetrical rights and competences. The assumption is that each unit has the same needs and obeys the same organisational or cultural

arrangements, and therefore the egalitarian ethos makes sure that no one receives privileges or disadvantages. This system assumes equal needs, uniformity and equal distribution of resources, and is thus unreceptive to the diversity and flexibility required for the accommodation of cultural and national minorities with different needs. Asymmetrical governance, in contrast, is more appropriate for the accommodation of stateless nations because it caters for units that experience different circumstances and needs, such as different cultural, linguistic or administrative arrangements. In culturally diverse multination-states, equality of rights paradoxically requires that competences be distributed unevenly. Stateless nations and minority cultures require asymmetrical forms of autonomy to cater for their cultural and linguistic distinctiveness and their initial alienation from the dominant culture. For this reason, asymmetrical decentralisation along territorial or cultural lines (or both simultaneously), is an increasingly common form of territorial autonomy in cases of alienated stateless nations that experience protracted conflicts. This model requires constitutional rights that give special protection to the stateless nations. This usually takes the form of special rights to administer the own affairs of the stateless nations independently of other forms of state authority, but in a manner that is integrated within an existing overall legal order. In this way asymmetrical governance can address the stateless nations desire for more autonomy, while simultaneously allowing the continuity of the central administrative functions of the multination-state (Adeney 2007: 117–18). Slowly but surely, this model is understood as a form of national self-determination, but one that is markedly different from the international legal understanding of self-determination as state independence. This particular form of self-determination is often demanded by indigenous groups in settler societies. Faced with an invasion of settlers that made them to be minorities in their ancestral lands, indigenous peoples demand forms of self-governance that allow them to be governed and live in accordance with their millenarian customs and ways of life (Shaw 2008: 140). This does not entail building separate nation-states, but the asymmetrical recognition of the culture, traditions and ways of life of indigenous people. This model empowers them with self-governance jurisdictions that do not challenge the territorial unity of the state.

The model of sovereignty as total and indivisible power is part of the key ingredients that led to the formation of nation-states. This model, however, has been significantly eroded by the modalities of asymmetrical governance described above, as borders are no longer seen as dividing lines between states and societies (Henders 1997: 521). The new modalities of asymmetrical governance also erode traditional constitutional arrangements, and these require new forms of flexible constitutionalism for an age of cultural diversity. This modality of recognition of cultural diversity does not fossilise the majority or minority cultures, but on the contrary, it creates a constitutional association that accommodates cultural diversity in a manner that provides the social basis for critical reflection and dissent from one's own cultural institutions (Tully 1995: 207), regardless as to whether these cultural institutions are part of the minority or majority cultures.

In sharp contrast, symmetrical governance fails to correctly understand that characteristics of most contemporary nation-states, in that their constituencies are different cultural communities (Keating 2001: 102–33). This kind of cultural blindness entrenches cultural divisions, for aggrieved minorities take a defensive stance and majority communities misunderstand and resent minorities with insistent demands. Without asymmetrical arrangements plurinational states will simply fail to function or

will fall into a protracted bickering about competences. Asymmetrical autonomy has merit not only wherever a state's different communities seek different levels of self-government (McGarry 2007: 133), but also in circumstances in which the cultural needs of different communities vary.

From a world of nation-states to a world of multination-states

The modern state as a political institution is the most important form of political organisation in the contemporary world, and it is likely to remain so for the foreseeable future. It has been weakened by erosions to its sovereignty caused by the process of globalisation, and in the European case, states have devolved large parts of their sovereignty to the European Union, yet, even in its weaker form, it remains the most powerful form of societal organisation. The question however, is not the disappearance of the state as an institution of governance, but its slow transformation from a nation-state into a multination-state. While there is a long way to go yet to achieve this, in sharp distinction to the prediction of the most influential theories of nationalism, we are experiencing a slow but clear bifurcation between the attributes of the state and the attributes of the nation. This does not mean that nationalism will disappear as some advocates of post-nationalism appear to suggest. Post-national authors argue instead that citizenship in the nation-state is eroded by globalising tendencies and a post-national mode of citizenship emerges with transnational institutions as their main referent (Soysal 1994: 3). For a refutation of the post-national argument see Koopmans and Statham (1999: 652–96). The idea of the nation is *not* nowadays weaker but, to the contrary, indicates a renewed vibrancy in demands for cultural and national accommodation. The politics of recognition in its different forms and modalities is reinvigorating nationalist claims, but this time, crucially, in ways that converge with multicultural demands. Quebec's Consultation Commission on Accommodation Practices related to Cultural Differences (Commission de consultation sur les pratiques d'accommodement reliées aux différences culturelles),[4] best known as the Bouchard–Taylor Commission, is one of the prominent examples of this convergence. Here a stateless nationalism after its reconciliation with the dominant nation, takes stock of its relationship with its own minorities. In the same vein, in Scotland and Catalonia, the stateless nationalism seeks accommodation with its own migrant communities.

The relation between nation and state is changing in ways that are friendlier to stateless nations. Prevailing theories of nationalism have fail understand this, and cannot therefore conceptualise the new modalities for self-determination of nations. The members of the United Nations are slowly moving to accommodate their minority nationalisms, while in contrast, a dwindling minority of UN members zealously holds to the old model of the nation-state, alienating even further stateless nations. But all indications are that the twenty-first century will be a century of accommodation for minority nationalisms. Indigenous peoples are showing the way in a concerted effort to find a *modus vivendi* with the settler state. Multiculturalism and nationalism are converging, and in that, they are both growing stronger.

Notes

1 Parliament of Canada, Order Paper and Notice Paper No. 86, Government Business No 11, 26 November 2006. See the historical speech at http://www.youtube.com/watch?v = I2URJuVtRAE.
2 The proliferation of seminal ideas and works in this area is astonishing. Examples include Kymlicka (1995, 2007), Parekh (2000), Gagnon and Tully (2001), Tully (1995), Nootens (2004), Taylor (1994), Keating (2001), Keating and McGarry (1994) – but there are many others. See also the debate on O'Leary and McGarry's seminal work in Taylor (2009).
3 On the contemporary validity of the model see Smith and Cordell (2008), Roach (2005) and Nimni (1999, 2005).
4 See the English site of the Commission, http://www.accommodements.qc.ca/index-en.html (accessed 20 February 2009).

Further reading

Cordell, Karl, and Smith, David (eds), 2008, *Cultural Autonomy in Contemporary Europe*, London: Routledge.

Keating, Michael and McGarry, John (eds), 2001, *Minority Nationalism and the Changing World Order*, Oxford: Oxford University Press.

Minahan, James, 2002, *Encyclopaedia of the Stateless Nations: S–Z*, Westport CT and London: Greenwood Press.

Mann, Michael, 2005, *The Dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge: Cambridge University Press.

Nimni, Ephraim, 2005, *National Cultural Autonomy and its Contemporary Critics*, London: Routledge.

—2010, *Multicultural Nationalism*, London: Routledge.

References

Adeney, Katharine, 2007, 'The *"necessity" of asymmetrical federalism*?' *Ethnopolitics* 6 (1), pp. 117–20.

Bache, Ian, and Flinders, Matthew, 2005. *Multi-level Governance*, Oxford: Oxford University Press.

Bargès, Anne, 2008, 'Culture, territories, and confidence in food: an anthropological view on health in the context of environmental pollution and socio-political tension', *Appetite* 51 (1), July, pp. 30–33.

Bowring, Bill, 2005, 'Burial and resurrection: Karl Renner's controversial influence on the nationality question in Russia', in E. Nimni (ed.), *National Cultural Autonomy and its Contemporary Critics*, London: Routledge, pp. 162–76.

Bouchard, Gérard, and Taylor, Charles, 2008, *Building the Future: a Time for Reconciliation*, abridged report of the consultation Commission on Accommodation Practices related to Cultural Differences (English), Québec: Gouvernement du Québec.

Brown, Michael E., 1993, *Ethnic Conflict and International Security*. Princeton NJ: Princeton University Press.

Connor, Walker, 1972, 'Nation-building or nation-destroying?' *World Politics* 24 (3), pp. 319–55.

Cordell, Karl, and Smith, David (eds), 2008, *Cultural Autonomy in Contemporary Europe*, London: Routledge,

Dion, Stephane, 1996, 'Why is secession difficult in well established democracies? Lessons from Quebec', *British Journal of Political Science* 26 (2), April, pp. 269–83.

Gagnon, Alain, and Tully, James (eds), 2001, *Multinational Democracies*, Cambridge: Cambridge University Press.

Gellner, Ernest, 2006, *Nations and Nationalism*, intro. John Breuilly, 2nd edn, Oxford: Blackwell.

Govier, Trudy, 1997, *Social Trust and Human Communities*, Montreal: McGill-Queen's University Press.

Heiberg, Marianne, O'Leary, Brendan, and Tirman, John, 2007, *Terror, Insurgency, and the State: Ending Protracted Conflicts*, Pennsylvania: University of Pennsylvania Press.

Henders, Susan J., 1997, 'Cantonisation: historical paths to territorial autonomy for regional cultural communities', *Nations and Nationalism* 3 (4), pp. 521–40.

Jáuregui, Bereciartu Gurutz, 1994, *Decline of the Nation-state*, Reno NV: University of Nevada Press.

Jenne, Erin K., 2007, *Ethnic Bargaining: The Paradox of Minority Empowerment*, Ithaca NY: Cornell University Press.

Jenne, Erin K., 2009, 'The paradox of ethnic partition: lessons from *de facto* partition in Bosnia and Kosovo', *Regional and Federal Studies* 19 (2), pp. 273–89.

Jesse, Neal, and Williams, Kristin, 2005, *Identity and Institutions: Conflict Reduction in Divided Societies*, New York: SUNY Press.

Judt, Toni, 2003, 'Israel: the alternative', *New York Review of Books* 50, 23 October, p. 16.

Keating, Michael, and McGarry, John (eds), 2001, *Minority Nationalism and the Changing World Order*, Oxford: Oxford University Press.

Keating, Michael, 2001, *Plurinational Democracy: Stateless Nations in the Post-sovereign Era*, Oxford: Oxford University Press.

Kymlicka, Will, 1995, *Multicultural Citizenship*, Oxford: Oxford University Press.

—2001, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship*, Oxford: Oxford University Press

—2007, *Multicultural Odysseys*, Oxford: Oxford University Press.

Koopmans, Ruud, and Statham, Paul, 1999, 'Challenging the liberal nation-state? Postnationalism, multiculturalism, and the collective claims making of migrants and ethnic minorities in Britain and Germany', *American Journal of Sociology* 105, pp. 652–96.

Lijphart, Arend, 1997, *Democracy in Plural Societies: A Comparative Exploration*, New Haven CT: Yale University Press.

Lustick, Ian, Miodownik, David, and Eidelson, Roy, 2004, 'Secessionism in multicultural states: does sharing power prevent or encourage it?' *American Political Science Review* 98 (2), pp. 209–29.

Mann, Michael, 2005, *The Dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge: Cambridge University Press.

McGarry, John, and O'Leary, Brendan, 2006, 'Consociational theory, Northern Ireland's conflict, and its agreement: what critics of consociation can learn from Northern Ireland', *Government and Opposition* 41 (2), pp. 249–77.

McGarry, John, 2007, 'Asymmetrical autonomy and conflict regulation', *Ethnopolitics* 6 (1), March, pp. 133–36.

Minahan, James, 2002, *Encyclopaedia of the Stateless Nations: S-Z*, Westport CT and London: Greenwood Press.

Murphy, Michael, and Harty, Siobhán, 2003, 'Post-sovereign citizenship', *Citizenship Studies* 7 (2), pp.181–97

Musgrave, T. D., 2000, *Self-determination and National Minorities*, Oxford: Oxford University Press.

Mill, J. S., 1976 [1862], 'Considerations of representative government', in H. B. Acton (ed.), *Utilitarianism, On Liberty and Considerations on Representative Government*, London: Dent.

Nimni, Ephraim 2007, 'National cultural autonomy as an alternative to minority territorial nationalism', *Ethnopolitics* 6 (3), pp. 345–64.

—1999, 'Nationalist multiculturalism in late imperial Austria as a critique of contemporary liberalism: the case of Bauer and Renner', *Journal of Political Ideologies* 4 (3), pp. 289–314.

—2000, 'Introduction to the English reading audience', in Otto Bauer, *The Question of Nationalities and Social Democracy*, Minneapolis MN: University of Minnesota Press.

—2005, *National Cultural Autonomy and its Contemporary Critics*, London: Routledge.

—2008, 'Constitutional or agonistic patriotism? The dilemmas of liberal nation-states', in Per Mouritsen and Knud Erik Jørgensen (eds) *Constituting Communities: Political Solutions to Cultural Conflict*, Basingstoke: Palgrave Macmillan, pp. 94–116.

Nootens, Geneviève, 2004, *Désenclaver la démocratie: des huguenots à la paix des Braves.* Montréal: Québec Amérique.

O'Leary, Brendan, 2005, 'Debating consociational politics: normative and explanatory arguments', in Sid Noel (ed.) *From Power Sharing to Democracy: Post-conflict Institutions in Ethnically Divided Societies.* Montreal: McGill-Queen's Press,

Oquendo, Ángel R., 2004, 'Liking to be in America: Puerto Rico's quest for difference within the United States', *Duke Journal of Comparative and International Law* 14, pp. 249–99.

OSCE High Commission for National Minorities, 1999, *The Lund Recommendations on the Effective Participation of Minorities in Public Life.*

Packer, John, 2000, 'The origin and nature of the Lund recommendations on the effective participation of national minorities in public life', *Helsinki Monitor* 29 (4), pp. 29–45.

Palermo, Francesco, and Woelk Jens, 2003, 'No representation without recognition: the right to political participation of (national) minorities', *European Integration* 25 (3), September, pp. 225–48.

Parekh, Bhikhu, 2000, *Rethinking Multiculturalism*, Basingstoke: Macmillan.

Roach, Steven C., 2005, *Cultural Autonomy*, *Minority Rights*, *and Globalization*, Aldershot: Ashgate,

Smith, Anthony D., 1995, *Nations and Nationalism in a Global Era*. Cambridge: Polity Press.

Soysal, Yasemin, 1994, *Limits of Citizenship: Migrants and Postnational Membership in Europe*, Chicago: University of Chicago Press.

Shaw, Karina, 2008, *Indigeneity and Political Theory*, Abingdon: Routledge.

Tambini, Damian, 1996, 'Explaining monoculturalism: beyond Gellner's theory of nationalism', *Critical Review* 10 (2), pp. 251–70.

Taylor, Charles, 1994. *Multiculturalism: Examining the Politics of Recognition*, Princeton NJ: Princeton University Press.

Taylor, Rupert (ed.), 2009, *Consociational Theory*, *McGarry and O'Leary and the Northern Ireland Conflict*, London: Routledge.

Tierney, Stephen, 2005, 'Reframing sovereignty? Sub-state national societies and contemporary challenges to the nation-state', *International and Comparative Law Quarterly* 54 (1), pp. 161–83.

Tully, James, 1995, *Strange Multiplicity: Constitutionalism in the Age of Diversity*, Cambridge: Cambridge University Press.

Young, Crawford, 1983, 'The temple of ethnicity', *World Politics* 35 (4), July, pp. 652–62.

6   Ethnicity and religion

Joseph Ruane and Jennifer Todd

Religiously informed conflicts have become increasingly prominent throughout the world – conflicts surrounding immigration in Europe, conflict at religious interfaces, the Islamicisation of ethnonational movements from Palestine to Malaysia. Steve Bruce (2003, p. 2) estimates that three quarters of the conflicts since 1960 have a religious component, where many of those involved 'explain or justify their causes by reference to their religion'. This opens a whole terrain for inquiry. Is religiously informed conflict distinctive in form and dynamics? Do specific religions incline towards specific forms of group identity and conflict? Are religiously defined groups-in-conflict different from ethnic groups-in-conflict? How far does the historic sequencing of state-building, nation-building and confessionalisation affect the ways ethnicity and religion intersect? What specific resources are associated with ethnic and with religious solidarity? What happens where ethnic and religious boundaries coincide? In such cases, how are ethnicity and religion distinguished or merged in interaction and everyday understanding? Does religion provide specific resources for conflict resolution?

One approach posits a new phase of 'religious' or 'civilisational' conflicts (Huntington, 2002). Much of the recent 'terrorism' literature sits within this paradigm, detailing the ways religious belief is used to legitimate terrorist activity and suicide bombing (for critical analysis, see Stewart, 2009). However, the multiplicity of theological positions and religious practices within each of the world religions means that we cannot read off political views from religious commitment: Norris and Inglehart (2004, pp. 133–55) demonstrate multiple differences in political culture within each of the world religions and many overlaps between them. Quantitative study shows no significant difference between nominally religious and nominally secular conflicts in degrees or forms of violence (Stewart, 2009). Before attempting to generalise about 'religious' conflicts, we need more nuanced and detailed comparisons of the forms of religious and ethnic identification, group formation and conflict.

This task is hindered by the relative isolation of scholarship on ethnicity from scholarship on religion. The sociology of religion, for example, is a rich mine of analyses and models relevant to the study of ethnicity: models of culture change (secularisation), identity change (conversion), the emergence of new religious movements, and the impact of religious groups and ideas on political culture and political organisation (Davie, 2007; Demerath, 2001; Snow and Machelek, 1984). The historical-sociological tradition traces interlinkages of religious practices, elites and values, on the one hand, and sociopolitical development on the other, showing how religious movements – early Calvinism and its impact on the values and habitus of the elite – came to inform European capitalist development (Weber, 1930) and early modern state formation

(Gorski, 2003); others have traced the role of religions in nation formation (Greenfeld, 1992; Hastings, 1997; Van der Leer and Lehmann, 1999; Marx, 2003; Ihalainen, 2005). An important strand of recent research focuses on popular attitudes, tracing key periods when political elites use religious values to mobilise or control populations, to broker new ethnopolitical alliances, to frame concepts of nationhood, or to compensate groups for their increasing distantiation from the state (see variously Gal, 2007; Brown, 2010; Shenhav, 2006, pp. 46–76; Kinnvall, 2002; Bruce, 1994, pp. 22–31).

The classic studies of ethnicity, ethnonationalism and ethnic conflict did not pay particular attention to religion, with one exception: the ethnosymbolist perspective associated with the work of Anthony D. Smith. Smith (2003) emphasises the self-conceptions of some ethnic groups as 'chosen peoples'. He distinguishes the expansive 'missionary peoples' with a sacred mission of proselytism or exemplary profession of faith, and the bounded 'covenantal peoples', whose religiously informed obligations and expectations intensify their will to ethnic solidarity and survival (see also Cauthen, 2004). Correlatively, as D. H. Akenson (1992) has shown in his comparative study of three 'covenantal' settler peoples, Ulster Protestants, Afrikaaners, and Israelis, the political context and the interests it generates also affect the forms of religion that become dominant.

Contemporary scholarly interest in 'everyday life' and the everyday manifestations of ethnicity (Brubaker et al., 2006; Jenkins, 2008) opens a wide field for research into the intertwining of ethnicity and religion at the everyday level. Some studies show the complexities of the intersection in peaceful, multi-ethnic societies (for example, Levitt's (2008) study of religion as a source of everyday activism among immigrants in the United States). There are also studies of the interrelation of ethnicity and religion in conflict situations, for example Kakar's (1996) study of Hindu and Muslim rioters in Hyderabad, Brewer's (1998) study of anti-Catholicism in Northern Ireland. Such research can help answer important theoretical and explanatory questions. Where ethnicity and religion are intertwined, is religion a legitimatory tool for other interests, constantly trumped by ethnicity? Or does religion – in Walter Benjamin's terms – act as the puppet master pulling the strings of seemingly secular groups (1969, pp. 253–55)? When religious and ethnic motivations cross-cut, in what circumstances is one or other distinction highlighted? What theories and approaches can help us to synthesise the increasing numbers of case studies? As we show below, attempts to answer these questions have required some reframing of concepts and theories of ethnicity.

Concepts of religion and ethnicity

Classical scholarship on ethnicity and ethnonationalism carefully distinguished religion from ethnicity. Anthony D. Smith defined ethnicity as involving each of the following six features: a common name; a myth of common ancestry; shared historical memories; elements of common culture; a link with a homeland; a sense of solidarity (Smith, 1986, pp. 21–31). Definitions are contested in the wider literature, but there is some consensus that central to ethnicity is perceived territorially based descent, which in turn tends to generate quasi-kin feelings of solidarity (Conversi, 2002). Religion may be defined substantively as beliefs and practices concerned with the sacred, with particular religions identified in terms of institutionally based and bounded sets of such beliefs and practices, and religious (confessional) groups those who participate in them. On Smith's definition of ethnicity, religion may form the common culture that partially constitutes the ethnie,

but ethnicity requires also a territorial and descent-related emphasis. On other accounts, ethnic solidarity is a function of (perceived) descent (Connor, 1994), or even simply of group boundaries, rather than of any particular cultural or religious content.

The conceptual distinction is clear, but its usefulness in analysing actual movements and conflicts is less obvious. When we ask which groups or conflicts are 'ethnic' and which 'religious' we find that elements of the ideal types of religion and ethnicity are mixed in practice. Smith (2003) has shown how religion informs and on occasion defines particular ethnic groups. Jews, Copts and Sikhs are, for example, at one and the same time ethnic and religious groupings, and religions like Hinduism, Judaism and Shintoism are sometimes categorised as 'ethnic religions' as contrasted to 'universalistic religions' (Coakley, 2002). In other cases, religious and ethnic distinctions coincide in the conflict region. So, for example, in Northern Ireland the conflicting groups are distinct in ethnic origin (seventeenth-century incomers from Scotland and England versus Gaelic Irish and 'old English' twelfth-century incomers), in religion (Protestant versus Catholic), in nationality (British versus Irish) and in state loyalty (unionist versus nationalist). While the religious distinction does not totally coincide with the ethnic, national or political distinctions, the overlaps are extremely significant (Whyte, 1991, pp. 65–93). Religiously derived concepts inform political views, although the precise nature of religious beliefs and the relative emphasis on religion or ethnicity as a basis of communal identification vary from subgroup to subgroup, and even from individual to individual (Mitchell, 2006, pp. 91–132).

Similar overlaps of religion and ethnicity occur in many conflict regions, with varying degrees of strength and salience of the religious and ethnic components (see Bruce, 2003, pp. 43–57). In Macedonia the Albanians are Muslim and the Macedonians Orthodox; in Sri Lanka the Tamils are Hindu and the Sinhalese Buddhist; in Cyprus Greeks are Orthodox and Turks Muslim; in Israel-Palestine there are Israeli Jews and Palestinian Arabs (mostly but not exclusively Muslim); in Lebanon the different 'ethnies' are distinguished in part by religion (Sunni, Shia, Druze, Christian Maronites and Orthodox) and organised and administered by religious authorities; in ex-Yugoslavia, Bosnian Muslims were pitted against Croatian Catholics and Serbian Orthodox; in Malaysia, Malays are Muslim while Indians are Hindu and Chinese a range of religions; in Canada the Catholicism of francophones, as distinct from the Protestantism of the traditional anglophone community, was an important element in the historical construction of a French Canadian identity (Bouchard, 2004); in Iraq, internal conflict has a religious dimension in the Sunni versus Shiite distinction; one dimension of the Sudanese conflict is religious, between Muslim Northerners and the rest. In other cases, religion is officially nationalised so that the Greek Orthodox Church is distinct from the Macedonian Orthodox Church, Tibetans have a distinct form of Buddhism, and the Church of England was and is a national Church.

Even where religion appears to be irrelevant to ethnonational conflict, there may be religious resonances to that conflict. So, for example, the Basque conflict with the Spanish centre took its most acute form in the mid-twentieth century with the conflict of (anticlerical) Basque socialists against clericalist Francoists, and this memory persists in the one-time Francoist stronghold of Navarra. In Nigeria, Biafran mobilisation was coloured by the conflict between Hausa Muslims and Ibo Christians, and religion is becoming more important in contestations over the nation in contemporary Nigeria (Igwarra, 2007; Stewart, 2009). Indeed, ethnic divisions shorn of all religious resonance are much less common than may be imagined: in Europe, most of the internal French

national conflicts (Basques, Corsicans and more problematically Bretons versus the French centre) and some residual northern European conflicts lack a religious dimension; in Africa, conflicts in Rwanda, Burundi, the Congo, Angola and Mozambique do not have a religious dimension.

In the many cases where religion and ethnicity appear to coincide, there is much variation in the way religion informs ethnic division. Fox (2002) argues that religion is no more than a 'marker' of a primarily ethnic identity and set of interests, and this is certainly true in some cases: in ex-Yugoslavia, for example, weak religious identities took on salience as markers of group identification in the course of ethnonational mobilisation (Bruce, 2003, pp. 47–50). In other cases, religion helps form the identity in question. Zionism used religious symbolism to identify Jewishness with an Israeliness sharply distinguished from more general Arab belonging, despite the strong Arab culture and historical belonging of many 'Arab Jews' (Shenhav, 2006, pp. 77–109). Indeed in some cases, an identification that begins as primarily ethno-territorial (Palestinians) can take on stronger constitutive religious content (Lybarger, 2007).

Much of the recent literature on ethnicity, conflict and violence bypasses these questions by definitional fiat, including in the category of ethnic group those groups defined by religion.[1] If the benefit of this approach is to extend the range of comparative quantitative analysis, the cost is to preclude comparison of religion and ethnicity as contrasting sources of identity, community and conflict. The 'inclusive conception of ethnicity' implicitly allows our understanding of ethnicity (with its strongly territorialised and descent-based resonances) to impose an ethnicising vision on highly complex social realities. By including all ways of constructing 'peoplehood' (populations with a sense of historic community and solidarity (see Lie, 2004)) under the heading of 'ethnic', we lose the conceptual capacity to see the variety of meanings and solidarities that religion may bring to the sense of peoplehood.

An alternative strategy is to investigate empirically the different ways that 'peoples' construct themselves, exploring how religious beliefs, practices and memories, or ethnic histories, myths and associated values, affect group formation. Where religion and ethnicity coincide, this lets us investigate the relations between the factors. Are the effects of religion and ethnicity additive, with ethnic and religious distinctions each reinforcing the other? Are they complementary, with each contributing a distinct set of attributes and functions to group belonging? Do they coexist in tension, and if so, which is the stronger? Or are there interactive effects with dynamic and emergent properties producing a much more complex field of relationships where the ethnic and the religious cannot easily be separated out? When are the effects additive, when complementary, when conflicting, when interactive?

In exploring these issues, we focus on three areas of current research on ethnicity and religion:

- *Geopolitical and geohistorical research* maps the formation of different types of historic communities through processes of ethnogenesis/nation-building, confessionalisation, state formation and territorial formation. It explores how the sequencing of these processes affects the ways peoplehood is defined and the ways in which religious and ethnic factors intersect.
- *Ethnographic and sociological analysis of group solidarities and resources.* What specific resources (institutional, ideological, personal, political) are associated with ethnic and with religious solidarity and how do these vary in combination?

- *Cultural and symbolic research into everyday meanings*, *motives and identities.* How are ethnic and religious divisions merged or distinguished in interaction and everyday understanding?

Geohistorical sequences and the creation (and change) of peoples

The roots of many of today's 'ethno-religious' conflicts lie in large-scale historical processes: the formation and collapse of states, empires and civilisations, the growth of world religions and their diffusions and internal splinterings, the voluntary and involuntary movement of populations, the intersection of culture and religion with class and caste, and in the more recent period the emergence of modern concepts of state, nationhood and ethnicity. One possible outcome of these processes is a nation-state in which religion and national identity are fused (Bruce, 2003, p. 43). Much more common are state and territorially based conjunctures of conflicting cultural and religious identities.

The process has been mapped for Europe by Stein Rokkan (Flora, 1999). Successive waves of conquest and occupation, penetration and retrenchment produced a complex distribution of ethnic-linguistic groupings across Western Europe. On this were superimposed the divisions of the Reformation, setting the scene for more than a century of religious war and for a still longer period of religious persecution. Three major zones of confessional relations emerged: a majority Catholic/minority Protestant crescent, from Poland through southern Europe to Ireland; a majority Protestant/minority Catholic region, largely in northern Europe; and mixed interface regions between these (Martin, 1978). Religious understandings were embedded in state institutions and practices, became part of elite and everyday understandings of how the state functioned (Gorski, 2003) and were imposed, to the extent possible, on the wider population. In the first two zones, nation (in the pre-modern sense) and confession became tightly intertwined, leaving religious minorities such as the Huguenots of France, the Protestants of Bohemia, the Catholics of England, struggling to affirm their claim on full membership of the nation. The third zone was one of confessional rivalry that later extended to the definition of the nation and the form and boundaries of the state (see Wolff, 2003). In all three zones minority religions could take on some of the attributes of ethnicity, including a sense of grievance/superiority, a particular world view, a sense of solidarity (Smith, 2003).

English and British state-building exemplifies many of these processes. It was greatly eased by the success of Protestantism throughout Great Britain. This allowed political-territorial and religious-constitutional compromises to be put in place in the late seventeenth century (Pocock, 1989) and led to the centrality of Protestantism to British national identity in the eighteenth and nineteenth centuries (Colley, 1992; Hastings 1997). Correlatively, English Catholics were marginalised in Great Britain well into the nineteenth century (Duffy, 1982) and Irish Catholics politically marginalised in Ireland under the Union and in Northern Ireland until the end of the twentieth century. Religiously informed ethnonational tensions characterised the British–Irish relationship until the latter part of the twentieth century.

The settlement colonies of North America and the southern hemisphere that all but destroyed the pre-existing social order tended to reproduce European intersections between ethnicity and religion: they did so with a different dynamic determined by an immigration-based state and society. Much more complex patterns emerged where

imperial rule formed an overlay on an older social and cultural world that it profoundly modified but did not replace. There the ethnic and religious mix was reshaped in successive phases of colonial settlement, missionary activity and free or directed population movement. Colonialism introduced new groups that were religiously as well as ethnically distinct, who came as settlers (South Africa, Zimbabwe) or as workers or slaves brought in by the colonial power (Malaysia, Kenya and the Caribbean countries). Missionary activity went hand in hand with the process of colonisation, though with limited success in the areas of the old world religions. Ethnicity and religion provided colonial states with alternative or complementary resources for strategic management. In parts of sub-Saharan Africa, state emphasis was on ethnic rather than religious distinction. Still today, religious distinction continues to be personally salient, often more so than ethnic; but it is ethnic distinction that is seen as crucial in public life, in party politics and in the distribution of public offices (Langer, 2010; Stewart, 2009). A different historical and contemporary distribution of resources in South Asia led states to give higher public salience to religion and religio-caste distinction (Van der Leer and Lehmann, 1999; Kaviraj, 2007; for internal variation in India see Varshney, 2003).

Religion and ethnicity as sources of group solidarity and as political resources

Some groups are distinguished from their 'other' solely by their ethnicity, others solely by religion. But very often religion and ethnicity are co-present and the practices and resources associated with each sometimes complement and reinforce each other, sometimes conflict with and counteract each other. The scholarly literature contrasts the resources associated with each domain. Benedict Anderson (1991, p. 6) has contrasted the difference in concepts of time and space developed with the rise of nationalism from earlier religio-political world views: while the latter take a messianic notion of time, where radical shifts are possible, and an unbounded notion of space, the former thinks in terms of homogeneous clock time with very clear territorial boundaries.

There may also be dramatic differences in degree of formalisation and organisation. Pre-politicised ethnicity tends to be inchoate and immediate, associated with neighbourhoods and family ties, open to radically diverse modes of articulation (see for example Chong, 2007). It may coexist with a highly organised and institutionalised religion, with an elaborated and universalistic ideological (theological) perspective, developed conceptions and practices of authority, and established repertoires of mobilisation and contestation. Tensions may arise between the universalistic, transterritorial and sacred aspect of many world religions and the particularist, bounded character of ethnicity (Coakley, 2002, pp. 212–13). There may also be a sharp conflict of priorities. Rokkan has argued that the supranational outlook of Roman Catholicism in early modern Europe set it in opposition to the development of state-centred nationalisms in the Catholic states of that period (Flora, 1999, pp. 163–65). Sometimes such tensions may be exploited to provide a politically radical role for religion (for one example, see Ganiel, 2008, pp. 139–55). On the other hand, in many cases ethnicity and religion comfortably coexist, reinforcing each other's identity, with national origin myths, values and ideologies informed by religious ideas (Smith, 1986; 2003, pp. 166–217) and sustained by religious organisations and institutions. In this sense, Protestantism and Britishness were historically mutually reinforcing (Colley, 1992).

Although it is tempting to seek 'essential' characteristics of each domain, this insufficiently recognises the variability of each. Bruce (2003, pp. 4–9) argues that the

functions played by religion in distinction-making, group formation and politics are highly varied and given as much by historical context as by any essential characteristics of religion. Exactly the same can be argued for ethnicity (Wimmer, 2008). Nations, like ethnies, are living traditions of practice and distinction, which mutate with new needs. Religions also mutate (see Casanova, 1994). So too do the relations between them. Islam, for example, has sometimes been portrayed as antithetical to ethnonationalism because of its focus on the transnational community of believers. Yet Gerber (2007) and Lybarger (2007) show how Islam is used and transformed by believers to make it consistent with national aims, thereby in turn changing the dominant conception of the nation.

Where both religion and ethnicity are co-present in collective identity, their roles can be fused. Smith (1986, pp. 34–37; 2003, pp. 166–217) has noted that nations often take on some of the sacred character and temporality usually associated with religions. Equally, at times religious minorities take on the sense of history, of origin myth and even of territorial base usually identified as ethnic (Ruane, 2010).

In cases of overlap, a simple 2 × 2 diagram (see Figure 6.1) distinguishing the possible variations in strength of identity, degree of group solidarity and extent of institutionalisation of ethnicity and religion allows an initial mapping of the data. This allows us to show the trajectories of group development, so that a group (for example, Palestinians), move from segment 4 to segment 2 in the initial process of nationalist politicisation, with later movement towards segment 1, as they invest their nationality with religious meaning. The diagram of course is overly simple: actual analysis has to distinguish the unevenness in degree and type of identity, solidarity and institutionalisation. Very strong identifications may also be thin (relatively empty of content and narrative) with solidarity limited to small groups and with limited institutionalisation as contemporary secular working-class loyalism in Northern Ireland illustrates. Meanwhile, highly institutionalised religions and nationalisms may also be shallow in terms of public identification (as was Spanish nationalism in Catalonia in the Franco period) and may quickly change once the opportunity arises.

Figure 6.1

In short, the ways ordinary people construct and understand their sense of peoplehood are at once subtle, powerful and complex. Contemporary analysis has begun to deconstruct the sharp distinction between ethnicity and religion, but it remains to reconstruct more adequate and nuanced typologies and theories of the role of religious and ethnic distinction in group formation.

Everyday ethnicity and religion

Does it matter how groups define themselves? If we simply want to explain outbreaks of violence, it appears not (Laitin, 2007, pp. 13–22). However the study of ethnicity is equally concerned to understand the form of social divisions, tendencies towards social inclusion or exclusion, co-operation or conflict, and to identify dispositions for action whose actual manifestations depend on political opportunities and incentives. Even here, a long tradition has it that it is the boundaries of ethnic groups that matter, not the 'stuff' within them.[2] From this perspective, it might seem of little intellectual or practical value to pursue research into the ways ordinary people interrelate their senses of ethnic and religious identity.

However, contemporary research is moving towards a recognition of the importance of content as well as, and as partially constitutive of, boundaries (Jenkins, 2008, pp. 79, 111–12; Ashmore et al., 2004). The cultural content of identity – whether and which religious values or ethnic origins are emphasised in everyday distinction-making – is important in orienting action, framing felt grievances, limiting the forms of likely mobilisation, and acknowledging and accepting settlement opportunities. A whole range of qualitative studies have explored how the highlighting of religious or ethnic distinction and particular interpretations of that distinction may have major social consequences in drawing boundaries and making them more or less permeable, in brokering new alliances and in opening the way for actors to grasp new opportunities (McAdam et al., 2001, pp. 124–59). Research on the increasing politicisation of religious cleavages in Nigeria and Palestine, for example, shows how populations disappointed with 'national' leadership use religious resources to further their aims (Stewart, 2009, Igwarra, 2007, Lybarger, 2007).

Here, too, the study of religion provides interesting comparisons and models for the study of everyday ethnic and ethno-religious identification. The extensive research on different dimensions of secularisation and sacralisation (for discussion, see Davie, 2007, pp. 46–66) shows a thinning out of religious identity, movement away from traditional 'set packages' of belief, and a 'vicarious' identification whereby non-believers support believers in their belief and practice (Davie, 2007, pp. 126–28, 140–43). The parallels with processes noted in the field of ethnicity are striking: the lack of salience of 'everyday ethnicity' together with a (vicarious) unwillingness to give up on 'nationalist' politicians and movements, a 'pluralisation' of concepts of national identity, and related processes of boundary blurring and ethnic change (Brubaker et al., 2006; Keating, 2001). Research on religion as a source of values, expressed in 'civil religion' and religious ideology (Demerath, 2001, pp. 234–40) shows how state institutions and secular political movements may be permeated by assumptions deriving from religion. In such cases, communal mobilisation may be opposed as much to religio-cultural as to ethnoterritorial dominance (for the Irish and Northern Irish cases, see Ruane and Todd, 1996). How such religiously informed values become locked into nationally and ethnically specific judgements and solidarities, and how these change, is an important area for

contemporary research. Contrasting the successful histories of integration of religious minorities in some states (France and Czechoslovakia) and the relative failure of integration in others (Ireland) shows the importance of minority participation in constitution-building from a religious just as much as from an ethnic perspective (Ruane and Todd, 2009).

Some recent research, finally, suggests that religious commitment can aid conflict resolution precisely because it gives resources and legitimations for radical change (for the Northern Ireland case, see Ganiel, 2008). Reverend Dr Ian Paisley – First Minister of the reconstituted 2007 Northern Ireland Executive in partnership with Deputy First Minister Martin McGuinness of Sinn Féin – may be taken as an example. A long-time critic of all political compromise, he commented on their respective political about-turns: 'We were turned towards the darkness, now we are turned towards the light.' For him, as for at least some ordinary people in Northern Ireland, religious beliefs and values allowed a reorientation of values and identities in a new political order.

Notes

1 For example, Horowitz (2000, pp. 17–18) includes in his category of ethnic groups those groups 'defined by ascriptive differences, whether the indicium of group identity is color, appearance, language, religion, some other indicator of common origin, or some combination thereof'. He refers to this as the 'inclusive conception of ethnicity'.
2 A view often attributed to Barth (1969), who himself qualified this position.

Further reading

Bruce, Steve (2003) *Politics and Religion* (Cambridge: Polity Press).
Demerath, N. J., III (2001) *Crossing the Gods: World Religions and Worldly Politics* (New Brunswick NJ: Rutgers University Press).
Hastings, A. (1997) *The Construction of Nationhood: Ethnicity*, *Religion and Nationalism* (Cambridge: Cambridge University Press).
Smith, A. D. (2003) *Chosen Peoples: Sacred Sources of National Identity* (Oxford: Oxford University Press).

References

Akenson, D. H. (1992) *God's Peoples: Covenant and Land in South Africa*, *Israel and Ulster* (Ithaca NY: Cornell University Press).
Anderson, B. (1991) *Imagined Communities*, rev. edn (London: Verso).
Ashmore, R. D., K. Deaux and T. McLaughlin-Volpe (2004) 'An organizing framework for collective identity: articulation and significance of multidimensionality', *Psychological Bulletin* 130 (1), pp. 80–114.
Barth, F. (1969) *Ethnic Groups and Boundaries* (Boston MA: Little Brown).
Benjamin, W. (1969) 'Theses on the philosophy of history', pp. 253–64 in *Illuminations*, ed. and intro. H. Arendt (New York: Schocken).
Bouchard, G. (2004) *La Pensée impuissante: échecs et mythes nationaux canadiens-français 1850–1960* (Montréal: Boréal).
Brewer, J. (1998) *Anti-Catholicism in Northern Ireland*, *1600–1998* (London: Macmillan)
Brown, G. (2010) 'Legible pluralism: the politics of ethnic and religious identification in Malaysia', *Ethnopolitics* 9 (2), pp. 31–52.

Brubaker, R. (2002) 'Ethnicity without groups', *Archives européennes de sociologie* 43 (2), pp. 163–89.

Brubaker, R., J. Fox and L. Grancea (2006) *Nationalist Politics and Everyday Ethnicity in a Transylvanian Town* (Oxford: Princeton University Press).

Bruce, S. (2003) *Politics and Religion* (Cambridge: Polity Press).

—(1994) *The Edge of the Union: The Ulster Loyalist Political Vision* (Oxford: Oxford University Press).

Casanova, J. (1994) *Public Religions in the Modern World* (Chicago: University of Chicago Press).

Cauthen, B. (2004) 'Covenant and continuity: ethno-symbolism and the myth of divine election', *Nations and Nationalism* 10 (1, 2), pp. 19–33.

Chong, N. G. (2007) 'Ethnic origins and indigenous peoples: an approach from Latin America', pp. 312–24 in A. S. Leoussi and S. Grosby, eds., *Nationalism and Ethnosymbolism: History, Culture and Ethnicity in the Formation of Nations* (Edinburgh: Edinburgh University Press).

Coakley, J. (2002) 'Religion and nationalism in the First World', in D. Conversi, ed., *Ethnonationalism in the Contemporary World: Walker Connor and the Study of Nationalism*, pp. 206–25 (London: Routledge).

Colley, L. (1992) *Britons: Forging the Nation, 1707–1837* (New Haven CT: Yale University Press).

Connor, W (1994) *Ethno-nationalism: The Quest for Understanding* (Princeton NJ: Princeton University Press).

Conversi, D., ed. (2002) *Ethnonationalism in the Contemporary World: Walker Connor and the Study of Nationalism* (London: Routledge).

Davie, G. (2007) *The Sociology of Religion* (London: Sage).

Demerath, N.J., III (2001) *Crossing the Gods: World Religions and Worldly Politics* (New Brunswick NJ: Rutgers University Press).

—(2007) 'Religion and the state: violence and human rights', pp. 381–95 in J. A. Beckford and N. J. Demerath III, eds, *The Sage Handbook of the Sociology of Religion* (London: Sage).

Duffy, E. (1982) '"Englishmen in Vaine": Roman Catholic allegiance to George I', pp. 345–65 in S. Mews, ed., *Religion and National Identity* (Oxford: Blackwell).

Flora, P., ed. (1999) *State Formation, Nation-building and Mass Politics in Europe: The Theory of Stein Rokkan* (Oxford: Oxford University Press).

Fox, J. (2002) *Ethnoreligious Conflict in the late Twentieth Century: a General Theory* (Lanham MD: Lexington Books).

Gal, A. (2007) 'Historical ethno-symbols in the emergence of the state of Israel', pp. 221–30 in A. S. Leoussi and S. Grosby, eds, *Nationalism and Ethnosymbolism: History, Culture and Ethnicity in the Formation of Nations* (Edinburgh: Edinburgh University Press).

Ganiel, G. (2008) *Evangelicalism and Conflict in Northern Ireland* (Basingstoke: Palgrave Macmillan).

Gerber, H. (2007) 'The Muslim Umma and the formation of Middle Eastern nationalisms', pp. 209–20 in A. S. Leoussi and S. Grosby, eds, *Nationalism and Ethnosymbolism: History, Culture and Ethnicity in the Formation of Nations* (Edinburgh: Edinburgh University Press).

Gorski, P. S. (2003) *The Disciplinary Revolution: Calvinism and the Rise of the State in Early Modern Europe* (Chicago: University of Chicago Press).

Greenfeld, L. (1992) *Nationalism: Five Roads to Modernity* (Cambridge MA: Harvard University Press).

Hastings, A. (1997) *The Construction of Nationhood: Ethnicity, Religion and Nationalism* (Cambridge: Cambridge University Press).

Horowitz, D. L. (2000) *Ethnic Groups in Conflict*, 2nd edn (Berkeley LA and Los Angeles: University of California Press).

Huntington, S. P. (2002) *The Clash of Civilizations and the Remaking of World Order* (New York: Free Press).

Igwarra, O. (2007) 'Holy Nigerian nationalisms', pp. 267–80 in A. S. Leoussi and S. Grosby, eds, *Nationalism and Ethnosymbolism: History*, *Culture and Ethnicity in the Formation of Nations* (Edinburgh: Edinburgh University Press).

Ihalainen, P. (2005*) Protestant Nations Redefined: Changing Perceptions of National Identity in the Rhetoric of the English*, *Dutch and Swedish Public Churches*, *1685–1772* (Leiden: Brill).

Jenkins, R. (2008) *Rethinking Ethnicity*, 2nd edn (London: Sage).

Kakar, S. (1996) *The Colors of Violence: Cultural Identities*, *Religion and Conflict* (Chicago: Chicago University Press)*.*

Kaviraj, S. (2007) 'The making of a language of patriotism in modern Bengali', pp. 248–64 in A. S. Leoussi and S. Grosby, eds, *Nationalism and Ethnosymbolism: History*, *Culture and Ethnicity in the Formation of Nations* (Edinburgh: Edinburgh University Press).

Keating, M. (2001) *Plurinational Democracy* (Oxford: Oxford University Press).

Kinnvall, C. (2002) 'Nationalism, religion and the search for chosen traumas: comparing Sikh and Hindu identity construction', *Ethnicities* 2 (1), pp. 79–106

Laitin, D. D. (2007) *Nations*, *States and Violence* (Oxford: Oxford University Press).

Langer, A. (2010) 'The situational importance of ethnicity and religion in Ghana' *Ethnopolitics* 9 (2), pp. 9–30.

Levitt, P. (2008) 'Religion as a path to civic engagement', *Ethnic and Racial Studies* 31 (4), pp. 766–91.

Lie, J. (2004) *Modern Peoplehood*. (Cambridge MA: Harvard University Press).

Lybarger, Loren D. (2007) *Identity and Religion in Palestine: The Struggle between Islamism and Secularism in the Occupied Territories* (Princeton NJ: Princeton University Press).

McAdam, D., Tarrow, S., and Tilly, C. (2001) *Dynamics of Contention*, Cambridge Studies in Contentious Politics (Cambridge: Cambridge University Press).

Martin, D. (1978) *A General History of Secularisation* (Oxford: Blackwell).

Marx, A. F. (2003) *Faith in Nation: Exclusionary Origins of Nationalism* (Oxford: Oxford University Press).

Mitchell, C. (2006) *Religion*, *Identity and Politics in Northern Ireland* (Aldershot: Ashgate).

Norris, P., and R. Inglehart (2004) *Sacred and Secular: Religion and Politics Worldwide* (Cambridge: Cambridge University Press).

Pocock, J. G. A. (1989) 'Conservative enlightenment and democratic revolutions: the American and French cases in British perspective', *Government and Opposition* 24 (1), pp. 81–105.

Ruane, J. (2010) 'Ethnicity, religion and peoplehood: Protestants in France and in Ireland', *Ethnopolitics* 9 (1), pp. 121–35.

Ruane, J., and J. Todd (1996) *Dynamics of Conflict in Northern Ireland: Power*, *Conflict and Emancipation* (Cambridge: Cambridge University Press).

Ruane, J., and J. Todd (2009) 'Protestant minorities in European states and nations', *National Identities*, 11 (1), pp. 1–8.

Shenhav, Y. (2006) *The Arab Jews* (Stanford CA: Stanford University Press).

Smith, A. D. (2003) *Chosen Peoples: Sacred Sources of National Identity* (Oxford: Oxford University Press).

Smith, A. D. (1986) *The Ethnic Origins of Nations* (Oxford: Blackwell).

Snow, D. A., and R. Machelek (1984) 'The sociology of conversion', *Annual Review of Sociology* 10, pp. 167–90.

Stewart, F. (2009) 'Religion vs ethnicity as a source of mobilisation: are there differences?' Microcon Research Working Paper No. 18, http://www.microconflict.eu/publications/RWP18_FS.pdf (visited 12 November 2009).

Van der Leer, P., and H. Lehmann, eds (1999) *Nation and Religion: Perspectives on Europe and Asia* (Princeton NJ: Princeton University Press).

Varshney, A. (2003) *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (London: Yale University Press).

Weber, M. (1930) *The Protestant Ethic and the Spirit of Capitalism* (London: Allen & Unwin).

Whyte, J. (1991) *Interpreting Northern Ireland* (Oxford: Clarendon Press).

Wimmer, A. (2008) 'The making and unmaking of ethnic boundaries: a multilevel process theory', *American Journal of Sociology* 113 (4), pp. 970–1022.

Wolff, S. (2003) *Disputed Territories: The Transnational Dynamics of Ethnic Conflict Settlement* (Oxford: Berghahn).

7   Race and ethnicity

Chris Gilligan

The distinction, or commonality, between race and ethnicity is a recurring problem in ethnic and racial studies. Attempts to try and separate the two and treat them as distinct categories continually run into theoretical and practical difficulties, but using the terms interchangeably is also unsatisfactory. Confusion over the use of the terms is compounded by the different, sometimes inconsistent, meanings given to them. The term race is also a morally and politically charged one. Given these difficulties it is perhaps understandable that scholars who study ethnic conflict, for the most part, avoid using the term 'race' at all. There is, however, something lost when this approach is taken. In terms of intellectual resources, for example, there is a rich and extensive literature on race and racism which scholars of ethnic conflict rarely, or only superficially, engage with. Using the term ethnic instead of race might appear to be more enlightened, but it can easily be used to evade the difficult moral and political issues associated with the use of the term race or, worse, to pretend that they have no relevance to the study of ethnic conflict. In this chapter I aim to help students of ethnic conflict to engage with the broader literature on race and ethnicity, by providing some guidance to help grapple with the slippery concepts of race and ethnicity.

Pinning down slippery concepts

In the social sciences, in political discourse and in everyday conversation the English language meaning of the term ethnicity is closely related to the terms race, nation, a people, clan and tribe (Connor, 1978; Eriksen, 2002; Fenton, 2003; Hughey, 1998; Jenkins, 2008). The terms are sometimes used as synonyms for each other, but there is also slippage between the uses of the terms. Krishnamurthy, commenting on the alternating use of the terms 'ethnic' and 'tribal' in a newspaper article, asks: 'If the two terms are genuinely synonymous, is "tribe" ever used of the people of former Yugoslavia? … Is "ethnic" the superordinate term, with "tribal" available only for subsets of the human population such as Africans?' (1996: 132). Krishnamurthy's rhetorical questions point to an inconsistency in use of the terms. The use of the term tribal in the African context, but not the former Yugoslavia, indicates that there are underlying assumptions which inform the use of the terms. Tribal, he suggests, is being used pejoratively to convey primitiveness and lack of industrial development as explanations for ethnic conflict in African countries. This kind of usage is intimately bound up with a deeply ingrained world view which assumes that people in the West are white, modern, civilised, industrialised and affluent and people in Africa are black, traditional, primitive and impoverished (a view which also assumes that blackness is non-Western).

One approach which social scientists take to avoid this kind of slippage in use, and to try to make their assumptions evident, is to attempt to specify the meanings of the key terms which they employ. Fenton, for example, explains that the terms 'ethnic group', 'race' and 'nation' share 'a single centre – or "core" … Common to all three is an idea of descent or ancestry and very closely implicated in all three we find ideas about culture … [which] typically include myths about the past, beliefs about the "kind of people we are", and the idea that "culture" defines a group' (2003: 13). He also points out some of the divergences between the three terms. Nation, unlike the other two, is assumed to be 'associated with a state or state-like political form' (ibid.: 23). Race contains two ideas that make it distinctive: 'that 'local' groups are instances of abstractly conceived divisions of humankind, and…that race makes explicit reference to physical or 'visible' difference as the primary marker of difference and inequality' (ibid.: 23). And there are three specific features of the term 'ethnic group': '1. that the group is a kind of sub-set within a nation-state, 2. that the point of reference of difference is typically culture rather than physical appearance, and 3. often that the group referred to is "other" (foreign, exotic, minority) to some majority who are presumed not to be "ethnic"' (ibid.: 23). Fenton's distinction between a common core and distinctive ideas provides a way of understanding why the terms race and ethnicity sometimes appear to be synonyms for each other (due to their common core) and sometimes appear to be distinct terms (due to the distinctive ideas encapsulated in them). Part of the reason for the slippage is that in some contexts the terms *are* synonyms for each other, while in other contexts they are not. Fenton provides orientation points for our reading of his text. This is useful, but only up to a point.

These orientation points help us to follow many of the contemporary academic texts on race and ethnicity, but they will not help us navigate them all. If we assume that there are correct and precise definitions of the terms, and Fenton has provided these, we will soon become confused again. We can illustrate this through looking at the idea that race refers to the use of physical features as markers of difference while ethnicity refers to cultural ones. This idea is disputed by a number of authors who, since the 1980s in Europe and more recently in the United States, have pointed to the development of a 'new racism' (or 'cultural racism') which tries to promote negative measures against non-whites on the grounds that they are culturally incompatible with 'white' society (Barker, 1981; Giroux, 1993; Lentin, 2004: 85–96). Some authors even argue against the distinction between culture and physical features as markers of difference. Van den Berghe, the leading proponent of a sociobiological perspective on race and ethnicity, argues that 'All organisms are programmed to be nepotistic, i.e. to behave favourably (or "altruistically") to others in proportion to their real or perceived degree of common ancestry' (1995: 360). He argues that biology and culture are interrelated, rather than being distinct domains. That, for example, 'human culture is necessarily "carried" by biological organisms who reproduce … culture itself is non-genetically transmitted, but it cannot be transmitted except through flesh and blood individuals who, if they fail to reproduce, generally stop passing on their culture' (1988: 255). This approach suggests that people procreate with others who share the same cultural background and consequently, in practice, there is a major overlap between biological and cultural reproduction, and physical and cultural markers of difference. This approach elides the distinction between race and ethnicity made by Fenton. The examples of sociobiology and analyses of 'new racism' indicate that the way in which the terms race and ethnicity are defined can vary significantly according to the theoretical perspective employed by the author.[1]

Pinning down concepts, through defining them, helps us to get a clearer picture of the phenomena we are studying. In the case of race and ethnicity, however, slipperiness is not a distraction which prevents us from understanding the phenomena. Slipperiness is inherent to phenomena which are categorised as ethnic and racial. Attempts to pin down the terms run the risk of turning historically and social fluid, contingent and highly contextual phenomena into eternal, fixed, static and universal ones. To understand the phenomena we study in ethnic and racial studies we also need to understand why the terms are slippery. Defining them does not help us to do that.

Race and ethnicity in context

One problem with attempting to define the terms race and ethnicity is that in order to do so we are forced to generalise. Generalisation requires us to remove the terms race and ethnicity from any particular social or historical context, and consequently it can appear as though the definitions are universal and eternal. Fenton, however, is well aware that the terms 'race' and 'ethnicity' do not have fixed meanings, and that 'how ethnicity is discussed is very much contextual' (Fenton 2003: 25). The terms race and ethnicity only come to life and have meaning in particular social and historical contexts. Take, for example, the categories Malay, Black, Irish, Jewish and Ethiopian. Each of these has, at one time or another, been referred to as a racial group, or as an ethnic group, or as a nation. The terms themselves do not help us to determine whether the people being referred to are considered to be a nation, a race or an ethnic group. To determine this we need to look at the geographical context in which people are being categorised; the social milieux in which the categories are being employed; and the historical period in which the process of categorisation takes place.

Different milieux

One of the reasons for the slippage in usage, which Krishnamurthy identifies, is that the terms 'race' and 'ethnicity' (nation, tribe, clan…) are being employed in newspaper articles. In newspapers there is not usually the same requirement for precision that is demanded from academic texts. Journalists generally make less demands on their audience. Journalists usually attempt to address their readers in terms that are immediately explicable. They tend to draw on widely held tacit understandings to convey the stories they want to tell. In many instances the difference between academic and journalistic writing is not a particular problem, they serve different purposes and address different, but overlapping, audiences. The difference is also often unproblematic because different milieux not only have their own way of talking, their own idiom, but they also have their own technical language. Terms such as acculturation, ethnie, primordialism, and racialisation, for example, are rarely found outside of academic texts on race and ethnicity. The terms race and ethnicity – and subcategories such as Malaysian, Black, Irish, Jewish or Ethiopian – are, however, categories employed in both academic analyses and everyday discourse.

Banton draws our attention to this problem when he says that in everyday talk about race and ethnicity a person 'rarely employs any concept of ethnicity. He or she uses a practical language embodying proper names, such as Malay, Chinese, and Indian' (Banton, 1994: 6). These terms are employed within what he calls an actor's model of the social structure, and they are used 'to navigate a course through daily life, helping

to identify the shallow water, the best channels, and the likely reactions of other vessels' (ibid.: 6). These categories help people to orientate themselves in the real world which they inhabit. In this context, Banton suggests, a certain looseness is useful. In real-world contexts people often recognise that there are different degrees of ethnicity. As Banton puts it, '[a]nyone who speaks this [practical] language knows that persons assigned to these categories vary in their cultural distinctiveness. In the languages they use, the costumes they wear … some are more culturally distinctive, and in this sense, more "ethnic"' (ibid.: 6). Put simply, one Chinese neighbour might be more Chinese than another and all Chinese neighbours might be more Chinese at particular times of the year. This actor's model differs from what he calls an observer's model, which looks 'for regularities of which the actors are unaware or about which actors have insufficient information' (ibid.: 6). An observer's model seeks to penetrate surface appearances and understand the social processes which give rise to phenomena such as ethnic identification, or racial discrimination. Actor's models rely on tacit everyday understandings which come from being embedded in that particular social context. The observer attempts to generalise from these particular embedded contexts. They attempt to discern patterns, to infer underlying dynamics or to make explicit the tacit understandings which people hold.

Brubaker makes a similar distinction between 'categories of practice' and 'categories of analysis' (2004). Categories of practice are '"native" or "folk" or "lay" categories … of everyday social experience, developed and deployed by ordinary social actors' (ibid.: 31). They are used by lay actors in 'everyday settings to make sense of themselves, of their activity, of what they share with, and how they differ from, others' (ibid.: 31). But they are also used 'by political entrepreneurs to persuade people to understand themselves and their predicaments' in ways that serve the interests, or objectives, of those political actors (ibid.: 32). Social analysis, he points out, 'requires relatively unambiguous analytical categories' (ibid.: 29). At first sight the use of categories by administrators – ethnic categories used in censuses, ethnic monitoring forms and racial and ethnic terms in legislation are good examples – might appear to be relatively unambiguous, and certainly less slippery than everyday use. The terms are fixed in ink by the people who draw up the forms, or the legislation. Fixing the terms in ink, however, does not fix their meaning. This meaning is, at least in part, given by the person filling in the form, or the judge interpreting the law. When you fill in the form you decide if you are 'black' or 'white', 'Asian-American' or 'Chinese'. The person who inserted the terms into the form cannot be certain that the person who filled it in has the same idea in mind when they do so (although that does not usually stop administrators from acting as if they can be certain of the intended meaning). The purpose of these forms is not to understand the meaning of the categories but to allocate people to categories for some purpose, or to enable the judiciary to adjudicate on disputes which are brought before them. In this sense they are what Brubaker calls categories of practice.

There are several different ways of talking race and ethnicity, and these vary by setting. The way that terms are used depends on the ideas that are being conveyed and ideas are in part shaped in relation to the audience they are being conveyed to and the purpose they are being conveyed for. The fact that the actual terms used in these milieux are often the same should not blind us to the fact that they are sometimes being used with different meanings.

Spatial contexts

Discourses of race and ethnicity are also different in different countries, and often differ in different parts of the same country. They are, for example, different in the United States compared with the United Kingdom. This is partly due to the different histories of the countries. Fenton draws attention to the significance of the different contexts when he says that in the United States a discourse of race dominates and 'ethnic groups and ethnic differences often have a "white" connotation. By contrast, in Britain, where the public discourse focuses more on ethnicity, the term "ethnic groups" retains its meaning of minority status and foreign origins; ethnic groups in the United Kingdom are not white' (ibid.: 39). (The term 'white' is also relational, contextual and conflates myriad differences: Garner, 2007.) Discourse of race and ethnicity also differ in different regions within a country, between the southern and northern United States, for example. Even within a particular city discourses around race and ethnicity can vary. One study of London in the 1980s, for example, found that in one district the 'decline in the housing and economic circumstances of these residents was "explained" by correlating these changes with the presence of variously defined "problem families", black people and Vietnamese refugees' (Back, 1996: 239). The other district, by contrast, was viewed by its inhabitants 'as a place where harmonious [race or ethnic] relations existed' (ibid.: 239).

The way that different national contexts shape discourse can be seen by looking at an example of one particular category. If we take the category Irish, for example, we find different discourses around Irishness in Ireland than in other national contexts. In recent years significant immigration into the Republic of Ireland has led to considerable debate about who can be considered Irish. In 2004 the Constitution was changed to racialise, or ethnicise, citizenship by making descent rather than residence the principle criteria by which citizenship was determined (Mulally, 2007). In the context of Northern Ireland Irishness is usually a reference to the section of the population who identify themselves politically and culturally as Irish nationalists, in contrast to those who identify themselves politically and culturally as British or Ulster unionists (Gilligan, 2007). To make matters more confusing Irishness and Britishness are often conflated with the religious categories Catholic and Protestant (see Ruane and Todd, this volume). In the rest of the United Kingdom Irishness is usually employed in discussions of immigration from Ireland, and the second and third generation descendents of immigrants from Ireland. In the United States the discourse around Irishness is also usually focused on immigrants from Ireland, and their descendents (Garner, 2003).

Historical context

At the beginning of the twentieth century the superiority of the White race was an important component of the world view of political elites on both sides of the North Atlantic. The idea of White superiority was used to justify the colonial domination of large parts of the 'non-White' world by European powers, and a range of racially discriminatory measures in the United States. A wide range of factors have been identified as playing a role in the discrediting of racial thinking since then. Prominent amongst these have been: the growing influence of egalitarian ideas; political agitation for civil rights for Black people; horror at the consequences of the racial exterminationist policies of the Nazis; the rise of Japan as a non-White international power; the rise of

anti-colonial movements; the discrediting of the science behind ideas of biological superiority; and ambivalences about the promotion of White solidarity (Barkan, 1993; Bonnett, 2003; Furedi, 1998; Grant, 1968: 175–214; Lauren, 1988; Malik, 1996; Wolton, 2000). The marginalisation of assertions of racial superiority is indicated by the inclusion of clauses on 'respect for the principle of equal rights and self-determination of peoples' and 'promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion' in the Charter of the United Nations (UN), ratified in 1945 (UN, 1945: ch. 1).

The discrediting of the idea of racial superiority did not, however, mean that practices based on this idea ceased. Policies of racial segregation continued in the United States, and Britain actually expanded its empire, after 1945. After the Second World War, however, ideas of racial superiority could not be used as justification, and instead there was a shift to a welfarist discourse of development and a race relations discourse of the protection of minority peoples. This new language helped provide 'justification enough for the European powers to re-establish their empires' (Wolton, 2000: 154). After 1945 racial language became increasingly coded, as it became increasingly politically and socially unacceptable to speak openly about race. As Furedi puts it, 'in the new egalitarian climate the assumptions of racial superiority did not disappear, they merely became less explicit' (1994: 55). This can present difficulties for social scientists because it is more difficult to assess the extent to which racial thinking has an influence on the phenomena that we investigate in the post-war period. The end of the Cold War has shifted the discourse again. Furedi suggests that a 'new moral equation between a superior North and an inferior South helps legitimise a two-tiered international system … Race no longer has a formal role to play since the new global hierarchy is represented through a two-tier moral system. Gradually the old silent race war has been replaced by moral crusades and by "clashes of civilisations"' (1998: 240). The development of ethnic conflict studies, as a clearly identifiable sub-discipline, dates from the post-Cold War period. And the rationale for Western intervention in situations of ethnic conflict is often motivated in moral terms. This raises a range of uncomfortable questions for scholars of ethnic conflict, one of these is the extent to which the use of the term ethnic may involve an implicit reworking of older racial thinking.

The historically changing nature of discourses around race and ethnicity can be seen in the shift away from the term race and the coining and subsequent rise in use of the term 'ethnicity'. The story of how the term 'ethnicity' came to eclipse 'race' is still a major gap in the literature on ethnic and racial studies.[2] If the shift is mentioned at all it is usually treated as a pragmatic choice on the part of social scientists. As one introductory textbook puts it, because 'of its confusing usage and its questionable scientific validity, many sociologists and anthropologists have dispensed with the term *race* and instead use *ethnic group* to describe those groups commonly defined as racial' (Marger, 2000: 25: italics in the original). Changing the terms, however, does not end the confusion. At best it allows the researcher to investigate the social dynamics involved, without getting too hung up on tortuous discussions of terminology. At worst it is used to evade the history of race as something which is no longer relevant.

In this section I have suggested that race and ethnicity are slippery concepts for good reason, and that attempts to ignore, avoid or downplay the slipperiness of the terms can lead the student of ethnic politics to misunderstand, or only gain a partial understanding, of the phenomena which they are studying.

Race and ethnicity as constructs

In this final section I will explore the idea that the terms race and ethnicity are elusive terms because the phenomena which they refer to – races and ethnic groups – do not actually exist. This might seem like an odd point. How, you might be asking yourself, can anyone study ethnic politics or ethnic conflict if ethnic groups do not exist? Indeed, how can there be ethnic conflict if ethnic groups do not exist? Hopefully I can explain, but before I do let's have a look at race. Banton warns that in attempting to make generalisations 'the observer often comes to mistaken conclusions which take a long time to clear up. One such confusion was that of race' (1994: 6). The mistake was to take the observation that people from different parts of the world look physically different in some ways and conclude that humanity must therefore be divided up into different, biologically distinct, races. The consensus view in modern science rejects that conclusion. Scientists point out that there is greater genetic variation within any given human population than between two different populations, they argue that the lines drawn to demarcate different races are arbitrary and the fact that skin colour has acted as an identifier of different races is a result of historical processes, not something which is determined by nature (Malik, 2008).

So races do not exist in any biological sense; they are social constructs. Races are created and reproduced in human minds, not through biological processes. The idea of race is sustained by people who hold racist views, but the word race also provides 'part of the rationale for all the legislation, international and national, which has been designed to combat discrimination based on ideas of race' (Banton, 1994: 7). Here we can see another reason why the term race is slippery, because it is simultaneously rejected and upheld in contemporary public policy, often by the same people. Social scientists who take a social constructionist perspective on the world suggest that we can deal with the slipperiness of race as a term by focusing on 'the construction and reproduction of the idea of "race"' (Miles and Brown, 2003: 91). Miles and Brown criticise those who set out to explain race relations, saying that in taking 'race relations' as one of their analytical categories they are participating in the process of reproducing the idea of race. Rather than examine interactions between entities that do not exist (races), they suggest, the task for social scientists is the 'generation of concepts with which one can grasp and portray the historical processes by which notions of "race" become accepted and/or used in a plurality of discourses' (ibid.: 92). They employ the analytical concept of racialisation to examine the *processes* through which group boundaries marked by biological differences are generated, and people are allocated to those groups (ibid.: 99–103).

Miles and Brown extend their argument when they say 'ethnic groups are no more objective or real than "races"' (ibid.: 96). This claim is more contentious than the claim that races do not exist. Miles, however, is not the only proponent of this idea. Students of ethnic politics may be familiar with the idea from the work of Brubaker, who suggests that one of the most problematic conceptual errors in the study of ethnicity, race and nationhood is '"groupism" … the tendency to take discrete, bounded groups as basic constituents of social life, chief protagonists of social conflicts, and fundamental units of social analysis' (2004: 8). Participants in ethnic politics, he observes, do present ethnic groups as bounded entities, in fact it is crucial to their practice as ethnopolitical entrepreneurs. Social scientists, however, should avoid adopting '*categories of ethnopolitical practice* as our *categories of social analysis*' (ibid.: 10, italics in the

original). This does not mean that we should avoid or ignore phenomena which are described as ethnic. We should, in fact, acknowledge that the process of ethnicisation can generate 'phases of extraordinary cohesion and moments of intensely felt collective solidarity', but we should also remind ourselves that groupness is 'variable and contingent rather than fixed and given' (ibid.: 12). Phases of extraordinary cohesion rarely endure for very long, and 'high levels of groupness may be more the result of conflict (especially violent conflict) than its underlying cause' (ibid.: 19: see also Kaufman, this volume). One straightforward way in which we can stay sensitive to the fact that ethnic conflict is not conflict between ethnic groups is to remind ourselves that 'the chief protagonists of most ethnic conflict … are not ethnic groups as such but various kinds of organizations … [including] states … terrorist groups … political parties, ethnic associations … churches … television stations, and so on' (ibid.: 14–15). These organisations may claim to represent ethnic groups, but we should not accept these claims at face value.

A useful strategy to avoid slipping into groupism, Brubaker suggests, is to distinguish 'consistently between categories and groups … rather than presume – the relation between them' (ibid.: 12). Ethnopolitical actors work to collapse the distinction between the category ethnic and the group. Social scientists should not assist them in this endeavour, but instead should step back and draw attention to the attempts to do so. Continually keeping in mind the distinction between categories of practice (e.g. ethnic, ethnicity) and categories of analysis (e.g. ethnicisation) should help us to maintain the critical distance necessary for analysis. We should be careful, for example, not to talk about ethnic violence because in doing so we 'do not simply *interpret* the violence … [we] *constitute* it *as ethnic*' (ibid.: 16: emphasis in the original). In situations of 'ethnic conflict', he suggests, violence 'may have as much or more to do with thuggery, warlordship, opportunistic looting, and black-market profiteering than with ethnicity' (ibid.: 19). If we are attentive to the social construction of ethnicity we can better discern the range of dynamics and processes which are at play in situations which are characterised as ethnic.

In this section I have suggested that race and ethnicity are slippery concepts because the things which they refer to – races and ethnic groups – do not exist, but in practice many political actors and domestic and international institutions act as if they do exist (whether because they assume that ethnic groups exist, or because they want to make ethnicity an important dimension of political identification). A key way to handle this slippage is to keep in mind the distinction between categories and groups, to remember that groupness is variable and contingent and to focus on processes which construct phenomena as ethnic or racial. In short, to think in terms of ethnicisation and racialisation.

Conclusion

At this point you might think the concepts race and ethnicity are just as slippery as they always seemed, or they may seem even slipperier. If so you have grasped at least part of what I was trying to do. Race and ethnicity are slippery terms for several reasons. In everyday situations and in social analysis the two terms are often collapsed into each other by the people who use the terms. At the same time there are persistent attempts to distinguish between the terms. They are also slippery because they are employed as categories of practice as well as categories of analysis, but as categories of analysis they do not usually succeed in escaping the embrace of practice. And they are slippery because ethnopolitical actors attempt to collapse the distinction between groups and

categories, while many social scientists strive to maintain the distinction. The point of this chapter was not to reassure you that the terms can be pinned down or tamed. The slipperiness is symptomatic of the lack of clarity which the concepts express. If we keep these points in mind when we carry out our research then we will be better equipped to get behind the surface appearances and the commonsense understandings of the phenomena which we seek to analyse.

Notes

1 There is insufficient space in this short chapter to outline or analyse the range of perspectives. For useful texts which do analyse a range of perspectives see Malešević (2004) and Rex and Mason (1988). All analyses, including this one, inevitably involve some kind of theoretical underpinnings. This chapter is written from a constructivist perspective.
2 Some of the elements are known. These include the discrediting of race as a concept, the shift from biological to cultural conceptions of group difference and inequality, the coining of the term 'ethnicity' to explain the persistence of group identification among third and fourth-generation descendants of immigrants in the United States, the application of the term 'ethnic' to inter-group conflict in postcolonial societies and to secessionist movements in Europe in the 1970s. For some useful texts which provide some of the pieces of the picture see Banks (1995), Barkan (1993), Glazer and Moynihan (1970), Malik (1996).
3 Many introductory student texts which cover the topics of race and ethnicity fumble over, or evade, the conceptual problems outlined in this chapter. Fenton (2003) is a notable exception, and I would recommend it to the beginner. My favourite texts which grapple with the issues in this chapter are: Malik (1996), which takes a long historical sweep from the Atlantic slave trade to postmodernism; and Brubaker (2004), which contains a collection of some of his most thoughtful articles on methodological issues relevant to the study of racialisation and ethnicisation. As a collection it lacks the narrative cohesion of Malik's study, but the contents of its chapters will seem more immediately relevant to students of ethnic politics. For excellent historical accounts of the discrediting of racial thinking, a major gap in the study of ethnic politics, read: Barkan (1993), Furedi (1998), Lauren (1988) and Wolton (2000).

Acknowledgements

Thanks to Carol Marley, Steve Fenton, Karl Cordell and Stefan Wolff for useful comments on a draft of this article.

Further reading[3]

Barkan, Elazar (1993), *The Retreat of Scientific Racism*, Cambridge, Cambridge University Press
Brubaker, Rogers (2004), *Ethnicity without Groups*, Cambridge MA, Harvard University Press
Fenton, Steve (2003), *Ethnicity*, Cambridge, Polity Press
Furedi, Frank (1998), *The Silent War*, London, Pluto
Lauren, Paul Gordon (1988), *Power and Prejudice*, Boulder CO, Westview Press
Malik, Kenan (1996), *The Meaning of Race*, Basingstoke, Macmillan
Wolton, Suke (2000), *Lord Hailey*, *the Colonial Office and the Politics of Race and Empire in the Second World War*, Basingstoke, Macmillan

References

Back, Les (1996), *New Ethnicities and Urban Culture*, Abingdon, Routledge

Banks, Marcus (1996), *Ethnicity*, London, Routledge

Banton, Michael (1994), 'Modelling ethnic and national relations', *Ethnic and Racial Studies*, 17 (1), 1–18

Barkan, Elazar (1993), *The Retreat of Scientific Racism*, Cambridge, Cambridge University Press

Barker, Martin (1981), *The New Racism*, London, Junction Books

Bonnett, Alastair (2003), 'From White to Western: "racial decline" and the idea of the West in Britain, 1890–1930', *Journal of Historical Sociology*, 16 (3): 320–48

Brubaker, Rogers (2004), *Ethnicity without Groups*, Cambridge MA, Harvard University Press

Connor, Walker (1978), 'A nation is a nation, is a state, is an ethnic group, is a…', *Ethnic and Racial Studies*, 1 (4): 379–88

Eriksen, Thomas Hylland (2002), *Ethnicity and Nationalism*, 2nd edn, London, Pluto Press

Fenton, Steve (2003), *Ethnicity*, Cambridge, Polity Press

Furedi, Frank (1998), *The Silent War*, London, Pluto

—(1994), *The New Ideology of Imperialism*, London, Pluto

Garner, Steve (2007), *Whiteness: an Introduction*, London, Routledge

—(2003), *Racism in the Irish Experience*, London, Pluto

Gilligan, Chris (2007), 'The Irish question and the concept "identity" in the 1980s', *Nations and Nationalism*, 13 (4): 599–617

Giroux, Henry A. (1993), 'Living dangerously: identity politics and the new cultural racism', *Cultural Studies*, 7 (1): 1–27

Glazer, Nathan and Daniel P. Moynihan (1970) *Beyond the Melting Pot*, 2nd edn (first published 1963), Cambridge MA, MIT Press

Grant, Joanne (1968), *Black Protest: History*, *Documents*, *and Analysis*, New York, Fawcett Premier

Hughey, Michael W. (ed.) (1998), *New Tribalisms: The Resurgence of Race and Ethnicity*, New York, New York University Press

Jenkins, Richard (2008), *Rethinking Ethnicity*, 2nd edn, London, Sage

Krishnamurthy, Ramesh (1996), 'Ethnic, racial and tribal: the language of racism?' in Carmen Rosa Caldas-Coulthard and Malcolm Coulthard (eds) *Texts and Practices: Readings in Critical Discourse Analysis*, London, Routledge

Lauren, Paul Gordon (1988), *Power and Prejudice*, Boulder CO, Westview Press

Lentin, Allana (2004), *Racism and Anti-racism in Europe*, London, Pluto Press

Malešević, Siniša (2004), *The Sociology of Ethnicity*, London, Sage

Malik, Kenan (2008), *Strange Fruit*, Oxford, Oneworld

—(1996), *The Meaning of Race*, Basingstoke, Macmillan

Marger, Martin N. (2000), *Race and Ethnic Relations*, 5th edn, Stamford MA, Wadsworth

Miles, Robert (1993), *Racism after 'Race Relations'*, London, Routledge

Miles, Robert and Brown, Malcolm (2003), *Racism*, 2nd edn, London, Routledge

Mulally, Siobhan (2007), 'Children, citizenship and constitutional change', in Bryan Fanning (ed.) *Immigration and Social Change in the Republic of Ireland*, Manchester, Manchester University Press

Rex, John and Mason, David (eds) (1988), *Theories of Race and Ethnic Relations*, Cambridge, Cambridge University Press

United Nations (1945), *Charter of the United Nations*, available on line at http://www.un.org/aboutun/charter (last accessed: 5 May 2009)

van den Berghe, Pierre L. (1988), 'Ethnicity and the sociobiology debate', in John Rex and David Mason (eds) *Theories of Race and Ethnic Relations*, Cambridge, Cambridge University Press

—(1995), 'Does race matter?' *Nations and Nationalism*, 1 (3): 357–68

Wolton, Suke (2000), *Lord Hailey*, *the Colonial Office and the Politics of Race and Empire in the Second World War*, Basingstoke, Macmillan

Part II

8   Ethnicity as a generator of conflict

Stuart J. Kaufman

Ethnic identities have existed throughout recorded history. Even in ancient times, ethnic groups such as the Hebrews, Babylonians and Egyptians were important political actors (Smith 1986), just as contemporary Serbs and Kurds are. These different groups typically have interests or goals that are competing in some way, and these differences often lead to political or social conflicts. Most of these conflicts involve little or no violence, instead being expressed through religious expression, economic competition, social segregation, competition among ethnically based political parties, or other peaceful means. Still, especially when the issue at stake is the political dominance of one group over another, violent ethnic clashes do sometimes occur, leading sometimes to riots, and in the worst cases to civil wars, mass expulsions of populations, and even genocide.

Experts disagree about the extent to which ethnicity causes or generates conflict. One group, the "instrumentalist" school of thought, sees ethnic identity as little more than a tool used by elites to pursue competition over tangible goods such economic opportunity. From this perspective, there is no such thing as "ethnic conflict" at all, and ethnicity does not cause or generate conflict; it merely provides a framework or a label in which other sorts of competition occur. Other scholars, in the "psychocultural" school of thought (Ross 2007), argue that ethnic conflict is very real, and that conflicts – over the status of the holy sites in Jerusalem, for example – often stem directly from the way people define their ethnic identities, and are not primarily about the participants' desire for material goods. Thus ethnicity can be – though it does not necessarily have to be – a generator of conflict.

What is ethnic conflict?

Discussions of ethnicity and ethnic conflict are notoriously imprecise, because people disagree about what counts as an ethnic conflict. Are race relations between blacks and whites in the United States an example of low-violence ethnic conflict, or is racial conflict a different category altogether? If race is different, does the distinction extend to Rwanda, where Hutus and Tutsis – both black – referred to their difference as one of race? Are relations between Muslims and Hindus in India, or between Sunni and Shi'a Arabs in Iraq, cases of ethnic conflict, or do they belong in different categories as "religious," "communal," or "sectarian" conflicts?

For an anthropologist, what these cases all have in common is that the groups involved are primarily ascriptive – that is, membership in the groups is typically assigned at birth and is difficult to change. In theory, Indian Muslims can convert and become

Hindu, and Iraqi Sunnis can become Shi'a, but in practice few do, and the conversion of those few is not always accepted by their new co-ethnics. Identities of this kind, then, are "sticky," hard to change even if they are not marked by the kind of obvious physical differences that distinguish African-Americans from white Americans. Based on this commonality, I will use the broader definition of ethnicity that encompasses all of these kinds of ascriptive groups. According to Anthony Smith (1986), a group is an ethnic group if its members share the following traits: a common name, a believed common descent, elements of a shared culture (most often language or religion), common historical memories, and attachment to a particular territory.

In the past, experts disagreed widely about where ethnicity comes from. Some, focusing on the evidence that many ethnic identities seem to go back hundreds or thousands of years, asserted that ethnicity was a "primordial" identity, and implied that it was essentially unchangeable. They emphasized that groups often worked hard to make their identity unchangeable, sometimes carving that identity onto their bodies through tattoos or circumcision (Isaacs 1975). Even when they do not go that far, however, people tend to stick to the identities – especially the language and religion – they learn first from their parents. This view of ethnicity implies that ethnic conflict is based on "ancient hatreds" that are impossible to eradicate and nearly impossible to manage.

There is another, more complicated side to ethnic identity, however. Most people have multiple identities that are either "nested" (as subgroups within larger groups) or overlapping. The average Cuban-American is at the same time also an American Hispanic or Latino, an American Catholic, an American, and a member of the worldwide Catholic Church. Which identity is more important to her is likely to depend on the situation: when listening to the Pope, she is likely to respond as a Catholic; when watching the U.S. President, as an American; and when thinking about U.S. policy toward Cuba, as a Cuban-American.

Furthermore, identities do sometimes change, with new ones emerging and old ones disappearing, especially in times of crisis. For example, when the Soviet Union was breaking apart in the early 1990s, Ukrainians and Russians in the Transnistria region of Moldova came together as "russophones" – people who preferred to speak Russian rather than Moldovan – to resist the assertiveness of the ethnic Moldovans (Kaufman 2001). On the other hand, the "Yugoslav" identity disappeared when the country of Yugoslavia died in 1991, so people who formerly called themselves Yugoslavs had to shift to another identity as Serbs, Croats, or members of some other group.

Noticing that people shift their identity – or at least the identity they use politically – based on the situation, a second group of scholars emerged to argue that ethnic identity is not "primordial" at all, but merely "instrumental" (Hardin 1995). From this perspective, people follow "ethnic" leaders when it is in their interests to do so, and leaders try to create ethnic solidarity when it works for them. This view of ethnic identity implies that ethnic conflict can be blamed primarily on selfish leaders who mislead their followers in pursuit of their own power. The conflicts themselves, these scholars argue, are typically not really "ethnic" at all – in many cases, clashes are motivated by economic or criminal disputes, but are later reinterpreted as having been ethnically motivated for political purposes (Brass 1997).

A third point of view about ethnic identity mixes the other two views by emphasizing the degree to which people create their identities. Expressed in book titles such as *The Invention of Tradition* (Ranger 1992), this view points out that ethnic identities are

"socially constructed." They are not "natural" in the sense that a simple primordialist view would assume; even racial distinctions are just a matter of custom. For example, most African Americans accept the label "black," but in South Africa, most of them would be classified as "colored" – of mixed race – rather than as the darker, purely African "blacks." Most Americans would not notice the difference, but in Apartheid-era South Africa the difference would have shaped every aspect of people's lives.

Furthermore, constructivists pointed out, the source of these customs was "invented traditions": writers or scholars who created what Anthony Smith calls a "myth-symbol complex." This myth-symbol complex establishes the "accepted" history of the group and the criteria for distinguishing who is a member; identifies heroes and enemies; and glorifies symbols of the group's identity. In most cases, these mythologies "mythicize" real history, taking real events but redefining them as the morally defining experiences of their people. In many cases, these events are what Vamik Volkan (1997) has called "chosen traumas," such as the Holocaust for Jews or the 1389 battle of Kosovo Field for Serbs. In some cases, however, histories and myths are invented from whole cloth to create new identities.

These constructivist insights can be viewed as a way to settle the argument between primordialists and instrumentalists, because constructivist ideas explain both the insights and the problems of the other two views. For example, most Serbs honestly believe that their identity is primordial, forged in the fires of battle against the Turks at Kosovo in 1389, so their perception is that their conflicts with Muslims are the result of primordial "ancient hatreds." In fact, though, that view of history was the result of late nineteenth-century Serbian politics and educational policy (Snyder 2000); before then, most Serbs did not think of themselves as Serbs at all. Similarly, Serbian politicians like Slobodan Milosevic did indeed use Serbian ethnic identity instrumentally to pursue their own power in the 1990s, but that identity "worked" politically only because it had been socially constructed before. Any old identity will not do.

Another question is how to tell whether a particular conflict is an ethnic conflict. Most African countries are multiethnic, for example, but African civil wars often involve warlords competing for control over resources such as diamond mines, so ethnicity has little to do with who is on which side. A conflict is ethnic only if the sides involved are distinguished primarily on the basis of ethnicity. Often one or both sides in an ethnic conflict will be a coalition of ethnic groups, rather than a single one, but the conflict is still ethnic because the people involved choose sides on the basis of their ethnic group membership, rather than other considerations such as economic interests.

An overview of ethnic conflicts

Ethnic groups and ethnic conflicts are everywhere. One comprehensive survey found a total of 275 ethnic or communal groups in 116 countries around the world that were socially disadvantaged in some way – "minorities at risk." Put together, the groups included more than 1 billion people, or about 17.4 per cent of the world's population (Gurr 2000, pp. 9–10). Of the fifty biggest countries in the world by population, only four – Poland, Tanzania, Nepal, and North Korea – did not have at least one "minority at risk" (and Tanzania has many ethnic groups: they were merely judged not to be "at risk"). Some of these groups are very small, in mostly homogeneous countries: Australia's lone "minority at risk," the Aborigines, are only about 1 per cent of the country's population; while Japan's only minority, the Koreans, are only one-half of

one per cent. Some of the groups are very large and important, however: Malaysia's Chinese minority is 27 per cent of the population, and India's oft mistreated Muslims are 11 per cent of India's population. Overall, it is accurate to say that most countries in the world are ethnically diverse, and ethnic relations yield some degree of conflict in most of them.

Most of the time, the existence of minority groups does not lead to violence or even to serious conflict. In 1995, most of the "minorities at risk" (58 per cent) were either politically inactive or mobilized only for routine politics. Another 15 per cent were a bit more volatile, engaging in demonstrations, rioting, or both. Still, violent ethnic conflicts were unfortunately plentiful: forty-nine (18 per cent) of ethnic groups were engaged in "small-scale rebellion" in 1995, and another twenty-two (8 per cent) were fighting a "large-scale rebellion" (Gurr 2000, p. 28). These numbers, however, were just about the worst ever: the long-term trend is that the number of violent ethnic conflicts increased fairly steadily from the end of World War II until the mid-1990s, but then it started to drop. A separate survey for 2003 lists only ten "intermediate armed conflicts" or "wars" that were more or less ethnic conflicts. Those conflicts were: the Karen insurgency in Burma, Hutu-Tutsi conflict in Burundi, the Kashmir insurgency in India, Palestinian resistance against Israel, the Muslim rebellion in the southern Philippines, the Chechnya conflict in Russia, the Tamil separatist conflict in Sri Lanka, two separate wars in Sudan (one against southern Christians, another in Darfur), and the Kurdish insurgency in Turkey (Wallensteen 2004).

What are these violent conflicts about? The simplest answer is political power in a disputed territory. Most of the conflicts involve a regional minority that wants to separate and form its own state, or at least its own autonomous region. The conflicts in Burma (Karens), India (Kashmir), Palestine (versus Israel), Philippines (Muslims), Russia (Chechnya), Sri Lanka (Tamils), and Turkey (Kurds) are more or less of this type. In other cases, the insurgent ethnic group wants to take over government of the whole country: thus Burundi's majority Hutus wish to take power from the minority Tutsi government. Often the goals and stakes are unclear, as rebels may disagree with each other. For example, some Palestinians want to establish their own state alongside Israel but others are fighting to replace Israel with a Palestinian state.

The role of ethnicity itself in generating these conflicts – both the violent and the non-violent ones – remains the subject of dispute. The remainder of this chapter explores these issues.

Ethnicity as generator of non-violent conflict

It is misleading to say that ethnicity itself is the cause of any conflict, violent or not. It is never true that two individuals or groups come into conflict merely because A. has one ethnic identity and B. has another. Ethnically defined street gangs, for example, may claim that they attack individuals of other groups merely because of ethnic difference, but this is not true. Most often, gang members attack because they are "defending their turf" – because they are gang members fighting turf wars, not merely because they are members of different ethnic groups.

That said, ethnic identities can generate conflict by associating different groups with different interests. Thus many ethnic groups are distinguished from each other because their native languages are different, so they tend to disagree over language policy. If one group's mother tongue is the official language of their country, members of that group

will probably find it easier than nonnative speakers to get certain benefits – for example, they are more likely to do well on university entrance exams or civil service tests. In one longstanding example of such a dispute, members of Sri Lanka's Sinhalese majority have long championed a "Sinhala only" language policy that disadvantages the Tamil-speaking minority. Similarly, a group that includes substantial numbers of relatively recent immigrants (such as American Latinos) is likely to benefit from liberal immigration policies while native groups may feel disadvantaged by such policies. One way of thinking about this process (Hale 2008) suggests that the role of ethnic identity is to reduce people's uncertainty by clarifying who is the "us" whose interests (in this case, language interests) will be pursued.

When ethnic groups are distinguished by religion or sect, several other types of problems can occur. Those who deeply believe that theirs is the one true faith are likely to desire laws that restrict the practice or spread of rival faiths, discriminating against the adherents of those rival faiths. They may restrict the availability of ritually banned foods, offending those who wish to eat those foods. They may give their faith official government status, devaluing the status of believers in other religions. They may also push for religiously motivated laws offensive to practitioners of other faiths. Finally, there may be conflict on all of these issues within religious groups between hard-liners who wish to entrench their faith in law and moderates who are more concerned with accommodating minority groups and their own less pious coreligionists. Such issues are especially common in Muslim-majority countries, many of which designate Islam as the official religion (Fox 2007), but there are exceptions. In Muslim-majority Uzbekistan, the government discriminates *against* the Muslim faithful, associating religious piety with support for the terrorist Islamic Movement of Uzbekistan. Russia under Putin, on the other hand, sparked disputes by banning certain religious organizations and restricting others' growth while supporting the Russian Orthodox church.

Most common of all is probably conflict between ethnic groups over economic goods. Sometimes these conflicts are interpreted as being "merely" economic disputes and not ethnic at all, but this view is misleading. In ethnically diverse societies, economic issues are almost always at the same time ethnic issues. People tend to have more contacts with people within their ethnic group than outside it, and people tend to use the resulting intra-ethnic networks of personal ties when making economic decisions – whom to buy goods from, whom to hire, where to go to look for work, and so on. In the United States, the resulting dynamics may create "institutional racism" – the tendency for white employers to favor white job applicants not because of animosity toward minority groups, but merely because their personal contacts are mostly white. Another way economic and ethnic interests may align is when particular ethnic groups come to specialize in particular lines of work, resulting in the emergence of "middleman minorities" who are prominent in retail trade in some areas (Horowitz 1985). Finally, when ethnic groups are concentrated in particular regions, economic competition between regions comes to be defined in ethnic terms.

When the group cleavage involves racial difference, it almost always also involves a history of racial discrimination, inevitably yielding tensions and a wide range of approaches to dealing with them. Rwanda, after the 1994 genocide, has tried to ban any official consideration or even mention of the formerly central Hutu–Tutsi divide as a way of managing that dispute – and of obscuring the fact that most government leaders after the 1990–94 civil war have been members of the Tutsi minority. South Africa focused on a transition to political democracy as the group that had been most

discriminated against, the blacks, formed the majority of the population. The United States, to overcome the legacy of its centuries of racial discrimination, created a policy of "affirmative action" giving special benefits to members of previously repressed groups, especially African-Americans – and sparking continuing controversy and resistance by some who are disfavored by those policies.

What makes these different kinds of groups – and group conflicts – similar is that the ethnicity comes to define people's identity, generating conflict over issues that go beyond the specific cleavages that separate the groups. In Northern Ireland, for example, the main line of cleavage is between Catholics and Protestants, but the issues are not religious per se. Rather, the issue is one of national loyalty – Catholics ("nationalists") wish Northern Ireland to become part of the Republic of Ireland, while Protestants ("unionists") wish to maintain its union with Great Britain. Even after the 1998 Good Friday Agreement settled the violent conflict between these groups, tensions continue over issues like the right of Protestant "Orange Order" groups to conduct marches through Catholic neighborhoods (see Ross 2007).

The example of Orange Order parades illustrates another key fact about ethnic conflict: sometimes the issues at stake are not tangible interests at all, but purely symbolic ones. In 1950s Warri, Nigeria, ethnic Itsekiri and Urhobo clashed violently over the issue of whether the traditional Itsekiri ruler should be given a title implying he "was paramount ruler over the entire Province" (Horowitz 1985). Other symbolic ethnic disputes involve the rules governing the wearing of Islamic head scarves in France and Turkey, and rules governing archeological digs in Jerusalem (Ross 2007). In Bendery, Moldova, in 1990, clashes were sparked by ethnic Moldovan efforts to raise their flag in that ethnically Russian, and soon to be separatist, city (Kaufman 2001, p. 141).

Why are symbolic issues like these often contested so fiercely? Psychocultural theorists point out that in psychological experiments, people randomly assigned to groups tend to evaluate their own group more highly than other groups, even when they are told they are not competing; and they tend to prefer to maximize the difference between their group's profits and those of another group even if there is an alternative that would give their group a bigger profit. Donald Horowitz (1985) – in explaining the riot over the Itsekiri chief's title and other similar events – argues that these findings explain ethnic conflict well: what is at stake is not just absolute benefits but group self-esteem, or, in his terms, group worth and legitimacy.

Symbolic politics theory (Kaufman 2001) provides a similar explanation of such events. Symbolic politics theory begins with the fact, noted above, that an ethnic identity is defined by a "myth-symbol complex" that sets out not only who is in the group, but also who the group's heroes and villains are, what its history is, and what it means to be a group member. From this perspective, Orange Order parades are so contentious in Northern Ireland because they are meant to commemorate William of Orange's Protestant victory at the 1690 battle of the Boyne – which is, of course, seen as a great defeat in the Catholic myth-symbol complex, and so its commemoration in Catholic neighborhoods is seen as an insult. The insult, of course, is part of the point of the exercise, as again the issues are group worth and legitimacy: the right to march through Catholic neighborhoods was for many decades symbolic of Protestant political dominance, and higher social status, in Northern Ireland.

The tendency of political conflicts to line up with ethnic divisions often causes political parties in ethnically diverse countries to become associated with particular

ethnic groups. Belgium, for example, began with the typical European range of ideologically based parties such as Christian Democrats and social democrats, but all of these parties later split on linguistic lines between French-speakers and Flemish-speakers. The same process occurred in many ethnically diverse Caribbean countries as well (Horowitz 1985). Malaysia exemplifies a different model, in which the parties were from the beginning ethnically-oriented, with the United National Malay Organization and the Malaysian Chinese Association being for many years two of the leading parties. Nigeria at its birth followed the Malaysian pattern, but later changes in Nigerian election law required presidential candidates to gain political support across ethnic and regional lines, leading to the rise of more ethnically diverse parties.

Ethnicity as a generator of violent conflict

As noted above, ethnic conflicts are usually managed peacefully. Sometimes, however, ethnic diversity does lead to ethnic violence. In the statistics about ethnic conflicts quoted above, the violent conflicts fell into two broad categories: riots, and armed conflicts or civil wars.

Ethnic riots

Deadly ethnic riots have occurred all over the world, but how and why they occur seems puzzling. Particularly puzzling is why rioters tend to be very careful in attacking only members of the target ethnic group, while at the same time making no distinction between men, women and children of that group, and indulging in unspeakable brutality in how they are killed, with rape, torture and mutilation not uncommon. After the killing is done, there is usually no remorse on the part of the killers: "they had it coming" is the attitude typically expressed by rioting communities all over the globe (Horowitz 2000).

One comprehensive survey, which takes a social psychological approach, finds three main factors that lead to deadly ethnic riots (Horowitz 2000). First, there needs to be a hostile ongoing relationship between the groups – tensions of long standing to motivate the killing. Second, there needs to be authoritative social support: potential rioters need to be assured by public statements from community leaders in their group that the leaders agree killing members of the other group is justified. At the same time, this support usually extends to the security forces: riots usually become large only if the police are sympathetic, or at least do not make determined efforts to stop the killing.

Finally, there needs to be a stimulus, some event – usually implying some sort of threat – that provokes fear, rage, or hatred in the rioting group. For example, a report (true or not) of a violent attack by one of "them" against one of "us" might spark a widespread cry to "teach them a lesson." Alternatively, a political change – even a potential one – might provoke a similar outburst. In 1958, for example, Sri Lankan Prime Minister S. W. R. D. Bandaranaike, a Sinhalese, signed a power-sharing deal with the leader of his country's Tamil minority, but quickly backed away under political pressure. *After* the deal was abrogated, ordinary Sinhalese vented their wrath at the very idea of such power-sharing by attacking innocent Tamils in a large-scale riot.

Another approach to explaining ethnic riots focuses not on psychology but on social organization. In India, for example, hostile relations between the Hindu and Muslim communities are common, but most of the riot violence is concentrated in just a few

cities. Why is that? The riot-prone cities, in turns out, have "institutionalized riot systems": community activists and extremist organizations that benefit from keeping tensions high, politicians who benefit from occasional violence, and criminals and thugs who can profit from it (Brass 1997). On the other hand, Indian cities with little or no riot violence have community organizations (business groups, labor unions, etc.) that cross communal lines, bringing Hindus and Muslims together instead of driving them apart (Varshney 2002).

Ethnic civil wars

Explanations of ethnic civil wars divide along similar lines: social psychology approaches, social mobilization approaches, and instrumentalist approaches. Instrumentalist approaches start with what creates the opportunity for rebels to act: weak governments, large populations and inaccessible terrain create the opening extremists need to act (Fearon and Laitin 2003). Also important in most instrumentalist arguments are extremist leaders seeking to grab or hold on to power, who stir up ethnic disagreements and provoke violence to create a "rally around the flag" effect uniting their group around their own leadership (Gagnon 1995). Extremist media also plays a key role in this view, as these extreme outlets seek popularity by appealing to group loyalties, presenting the news in terms of "us" against "them" (Snyder 2000). These two factors work together: extremist leaders provide heroes for the extremist media to promote, while one-sided media portrayals seem to validate the extremist leaders' claims that their group must unite against the "enemy." In most of these accounts, security fears play a crucial role: the argument by extremist politicians and media outlets that one's own group is in danger is what makes their appeals seem credible.

Some instrumentalists go a step further and claim that civil wars involving these issues are not ethnic at all, but merely about political power or economic benefits. These scholars argue that the statistical link between ethnic diversity and civil war is weak, and that the main causes of civil war are poverty, weak governments, and other factors that make it easy to start a guerrilla campaign (e.g., Fearon and Laitin 2003). It is also true, however, that while economic grievances are always present, in ethnic conflicts they are expressed in ethnic terms. In Mindanao in the southern Philippines, for example, the poor – Christians as well as Muslims – are all disadvantaged by inadequate government spending on education and infrastructure. But the communist New People's Army, which tries to exploit such rich–poor distinctions to gain support, has had little luck in Muslim areas. Rather, Muslims there respond to specifically Muslim rebel groups who emphasize the differences between Muslims and Christians, not between rich and poor (McKenna 1998). In other cases, it is not the poor ethnic group but the rich one that rebels: in Yugoslavia, for example, it was the relatively prosperous Slovenes and Croats who first tried to secede, because they felt they were being held back by the more "backward" ethnic groups in the rest of the country. In these cases, the contest for power and wealth takes a peculiarly ethnic form.

Like instrumentalist approaches, social mobilization approaches consider the roles of leaders, but they are also interested in how ethnic groups mobilize – that is, how do members of the group get together the people and resources needed for collective action? The answer, these theorists point out, is that people use social organizations and networks that already exist, like political parties and labor unions. Successful mobilization efforts find "brokers," people who can link different groups and networks

together to help them cooperate in a single movement (McAdam et al. 2001). This provides one answer to the question: why do people mobilize as *ethnic* groups instead, for example, of organizing as economic interest groups? It is because people's social networks tend to be mostly within their ethnic group; barriers of language or religion typically separate them from members of other groups.

Social psychological approaches focus on a different puzzle: why do followers follow these extremist leaders? Even if people mobilize as ethnic groups to look out for their interests, why do they follow extremist leaders who want violence, instead of following moderate leaders who will work for peace? Symbolic politics theory suggests that when the group's myth-symbol complex points to the other group as an enemy, its members will be predisposed to be hostile to the other group. Politicians will then be able to appeal to symbols of past hostility – such as Slobodan Milosevic referring to the battle of Kosovo Field – to rouse people's emotions against the enemy that symbol brings to mind (Muslims, in the case of Kosovo). If the group is at the same time convinced that they are in danger of extinction – of being wiped out as a group – they can be persuaded to back extreme measures that are justified as "self-defense" (Kaufman 2001).

One point on which the different approaches agree is that even when groups are differentiated by religion, violent conflicts are rarely religious in the sense of one group trying to impose its religion on another. For example, even though Sri Lanka's Tamils are Hindu while the majority Sinhalese are Buddhist, neither group wants the other to convert. Rather, the rebel Liberation Tigers of Tamil Eelam want to establish their own state (Tamil Eelam) in northern and eastern Sri Lanka, while the Sinhalese-dominated government wants to prevent that outcome. The Kashmir, Chechen, Palestinian, and Philippine Muslim conflicts have a similar flavor. The biggest exception is Sudan, where the main grievance of the Christian and animist southerners was the attempt by the Sudanese government to impose Islamic law on the whole country, including them.

To see how these complex processes play out in practice, let us consider in more detail the example of one prominent case of ethnic warfare, the 1990s fighting in the former Yugoslavia. Yugoslavia, formed in the aftermath of World War I, was a multi-ethnic state with no majority group. The three largest groups all spoke the same language, Serbo-Croatian, but differed in their religious tradition among Serbs (Orthodox Christians), Croats (Catholics), and Bosnian Muslims. The fourth-largest group, the Slovenes, are Catholics but speak a different (though related) language; the next largest, the Albanians, are Muslims who speak a wholly unrelated language. Before World War II, Yugoslavia was ruled by a Serbian king and dominated by Serbian politicians. During World War II, the Germans conquered the country and placed Croatian fascists, the Ustashe, in power in the regions of Croatia and Bosnia and Herzegovina, where they engaged in genocidal violence against the Serbs. As the war ended, communist partisan leader Josip Broz Tito took power in Yugoslavia, massacring the Ustashe and re-creating Yugoslavia as a nominal federation of six republics: Serbia, Croatia, Bosnia and Herzegovina, Slovenia, Macedonia, and Montenegro (Kaufman 2001).

When Tito died in 1980, the loss of his charismatic authority severely weakened Yugoslavia's government. The increasingly powerful republic governments more and more allowed the kind of mutually hostile mythmaking Tito had tried to stamp out. For example, nationalist Serbs began talking about the menace of the Albanian minority in the symbolically important Kosovo region while labeling any Croatian disagreement as evidence of resurgent Ustashe fascism. As symbolists would note,

ethnic myths and fears were growing. The leader of Serbia's League of Communists, Slobodan Milosevic, noticed the power of this nationalist sentiment and in the late 1980s became its spokesman, repressing the Albanians and attempting to impose Serbian control on the whole of Yugoslavia (Gagnon 1995). In response to this Serbian threat, voters in Slovenia, Croatia and Bosnia and Herzegovina turned to supporting their own nationalist leaders – with the Croatian nationalists reviving the national symbols last used by the Ustashe fascists, raising alarm among Serbs and making Milosevic's appeals ever more plausible.

Yugoslavia was dying. Slovenia moved first, declaring independence on June 25, 1991. The Croats quickly followed, sparking a month-long war in which the Yugoslav army conquered areas in Croatia inhabited by Croatia's Serbian minority.

The agony of Bosnia and Herzegovina was to be longer. Home to a mixture of Bosnian Muslims, Serbs, and Croats, Bosnia and Herzegovina was torn three ways. Serbs wanted to remain in Yugoslavia but, fearing Serbian domination, the Muslims wanted to secede and form an independent Bosnian state, while Croats wanted their areas (especially western Hercegovina) to join Croatia. In 1992 a coalition of Muslims and Croats therefore declared Bosnian independence, sparking a three-sided civil war in which Serbia and Croatia – trying to take over chunks of Bosnian territory – provided military assistance to their co-ethnics in Bosnia and Herzegovina, while the Muslims were the principal victims. Under the slogan "Only unity saves the Serbs," Serbs exaggerated the disadvantages of separation from Serbia into a threat to their national existence, and used this invented threat to justify – and invent the term – "ethnic cleansing": the Serbs' program of massacring enough of their ethnic enemies to force the rest to flee any territory they claimed. Finally, in 1995, a Croatian military counteroffensive backed by NATO air power prompted the Serb side to agree to stop the fighting.

Conclusion

Ethnicity generates conflict in a number of different ways. When ethnic groups are differentiated by language, then disputes about the use of language, especially in government and education, tend to line up across ethnic divides. When ethnic groups are differentiated by religion, disputes over the role of religion and the influence of religious values on public policy tend to arise. Regardless of what differentiates groups, economic interests – and disputes – tend to pit ethnic groups against each other due to the importance of social networks in causing members of ethnic groups to favor their own economically. In addition to disputes over tangible interests, ethnic politics also often turns into contests for status or group worth, so groups may seek political dominance as a way of expressing their desire for high social status. When this sort of seeking for group dominance becomes especially pronounced, and especially when groups' myth-symbol complex encourage hostility toward other groups, peaceful ethnic disputes can escalate into violent conflict.

Further reading

Brass, Paul R. (1997), *Theft of an Idol: Text and Context in the Representation of Collective Violence* (Princeton NJ: Princeton University Press).

Horowitz, Donald L. (1985), *Ethnic Groups in Conflict* (Berkeley CA: University of California Press).

Kaufman, Stuart J. (2001), *Modern Hatreds: The Symbolic Politics of Ethnic War* (Ithaca NY: Cornell University Press).

Laitin, David D. (2007), *Nations, States and Violence* (Oxford: Oxford University Press).

Ross, Marc Howard (2007), *Cultural Contestation in Ethnic Conflict* (Cambridge: Cambridge University Press).

References

Brass, Paul R. (1997), *Theft of an Idol: Text and Context in the Representation of Collective Violence* (Princeton NJ: Princeton University Press).

Cohen, Lenard J. (1995), *Broken Bonds: Yugoslavia's Disintegration and Balkan Politics in Transition* (Boulder CO: Westview Press).

Fearon, James D., and David D. Laitin (1996), "Explaining Interethnic Cooperation," *American Political Science Review* 90, No. 4 (December), pp. 715–35.

—(2003), "Ethnicity, Insurgency, and Civil War," *American Political Science Review* 97, No. 1 (February), pp. 75–90.

Gagnon, V. P. (1995), "Ethnic Nationalism and International Conflict: The Case of Serbia," *International Security* 19, No. 3 (winter), pp. 130–66.

Gurr, Ted Robert (2000), *Peoples versus States* (Washington DC: United States Institute of Peace).

Hardin, Russell (1995), *One for All: The Logic of Group Conflict* (Princeton NJ: Princeton University Press).

Hobsbawm, Eric, and Terence Ranger (1992), eds, *The Invention of Tradition* (Cambridge: Cambridge University Press).

Horowitz, Donald L. (1985), *Ethnic Groups in Conflict* (Berkeley CA: University of California Press).

—(2000), *The Deadly Ethnic Riot* (Berkeley CA: University of California Press).

Isaacs, Harold R. (1975), *The Idols of the Tribe: Group Identity and Political Change* (New York: Harper & Row).

Kaufman, Stuart J. (2001), *Modern Hatreds: The Symbolic Politics of Ethnic War* (Ithaca NY: Cornell University Press).

—(2006), "Symbolic Politics or Rational Choice? Testing Theories of Extreme Ethnic Violence," *International Security* 30, No. 4 (spring), pp. 45–86.

Kaufmann, Chaim (1996), "Possible and Impossible Solutions to Ethnic Civil Wars," *International Security*, 20, No. 4 (spring), pp. 136–75.

Lijphart, Arend (1985), *Power Sharing in South Africa*, Policy Papers in International Affairs 24 (Berkeley CA: Institute of International Studies, University of California).

McAdam, Doug, Sidney Tarrow, and Charles Tilly (2001), *Dynamics of Contention* (Cambridge: Cambridge University Press).

McKenna, Thomas M. (1998), *Muslim Rulers and Rebels: Everyday Politics and Armed Separatism in the Southern Philippines* (Berkeley CA: University of California).

Rieff, David (1996), *Slaughterhouse: Bosnia and the Failure of the West* (New York: Simon & Schuster).

Ross, Marc Howard (2007). *Cultural Contestation in Ethnic Conflict* (Cambridge: Cambridge University Press).

Saideman, Stephen M. (2001), *The Ties that Divide: Ethnic Politics, Foreign Policy and International Conflict* (New York: Columbia University Press).

Smith, Anthony D. (1986), *The Ethnic Origins of Nations* (New York: Blackwell).

Snyder, Jack (2000), *From Voting to Violence: Democratization and Nationalist Conflict* (New York: Norton).

Varshney, Ashutosh (2002), *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (New Haven CT: Yale University Press).

Volkan, Vamik (1997), *Bloodlines: From Ethnic Pride to Ethnic Terrorism* (New York: Farrar Straus & Giroux).

Wallensteen, Peter (2002). *Understanding Conflict Resolution: War*, *Peace and the Global System* (London: Sage).

Wallensteen, P., and M. Sollenberg (1999), "Armed Conflict, 1989–1998," *Journal of Peace Research* 36, No. 5, pp. 593–606.

Zartman, William I. (1985), *Ripe for Resolution: Conflict and Intervention in Africa* (New York: Oxford University Press).

9   Democracy and democratisation

Jenny Engström

Since the end of the Cold War and the collapse of communism in Eastern Europe, democracy has become widely toted as the political system best poised to deliver peace, both between states and within them. The emergence of complex UN peace operations has also led to an increased focus on elections and democratisation as components of post-conflict reconstruction (see, for example, Namibia, Cambodia and Mozambique). Democracy today is widely accepted as a universal value and the holding of elections is generally perceived as a minimum requirement for legitimate government. Yet, as this chapter will show, importing liberal democracy to a society riven by inter-group competition, deep-seated grievances, and strong identity-based politics, does not necessarily produce peace and equality.

Democratisation as peace-building in ethnically divided societies?

Whereas Western policy-makers continue to insist on promoting democracy as a means toward more peaceful communities around the world, scholars remain in disagreement over the actual relationship between democracy, ethnic diversity and peace/violence. Snyder (2000) and Horowitz (1985; 1993), among others, argue that the introduction of democracy in societies divided along ethnic and/or religious lines, can be not only ineffective but also inappropriate, because majority rule, competitive party politics, and an open political system can exacerbate, rather than mitigate, inter-ethnic tensions (Horowitz 1985, 291). The initiation of democracy, they warn, may generate violent conflict, as democratisation allows populist politicians to manipulate ethnic divisions for their own gain, thus increasing the risk of ethnic groups acting in their own narrow interests, as opposed to the general interest of the political community as a whole, i.e. the state. The phenomenon of ethnic politics – the formation of political parties along ethnic lines, and the pursuit of political agendas limited to the protection of the interests of one's own identity group – with its emphasis on collectivist principles, sits uneasily with Western liberal democratic principles of individualism. A strong element of ethnic politics in incipient democracies is seen as a stepping stone towards an accelerating spiral of conflicting inter-ethnic interests that may eventually culminate in violence between ethnic groups occupying the same territorial space. In such instances, the democratisation process is bound to undermine the unity of the state, provoke conflicts over the allocation of political, economic and social resources, and make fair, just, and efficient government more difficult (Rothstein 1993, 27). It is believed that, when introduced in ethnically heterogeneous societies, democratic processes feed conflict and potential violence, which may eventually result in such a rise in the level of

inter-communal conflict that 'any belief in democracy as a peaceful lever of change is extinguished in the competition which it encourages' (Austin and Gupta 1994, 267).

Others hold a less pessimistic view of democratisation in plural societies. De Nevers, for example, suggests that democratisation can serve either to mitigate inter-ethnic conflict or to exacerbate it, depending on a host of factors including how speedily ethnic issues are recognised; the extent to which inter-ethnic tension was already present at the start of the democratisation process; the relative size and power of ethnic communities; the ethnic distribution of power in the previous regime; the political stance of major ethnic leaders; the presence of ethnic kin in neighbouring countries; and the ethnic composition of the army (De Nevers 1993, 61).

De Nevers points out that national unity is a necessary precondition for successful democratisation (ibid.). Political moderation, too, must be present if democratisation is to have a conflict mitigating impact in ethnically divided states. Moderation can be promoted via an electoral structure that is inclusive and encourages power-sharing among different ethnic groups (ibid., 62–3). By allowing for the establishment of an inclusive means of government that takes into account the diversity of interests and needs of all ethnic groups, democratisation has the potential to help mitigate inter-ethnic tension and prevent the eruption of ethno-political violence (ibid., 75). De Nevers further notes that '[b]ecause in most cases democratisation includes a negotiating phase, there is an inherent opportunity in the process to address issues raised by ethnic tensions' and that '[f]or democratization to reduce ethnic tension, the inclusion of all relevant groups in the negotiating process is required; in addition, there must be a willingness by all parties to work for, and then accept, a mutually beneficial agreement' (ibid., 65).

In *Wars*, *Guns and Votes* Collier posits that the peace-promoting benefits of democracy and democratisation depend in large part on the level of economic development in a country. Whereas democracy tends to promote peace and stability in more economically advanced societies, it has the opposite effect on poor countries, or what Collier calls 'the bottom billion' (Collier 2009). The reason for this, Collier argues is that 'in these societies, democracy does not deliver either accountability or legitimacy' (ibid., 24).

It follows that we cannot be satisfied simply with assuming that, since democracy is purportedly a system designed to mediate competing interests in society, it will suffice as a tool for inter-communal conflict. Any conflict rooted in basic human needs such as security, recognition, identity and autonomy, cannot be resolved through competitive bargaining, as the ontological quality of human needs means that they are in essence non-negotiable. To the extent possible, according to Burton's theory, individuals will seek to meet their needs within socially and legally established norms in society. But, if societal norms hinder rather than enable their pursuit of needs, then, 'subject to values he attaches to social relationships, he will employ methods outside the norms, outside the codes he would in other circumstances wish to apply to his behaviour' (Burton 1988, 52–53).

The democratic system of governance is peculiar in that it contains within it characteristics of co-operation as well as competition and inclusion as well as exclusion. As a system for mediating conflicting interests in society it appears to have fared well overall. But is it a system capable of mediating needs-based conflict? It depends. It appears that the liberal definition of democracy, with its emphasis on the individual rather than the collective, and on the equality of opportunity rather than equality of outcome, is sometimes inadequate as a mechanism for protecting the needs of citizens,

especially in societies where – despite an official adherence to civic ideals – the ethnic majority dominates. For by taking a neutral stance to the conception of the common good, it perpetuates the majority culture's values, norms and preferences. Whilst liberal democracy may justifiably be regarded as a fair system for negotiating competing interests, it falls short in terms of protecting people's needs in a society where political and economic power is unevenly distributed.

In multi-ethnic countries in general, the limits of democratisation as a conflict-mitigating tool depend very much on the nature of the conflict at hand. If the conflict is largely one of competing interests, implementation of democratic rules and principles may serve to promote peaceful cohabitation. But if the conflict is rooted in needs, the advancement of democracy is unlikely to facilitate the resolution of the conflict.

Elections alone do not make a democracy

Since the early 1990s, Western powers, notably the United States and the European Union, but also international institutions like the United Nations and the Organisation for Security and Co-operation in Europe (OSCE), have sought to promote elections as a key feature of democracy. Consequently, countries ravaged by war and lacking in the infrastructure necessary for conducting free and fair elections, have often been pushed, prematurely, into electing a new government. The result has not always been an increase in democracy and democratisation, as witnessed in Iraq, Bosnia and Herzegovina, Afghanistan, et al.

As Collier points out, American and European pressure on the bottom billion has indeed led to a rise in the number of elections held, but what is problematic is how democracy has come to be seen largely as synonymous with elections. But elections alone do not make a democracy. For elections to be meaningful, there needs to be in place the necessary political infrastructure to ensure that elections are free and fair (Collier 2009, 15). Diamond, in turn, points out that democracy is impossible without freedom of speech and association and the rule of law (Diamond 2008, 21).

According to the International Institute for Democracy and Electoral Assistance (International IDEA), a political system is deemed democratic only if it allows for meaningful competition for political power; inclusive participation, expressed through free and fair elections; and civil and political rights that safeguard the integrity of political competition and participation (Harris and Reilly 1998, 19). Civil and political rights are absolutely essential to democratic governance given that democracy is fundamentally about the equal right of every citizen to participate in public affairs and to exercise control over government (Beetham 1998, 73). A democratic regime with the proper institutions (a legislative, executive and judicial branch) that holds multiparty elections on a regular basis, cannot be considered genuinely democratic unless its citizens enjoy full civil and political rights, which permit them to choose their political representatives in a society that allows for a free media, access to alternative sources of information, and freedom of thought, expression and association. As Diamond notes, if a country holds regular, multiparty elections and has an established national assembly, a court system, constitution, etc., 'but the people are not able to vote their leaders out of power because the system is, in effect, rigged, then the country has … [a] *pseudodemocracy* (Diamond 2008, 23).

Challenges to successful democratisation

Liberalism, with its focus on the individual rather than the community, has come to represent the premise and foundation of modern democracy in the West (Parekh 1993, 157). The Western concept of liberal democracy imposes a restriction on the state's authority over its citizens, by virtue of its focus on individual rights. Civil and political rights are not only intrinsic to a particular form of democracy but are inherent in any modern democratic system, since without them the democratic principle would effectively be non-functional.

In ethnically divided states, however, the issue of human rights becomes complicated by the demand from some ethnic minorities for group rights. This raises the question whether individual rights – a concept intimately linked with liberal democracy – are sufficient in societies where a minority perceives its freedom and survival to be threatened. Where the asymmetry of power structures favours the majority ethnic group, the principle of individualism/liberalism often fails to deliver its promise of a just society. Instead it perpetuates the status quo, i.e., the asymmetrical power structures, thus allowing the majority ethnic group to retain a position of cultural hegemony vis-à-vis the minority groups.

Zakaria warns of the emergence of what he calls 'illiberal democracies': regimes that habitually disregard any constitutional limits on their power and violate the human rights of citizens (Zakaria 1997, 22). He distinguishes between democracy and constitutional liberalism, where the latter is characterised by the rule of law, separation of powers and the protection of basic liberties, including freedom of speech, assembly, religion and the right to own property. Democracy, on the other hand, is characterised by free and fair multi-party elections (ibid.).

Another challenge to democratisation is the problem of weak states. Sørensen notes that it is exceedingly difficult to construct stable democracies out of weak states that lack the institutions necessary for democracy and where trust and mutual acceptance among competing groups are in short supply (Sørensen 2008, 142). The premature introduction of democratic rule in the form of elections in weak states can even lead to an increase in violent conflict (ibid., 143). State building is therefore a precondition to democracy in weak states. At the same time, Collier argues that one of the main mistakes in the West's approach to state-building 'has been to forget that well-functioning states are built not just on shared interests but on shared identity. Shared identity does not grow out of the soil; it is politically constructed' (Collier 2009, 9).

Democracy is generally associated with majority rule, a principle which is not without controversy, especially in societies divided along ethnic and religious lines. Defenders of majority rule maintain that the principle of political equality, which is fundamental to democracy, is secured over time since majorities and minorities are bound to trade places in the long-term. This means that today's winners will become tomorrow's losers, and vice versa. As Beetham points out, this argumentation presumes a functional principle of reciprocity, so that 'I agree to be bound by a decision which goes against me in return for your being bound when it goes in my favour and against you' (Beetham 1999, 20). Such an arrangement may work sufficiently well in a culturally homogeneous society, but when the majority rule is applied to states with deep ethnic divisions, and where politics is ethnically aligned, there is a considerable risk that the electoral majority and minority become identical to the ethnic alignments in society. Consequently, majorities and minorities become frozen, thus violating the principle of political

equality since the minority is permanently on the losing side of the political game. As Touraine points out, the idea of democracy is intrinsically connected to the idea of rights and democracy cannot, therefore, be reduced to majority government (Touraine 1998, 23).

A challenge to democratic development in ethnically plural societies is the tendency for the emerging party system to form along ethnic lines, thus undermining the liberal democratic principle of citizenship based on civic ideals. Western observers tend to view ethnic politics as fundamentally contrary to democratic norms of inclusion and equal rights. Horowitz, for example, states that, in societies divided along ethnic lines, inclusion in the government tends to correlate with inclusion in the community, just as exclusion from government means exclusion from the community (Horowitz 1993, 18). Consequently, party politics only serve to reinforce ethnic divisions, thus rendering democracy harmful to inter-ethnic peace and stability. Yet prohibiting ethnically based parties does not necessarily promote peace and democracy. A constitutional ban on political organisation along ethnic lines may itself be a manifestation of ethnic politics, as its tendency is to privilege the majority ethnic group.

The security of one's group (ethnic, linguistic, etc.) identity, both of the majority and the minority ethnic groups, as well as socio-economic security, plays a significant part in shaping the political agenda of ethnic parties, in so far as a high level of security experienced by an ethnic community will weaken the perceived need to pursue a narrowly defined ethno-centric political platform. Whether or not – or to what extent – an ethnically based party limits itself to a narrow, ethnic chauvinist political agenda, is likely to be influenced by its sense of security and recognition within the larger society it inhabits.

How democracy comes about

The arcane notion of democratisation being an organic process that happens naturally when the time is ripe, has given way to the realisation that democracy is highly agency-driven. In Di Palma's words, democracy is 'crafted'. Democratisation is always a conscious, and often strategic, undertaking. But does a state need democrats in order to democratise? Not according to Āgh, who suggests that democrats are the results, not the precondition of democratisation (Āgh 1998, 19). Typically, democratisation is seen as more probable if two conditions are present:

- 'when there are clear splits among existing autocratic leaders, in which some urge reform in order to accommodate popular demands for change, while others in the ruling group seek to preserve the current order at all costs';
- 'when power has been strongly centralized in the person of a charismatic leader who has ruled for many years, sometimes for decades. When such leaders centralize power in their own person, usually with a cadre of loyalists around them, the end of a leader's tenure – often from natural causes – can induce a political vacuum in which there is rapid political change'.

(Large and Sisk 2006, 71–72)

'Diffusion' is sometimes cited as an important factor in democratisation processes. Di Palma, for example, suggests that '[n]ew democracies are … less the result of cumulative, necessary, predictable, and systematic developments than of historical busts and

booms, global opinion climates, shifting opportunities, and contingent preferences' (Di Palma 1990, 15). However, that is not to say that global circumstances are always decisive in determining whether or not democratisation takes place. Whereas it might determine the fall of a non-democratic regime, it does not necessarily lead to democratisation, which as stated, is a deliberate process. More specifically, Di Palma's 'crafting' describes four main aspects of democratisation (1990, 8–9):

- The 'quality of the finished product', i.e. the choice of democratic institutions and rules.
- The structure of the decision making that determines those institutions and rules.
- The nature of the 'craftsmen' involved in the process (coalitions, alliances, etc.).
- The timing of each step taken during the transition.

A much debated issue within democratisation theory has been whether democratisation necessitates certain preconditions in order to be successful. In the past it was said that a requisite for democratisation was a strong middle class, a theory that has since been refuted by cases where democratisation was successful despite the absence of a powerful middle class. Market economy has also been said to be a necessary condition for democracy to be successful. Whilst the debate continues, it seems there are at least two indisputable preconditions necessary for democratisation to succeed.

First, before democratisation can be initiated, an issue that must be resolved is, who are the people? That is, who are the nations that are going to democratise? A certain degree of national unity is a necessary precondition for democratisation to be effectively implemented. Why? Because, as Beetham points out, in conditions that allow freedom of expression and association, democratic government is dependent upon popular consent. This implies that if people are unwilling to agree on a framework for cohabitation, the imposition of authoritarian rule is the only alternative to war or secession (Beetham 1999, 82). Moreover, national unity is absolutely essential precisely because of the divisive nature of electoral competition.

The expression 'national unity' is highly problematic though, as it seems to presume the existence of single-nation-states, rather than multi-ethnic, multinational states. Few states, however, can be said to be authentic nation-states, and those that might qualify often had to resort to force in order to attain the status of nation-state. According to Rustow, national unity is present when 'the vast majority of citizens in a democracy-to-be … have no doubt or mental reservations as to which political community they belong to' (Sørensen 2008, 47). In regard to ethnically divided societies, Rustow's definition might be slightly amended to reflect the need for sufficient consensus across ethnic groups making up the citizens of the state. Hence, national unity can be said to exist when 'the vast majority of citizens in a democracy-to-be [including a majority of members of all ethnic groups] … have no doubt or mental reservations as to which political community they belong to'. Without a unified political community, i.e. without a general consensus about what constitutes the nation, efforts to develop democracy are likely to be undermined by conflicting perceptions of the identity and character of the political community. Hence a common framework to which all communal divisions in society can pledge their allegiance is absolutely essential for democracy to work. We might therefore say that what matters is not only that democracy is introduced, but also that it is based on broad societal consensus. In fact, unless the process of determining the shape of the new democratic system is itself subject to an inclusive participatory

process that goes some way towards honouring the democratic principle of 'rule by the people', the outcome may indeed be unstable.

A second precondition for any democratic system, one which is often neglected in discussions of democracy, is the existence of a popular will to democracy. The various subgroups of the population must agree that democracy is desirable, and commit themselves to the democratic process, and to the rules inherent in it. Contrary to authoritarian systems of governance, democracy cannot function effectively unless there is an overall consensus that democracy is the preferred choice, and any attempt at democratisation in an unwilling domestic environment is bound to fail. The legitimacy and viability of a democratic regime rest on such a will to democracy.

Democratisation and marginalised groups

Whilst democracy is intimately bound up with human rights protection, democratisation has not always resulted in greater inclusion of marginalised groups. In apartheid South Africa, democracy was limited to the white population and it was only after a prolonged violent campaign by the ANC, followed by negotiations at a time when the regime was beginning to face up to its own demise, that the majority of South Africa's population was included in the political process. In Rwanda, colonial rule that had favoured the Tutsi minority eventually gave way to Hutu-majority rule, with Tutsis suffering repeated attacks that culminated in the 1994 genocide. And whilst some ethnic minorities – notably the Turkish minority in Bulgaria – have benefited from democratisation processes in Eastern Europe following the collapse of communism, the Roma remain on the fringes of political life. In societies where the democratic process has successfully integrated previously marginalised groups, negotiations have typically been preceded by some measure of civil strife. In Macedonia, a former Yugoslav republic, a brief armed conflict in 2001 was followed by an elaborate peace agreement between the ethnic Macedonian majority and the Albanian minority that effectively revised the Macedonian constitution to strengthen the political power of the Albanians. In Kenya, ethnic divisions were highlighted in a wave of widespread violence, mainly between the Kikuyu and Luo ethnic groups, following the country's controversial presidential elections in 2007. Civil strife eventually came to an end with the help of outside mediation, which brought about a power-sharing agreement whereby Mwai Kibaki, the incumbent president and a Kikuyu, remained in his post whilst Raila Odinga, a Luo, assumed the post of prime minister. In Bulgaria, the transition from communism to democracy was carried out mainly through negotiations between the old communists and the democratic opposition. Excluded from the negotiations, however, was the country's Turkish minority, who went on to form their own political party, the Movement for Rights and Freedoms (MRF). Despite a constitutional ban on ethnic parties, the MRF was allowed to participate in national elections and won enough votes to become an influential force in Bulgarian politics. Its political inclusion was made possible largely as a result of a national effort to overcome inter-communal tensions that were a legacy of communist-era oppression of the Turkish minority. Yet another example of a democracy where inter-group conflict still persists is Turkey, where the government continues to pursue a strategy of assimilation by proscribing the use of Kurdish in public affairs. Examples of democracies that continue to deny minority rights to some of its citizens can be found in Western Europe too, notably in

Greece, where the government refuses to acknowledge the presence of any ethnic minorities, including a Macedonian one.

Conclusion

Although few would dispute that democracy is currently the political system best suited for managing plural identities and conflicting interests, the road towards democracy – democratisation – is more often than not a bumpy one, especially in societies fraught with inter-communal tension. Neither democracy nor democratisation is a panacea for ethnic (or religious) minorities, as witnessed by the experience of Eastern Europe's Roma population and there is no guarantee that all segments of society will be included in the political life of the state. Ideally democratisation offers a chance for dissenting voices to be heard and for minorities (and disgruntled majorities) to challenge policies they perceive as unjust and discriminatory. Flaws aside, democracy continues to stand out as a political system that offers the best chance for mediating conflicts non-violently. The fact that calls for democracy around the world are growing stronger also points to the fact that people on all continents, regardless of ethnicity or religion, are increasingly recognising its value.

Further reading

Collier, P. (2009), *Wars, Guns and Votes: Democracy in Dangerous Places* (London: Bodley Head).

Diamond, L. (2008), *The Spirit of Democracy: The Struggle to Build Free Societies Throughout the World* (New York: Times Books).

Gurr, T. R. (2000), *People versus States: Minorities at Risk in the New Century* (Washington DC: United States Institute of Peace Press).

Harris, P. and Reilly, B. (1998), *Democracy and Deep-rooted Conflict: Options for Negotiators* (Stockholm: International Institute for Democracy and Electoral Assistance).

Sørensen, G. (2008), *Democracy and Democratization: Processes and Prospects in a Changing World*, 3rd ed. (Boulder, CO: Westview Press).

Bibliography

Ágh, A. (1998), *Emerging Democracies in East Central Europe and in the Balkans* (Cheltenham: Edward Elgar).

Austin, D. and Gupta, A. (1994), 'The Politics of Violence in India and South Asia', in P. Janke (ed.), *Ethnic and Religious Conflicts: Europe and Asia* (Brookfield VT: Research Institute for the Study of Conflict and Terrorism).

Beetham, D. (1998), 'Democracy and Human Rights: Civil, Political, Economic, Social and Cultural', in J. Symonides (ed.), *Human Rights: New Dimensions and Challenges* (Brookfield VT: UNESCO and Dartmouth Publishing).

—(1999), *Democracy and Human Rights* (Cambridge: Polity Press).

Burton, J. (1988), 'Human Needs versus Societal Needs', in R. Coate and J. Rosati (eds), *The Power of Human Needs in World Society* (Boulder CO: Lynne Rienner).

Collier, P. (2009), *Wars, Guns and Votes: Democracy in Dangerous Places* (London: Bodley Head).

De Nevers, R. (1993), 'Democratization and Ethnic Conflict', in M. Brown (ed.), *Ethnic Conflict and International Security* (Princeton NJ: Princeton University Press).

Di Palma, G. (1990), *To Craft Democracies: An Essay on Democratic Transitions* (Berkeley CA: University of California Press).

Diamond, L. (2008), *The Spirit of Democracy: The Struggle to Build Free Societies throughout the World* (New York: Times Books).

Hayden, R. (1999), *Blueprints for a House Divided: The Constitutional Logic of the Yugoslav Conflicts* (Ann Arbor MI: University of Michigan Press).

Horowitz, D. (1985), *Ethnic Groups in Conflict* (Berkeley CA: University of California Press).

—(1993), 'Democracy in Divided Societies', *Journal of Democracy*, Vol. 4, No. 4, October, 18–38.

Large, J. and Sisk, T. (2006), *Democracy, Conflict and Human Security: Pursuing Peace in the Twenty-first Century* (Stockholm: International IDEA).

Linz, J. and Stepan, A. (1996), *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-communist Europe* (Baltimore MD: Johns Hopkins University Press).

Parekh, B. (1993), 'The Cultural Particularity of Liberal Democracy', in D. Held (ed.), *Prospects for Democracy: North, South, East, West* (Cambridge: Polity Press).

Rothstein, R. (1993), 'Democracy and Conflict', in E. Kaufman and S. Abed (eds), *Democracy, Peace, and the Israeli–Palestinian Conflict* (Boulder, CO: Lynne Rienner).

Snyder, J. (2000), *From Voting to Violence: Democratization and Nationalist Conflict* (New York: Norton).

Sørensen, G. (2008), *Democracy and Democratization: Processes and Prospects in a Changing World*, 3rd ed. (Boulder CO: Westview Press).

Touraine, A. (1998), *What is Democracy?* (Boulder CO: Westview Press).

Zakaria, F. (1997), 'The Rise of Illiberal Democracy', *Foreign Affairs*, Vol. 76, No. 6, November–December, 22–43.

10 The causes and consequences of ethnic cleansing

Erin K. Jenne

Ethnic cleansing refers to 'the expulsion of an "undesirable" population from a given territory due to religious or ethnic discrimination, political, strategic or ideological considerations, or a combination of these' (Bell-Fialkoff 1993, p. 110). On the most basic level, it is the deliberate policy of homogenising the ethnic make-up of a territory. As this definition suggests, ethnic cleansing comprises not only ethnic expulsions and extermination during war, but also policies of ethnic homogenisation undertaken during times of relative peace. In strategic terms, it involves the removal of targeted minorities from a given territory and the subsequent resettlement of members of the dominant group in the minorities' abandoned homes and property. In sum, ethnic cleansing consists of policies of ethnic expulsion and resettlement, which may be implemented either violently or non-violently. These policies are undertaken with the purpose of achieving ethno-territorial homogenisation.

   The expression 'ethnic cleansing' did not enter the modern lexicon until the 1980s, when Kosovar Serbs publicly accused the Albanian majority of ethnically cleansing the province. The term was later applied retroactively to the Serb campaign against the Muslims during the Bosnian war as well as Belgrade's attempts to empty Kosovo of ethnic Albanians in the late 1990s. Although the concept itself is relatively new, the phenomenon to which it refers is as old as human civilisation itself. The ancient Assyrians used collective deportations to manage internal unrest and rebellions as early as the thirteenth century BCE; both the Assyrians and the Babylonians exiled Jewish populations in the seventh and fifth centuries BCE. During and after the Crusades, Jews were massacred and expelled from Germany, England and France. In South East Asia, meanwhile, over 100,000 Cham people were driven out of their homes by the Vietnamese in the late fifteenth century. At the same time, the Roma and Jews were being expelled from Spain. During the religious wars, the Huguenots were driven out of France; and hundreds of thousands of Spanish Muslims, or Moriscos, were exiled from Spain in the early seventeenth century. In nineteenth-century America, many Native American tribes in the territories were corralled on to reservations under the policy of 'Indian removal'. In Haiti, too, tens of thousands of French settlers were expelled from St Dominique by Haiti's new leaders, who declared the country an 'all-black' nation. Following World War II, as many as 11 million ethnic Germans were driven out of East European countries on charges of collaboration with Nazi Germany. Around half a million Ukrainians and Belorussians were exiled from Poland to the territories of the Soviet Union, while 2 million Poles were transferred from the Soviet Union to Poland (Wolff 2004, p. 17). Over 12 million people were displaced in the 1947 partition of India, including as many as a million dead. The 1974 division of

Cyprus into Greek and Turkish regions led to the internal displacement of as many as 200,000 people.

Ethnic cleansing is still practised in the contemporary period. Outside of the Balkans, hundreds of thousands of ethnic Georgians were expelled from Abkhazia in the early 1990s. In the meantime, hundreds of thousands of Azeris and Armenians were exiled from their homes during the Nagorno Karabakh war. After Kurdish guerillas were crushed by Saddam Hussein's government in the First Gulf War, millions of Iraqi Kurds fled to Iran and Turkey to escape collective retaliation. In 1994, 500,000 Tutsis and Hutu political moderates were murdered and expelled from Rwanda in a coordinated effort by Hutu extremists to eliminate their political opponents. Indeed, it would appear that violent ethnic cleansing has accompanied almost every deadly conflict. In peacetime as well, countless programmes of 'silent ethnic cleansing' have been undertaken by political elites to consolidate their hold over a given territory. Such policies are difficult to monitor, much less prevent or resolve, by the international community.

Definitions: ethnic cleansing, genocide and population transfers

Ethnic cleansing, genocide and population transfers are often used interchangeably, so it is worth parsing their meanings. Naimark (2001, pp. 3–4) and Bell-Fialkoff (1993, p. 110) believe that the principal distinctions between these concepts lie in the *type and extremity of ethnic removal*. In their view, genocide and population transfers are both subsets of ethnic cleansing, with population transfers the most moderate form and genocide the most extreme. Their implied *targets* are another distinguishing feature. According to the Prevention and Punishment of the Crime of Genocide adopted by the UN General Assembly in 1948, genocide refers to 'acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group' (Art. 2). In contrast, ethnic cleansing and population transfers are designed to move or remove ethnic groups from a given territory. Because of its focus on human destruction, genocide is viewed as the most sinister and deadly of the three.

The underlying *goals* of the three policies constitute a third important difference. Genocide and ethnic cleansing are undertaken by one side of the conflict to rid the territory of one or more ethnic groups, while population transfers aim to resolve conflict through ethnic separation with the implied consent of the conflict parties as well as the international community (Wolff 2004, p. 13). A final distinction is their *ethical and legal standing*. Genocide is a crime under international law, whereas ethnic cleansing and population transfers are not – although the acts that comprise ethnic cleansing, such as deportations, *are* war crimes and crimes against humanity (Waters 2006, p. 4 n. 4). Nonetheless, it must be said that genocide, ethnic cleansing and population transfers shade into one another in terms of impact, severity, targets and methods. As Hayden (1996, p. 736) notes, '[p]hysical slaughter enters the picture as an element of ethnic cleansing, since, after all, it usually takes a great deal of pressure to persuade people to leave their homes for "homelands" that they might, in fact, never have seen'.

These nuances aside, choosing from among these terms is a politically loaded act with clear policy implications. Establishing that a campaign of ethnic removal constitutes genocide (as opposed to ethnic conflict or population transfers) implies a responsibility by the international community to halt the violence (Power 2002). So it goes for the distinction between ethnic cleansing and population transfers. Hayden

(1996, p. 734) observes that *our enemies* engage in 'ethnic cleansing' to further their private interests, while *we* undertake 'population transfers' to save lives and rebuild peace. The former is used to vilify expulsions by hostile governments, while the latter is used to legitimise similar policies by friendly governments. Indeed, a cursory examination of the record shows that the same event can be termed either ethnic cleansing or population transfer, depending on one's perspective.

Ethnic cleansing in international law and public opinon

Beginning in the inter-war period, 'states began experimenting with the exchange of minority groups as a means of solving the ethnic problems so deeply interwoven into the changing patterns of political conflict in eastern Europe' (Office of Population Research 1947, p. 8). The centuries-long intermingling of ethnic populations in Europe came to be seen as a problem in light of the turn-of-the-century ideal of national self-determination under which territorialised national minorities had a right to self-government. This principle informed the 1919 Allied reconfiguration of Central and East European borders in the wake of collapsed multinational empires. In some cases, large minorities were stranded outside the borders of their putative national homelands, and the Allies dealt with these mismatches by concluding minority treaties with the new multi-ethnic states. In other cases, however, states were permitted to approximate a one-to-one nation-state fit through population transfers. The League-supervised Greco-Turkish and Greco-Bulgarian population exchanges are widely viewed as a success, since those countries have not engaged in war since the early 1920s. However, it may be argued that the exchanges merely legitimised Turkey's expulsions of ethnic Greeks from the Anatolian peninsula after Greece's failed invasion. In fact, the vast majority of the 1.2 million Greek refugees were expelled *before* the League-supervised exchanges got under way. Did these transfers facilitate conflict management or did they simply provide cover for policies of national homogenisation by the Turkish state?

Large-scale programmes of ethnic cleansing re-emerged after World War II when millions of Germans and Hungarians were deported from East European countries. The inter-war population exchanges served as a blueprint for these transfers, most notably in the case of German minorities. As many as 3 million ethnic Germans were deported from Czechoslovakia, leading to tens of thousands of deaths and summary executions in 1945. These actions were retroactively legalised under the 1946 Beneš Decrees, which sanctioned the forcible exile and expropriation of Germans from the Sudetenland. Following the mass expulsions, international legal norms began to turn against population transfers as an acceptable means of conflict resolution. Beginning with the Nuremberg judgement that Nazi population transfers constituted a war crime, the policy of involuntary resettlement gradually came to be seen as anathema to the international community.

During the 1990s Yugoslav wars, population expulsions were given the moniker of ethnic cleansing in the international press. The 1993 UN Subcommission on the Prevention of Discrimination and Protection of Minorities came out against the practice, and the subsequent Rome Statute of the International Criminal Court (Art. 7) designated population transfers a 'crime against humanity'. Also in the 1990s, a small group of security studies scholars began to re-evaluate this technique as a useful device for conflict resolution (Posen 1993; Mearsheimer and van Evera 1995; Kaufmann 1996,

1998; Downes 2004, 2006). These (mostly) hard-nosed realists have argued that, albeit costly and morally repugnant, partition and population exchanges may be the only means of resolving an intransigent conflict in which two or more groups are locked in mortal combat. On the heels of internecine warfare, neither side can trust that the other will not take the opportunity to vanquish them if they disarm – thus post-war reintegration of warring groups is a hopeless and potentially dangerous endeavour. To the argument that population transfers violate human rights, partition advocates argue that far worse atrocities would result from failing to partition the groups into separate territorial enclaves. Kaufmann urged policy-makers to 'endorse separation' in conflicts with significant sectarian violence, 'otherwise, the processes of war will separate the groups anyway, at much higher human cost' (Kaufmann 1998, p. 123). The argument for population transfers as a conflict management technique clearly turns on whether they prevent more human suffering than they cause.

The logic of ethnic cleansing

Ethnic cleansing consists of two tactics that can be executed simultaneously or sequentially. The perpetrators first use force, the threat of force, or other methods of intimidation to induce members of the targeted group(s) to flee. They then resettle the newly abandoned homes with displaced members of the dominant group. In this way, ethnic cleansers create permanent facts on the ground, helping them to consolidate their territorial claims.

The first step, ethnic removal, involves not only exiling 'enemy' groups from the territory (through induced flight, forced expulsions or mass murder), but also destroying or purposely defiling their sites of national significance, including graveyards, churches, monuments and other landmarks that tie the group to the land. In this way, ethnic cleansers sever both the corporal and symbolic links between the targeted group and the desired territory. It was not by accident that Serb paramilitaries destroyed Muslim mosques and burned libraries, manuscript collections and archives that served as the repositories of Bosnian Muslim national history. This ensured 'the destruction of communal memory by the ethnic cleansers' (Riedlmayer, 2007, p. 117). The centuries-old Ottoman bridge in Mostar, an important Muslim landmark, was destroyed for similar reasons. A Croatian militiaman explained the incident to a British reporter: 'It is not enough to clean Mostar of the Muslims – the relics must also be removed.' These policies of 'cultural genocide' are designed to complete the process of ethnic cleansing by wiping out the group's national history and erasing all signs of its ties to the territory (Carmichael 2002; Gallagher 2003; Cigar 1995). Mass rape and forced impregnation serve as additional methods of ethno-territorial conquest. According to MacKinnon (2006, p. 145), 'ethnic rape' is 'an instrument of forced exile, to make you leave your home and never come back … It is rape to shatter a people, to drive a wedge through a particular community … It is rape as genocide.'

The second step in the ethnic cleansing process is to resettle members of the dominant group in the homes of the displaced minorities and to replace or repurpose sites of national significance belonging to the undesired groups. This two-step process can be observed in most cases of ethnic cleansing, particularly during ethnic civil war. Ethnic segregation is the predictable result. In the Bosnian war, for example, many Serbs driven out of the Federation were resettled in the homes of Bosniaks or Croats in Republika Srpska (RS). Many Bosniaks and Croats expelled from RS were in turn

resettled in the homes of ethnic Serbs who had fled the Federation. Similarly, the Shi'as of Iraq were driven out of Sunni strongholds and Sunnis from Shi'a neighbourhoods. Both Sunnis and Shi'as were likewise expelled from Kurdish territory in the north. Displaced minorities tend not to return to their homes, but to resettle in territories where they can become part of the local majority. With each step, it becomes increasingly difficult for the expelled groups to reclaim their homes, livelihoods and national homeland. The territory has become effectively rebranded for the dominant group in whose name the campaign was waged.

The difficulty of returning minority refugees or internally displaced persons (IDPs) to their homes after the war indicates that ethnic cleansing campaigns continue well beyond the formal peace settlement. Koser and Black (1999, p. 8) note that after war 'returnees are often actively directed to certain areas, either to strengthen the position of one party against another, or, as in several recent conflicts such as that in the former Yugoslavia, as a continuation of "ethnic cleansing"'. The Ottomans, for example, moved Muslims into newly conquered Balkan territories while simultaneously transferring Christian communities to Thrace and Anatolia in order to consolidate control over lands they had already won in battle.

It should also be noted that while ethnic cleansing is usually associated with violence, it may also be conducted during periods of relative peace – through campaigns of intimidation, threats of force, or various forms of discrimination. As a general rule, ethnic war nearly always involves ethnic cleansing, but ethnic cleansing need not involve ethnic war. Territorial gains are territorial gains, whether begotten under conditions of peace or war. A key difference is that war can provide cover for extensive ethnic purges that would be difficult to justify during times of peace. For instance, during the 1999 NATO war, Slobodan Milošević was able to accelerate a decade-long campaign of 'quiet ethnic cleansing' in Kosovo to a rapid violent expulsion of Kosovar Albanians under the cover of NATO bombing.

The drivers of ethnic cleansing

What explains this phenomenon? Some have argued that contemporary ethnic cleansing is the unique by-product of system-level variables such as modernity, state formation or national self-determination. According to Bartov (1996, pp. 3–4), the 'mechanized, rational, impersonal, and sustained mass destruction of human beings, organized and administered by states, legitimized and set into motion by scientists and jurists, sanctioned and popularized by academics and intellectuals, has become a staple of our civilization'. Also invoking systemic factors, Mann (2005) claims that ethnic cleansing is the outgrowth of democratic norms under which the demos is equated with ethnos, thus laying the groundwork for the exclusion of rival ethnic groups, sometimes through violence. Still others contend that the age of nationalism and the doctrine of national self-determination both invite and justify policies of ethnic cleansing (Hobsbawm 1995; Naimark 2001).

A second stream of scholarship identifies grass-roots factors that facilitate ethnic cleansing. An essentialist line holds that the explosive force of nationalism and pernicious stereotypes about 'the other' fuel popular support for such campaigns. In this view, grievances from past experiences of victimisation and collective desires for revenge may lead victims of ethnic cleansing to become perpetrators in later periods (Lieberman 2006). In a now largely discredited thesis, Goldhagen (1996) argues that the

German people favoured expulsions and extermination of Jews during the 1930s and 1940s due to 'eliminationist antisemitism' rooted deep in the German culture. Interestingly, Goldhagen's culturalist narrative was written to rebut a social-psychological explanation of mass participation in the Holocaust. In this account, Browning (1992) draws explicitly on the work of Stanley Milgram to deconstruct the motives of individual members of German police reserve units tasked with sending Jews to concentration camps in Poland. They were ordered to shoot any excess persons who did not fit on the train cars destined for the camps. Although allowed to opt out of this task by their superiors, these individuals declined to do so – not out of animus toward the Jews, but rather out of a desire for social approval and deference to authority.

Alternative grass-roots explanations focus on ecological drivers of conflict, such as economic competition or social divides between groups. One argument follows that deeply divided societies – where social, class and ethnic cleavages coincide – are at greater risk of sectarian violence than more cohesive societies (Horowitz 1985; Kuper 1981; Fein 1993). In an account based on the logic of opportunism and inter-group competition, Götz (2007) contends that the Reich procured support for the Holocaust from working-class Germans by redistributing Jewish wealth among ordinary Germans – parcelling out Jewish furniture to those who had suffered from Allied bombing and transferring Ukrainian food and French luxury goods acquired by the Wehrmacht through its foreign wars. In this view, the complicity of ordinary Germans was bought by wartime elites. Similarly, Gross (2006) describes cases in which Jews who returned to their homes in Poland *after* the Holocaust were killed in pogroms organised by their Polish neighbours. He demonstrates that the Poles were largely motivated out of a fear of losing their new-found status and wealth that they had appropriated from their Jewish neighbours. As a general rule, there is a strong tendency for the dominant group to acquiesce, if not actively participate, in elite-organised campaigns that target ethnic minorities.

Still other grass-roots arguments focus on mutual enmities stoked by national symbolism (Kaufman 2001), mutual fears of victimisation during state transition (Posen 1993), and state institutions that can be used to mobilise people to engage in violence. Drawing on extensive field work in Rwanda, Straus (2006) concludes that the genocide in 1994 could not have taken place in the absence of these conditions on the ground. Others dispute the very notion that ethnic violence is the result of grass-roots fears of 'all against all' – a dynamic strongly suggested by the label 'ethnic war'. In one such critique, Mueller (2000, p. 62) contends that the violence and ethnic cleansing in Bosnia and Herzegovina, Croatia and Rwanda 'came about not because people generally gave in to murderous enmity, but because they came under the arbitrary control of armed thugs'. Ethnicity, in this view, served as 'an ordering device or principle [upon which politicians organised their campaigns], not as a crucial motivating force'. Although politicians and other leaders routinely recruit paramilitary groups to achieve their war aims, they quickly and easily lose control of the situation. It follows from this that 'a mass of essentially mild, ordinary people can unwillingly and in considerable bewilderment come under the vicious and arbitrary control of small groups of armed thugs' (Mueller 2000, p. 42).

In this view, ethnic cleansing is an *elite-driven* project rooted in perceived political or economic imperatives, patronage networks, ideologies of racial purity, or individual interests in private gain. Such arguments stand in marked contrast to those that focus on inter-group competition, mutual hatreds and fears as the primary impetus for ethnic

cleansing. Rather than viewing ethnic cleansing and other mass violence as a product of inter-group dynamics, where groups are assumed to be monolithic actors whose interests inform elite preferences, elite-based arguments draw a clear distinction between the responsibilities that ordinary people have in perpetrating the violence and those of the architects of such campaigns. In this formulation, programmes of ethnic cleansing are designed by elites – sometimes to benefit the dominant group, sometimes to stabilise the state, and sometimes to serve their narrow self-interests. For their part, ordinary people are forced or manipulated into cooperating with such policies – either through active participation or passive support.

Ethnic cleansing is sometimes undertaken in the interest of state or nation-building. Pappe (2006) argues, for example, that the destruction of hundreds of Palestinian villages by Israel in 1947–49 was a deliberate policy of state-building by Israeli elites and not, as sometimes argued, a defensive response to an earlier wave of Arab–Israeli violence or fears of Palestinian rebellion. Martin (1998, p. 858) explores the origins of the Stalin's programmes of ethnic cleansing in which approximately 800,000 members of mostly diasporic nationalities were arrested, deported or executed between 1935 and 1938. These operations were undertaken partly to consolidate new national territories and partly out of suspicions by the Soviet leadership that diasporic nationalities in the borderlands were disloyal subjects vulnerable to manipulation by outside actors seeking to undermine the Soviet state.

In other cases, ethnic cleansers may be motivated by ideological convictions or desires for private gain. Browning and Jurgen (2004) demonstrate, for instance, that the commitment of Hitler's inner circle to 'racial imperialism', the aim of ridding Central and Eastern Europe of its inferior races, led the Reich to abandon a relatively mild programme of ethnic cleansing the Jews from the region to one of exterminating the Jews as the fortunes of Germany changed during the course of the war. Valentino (2004, p. 234), too, writes that mass killing 'is usually conceived of and organized by a relatively small number of powerful political or military leaders acting in the service of their own interests, ideas, hatreds, fears and misperceptions – not reacting to the attitudes or desires of the societies over which they preside'. He adds that '[p]erpetrators do not need widespread social support to carry out mass killing', negative popular support or compliance is more critical to the success of such campaigns than active support by the wider population. Although Valentino focuses specifically on mass killing, his theory applies equally well to ethnic cleansing. In this view, ethnic cleansing campaigns are executed to achieve a specific end, including radical political reforms, seizing and settling territory, and suppressing insurgency. Consistent with this line of argumentation, Downes (2008) puts forward a strategic theory of mass violence to explain civilian targeting during war. He contends that targeting civilians as a wartime strategy is driven by a desperate desire to win the war while minimising the loss of human life and resources on one's own side. Straus (2006) likewise argues that the ethnic cleansing in Rwanda was at least partly due to the hard-line leadership's attempt to use mass violence to hold on to power in the face of growing international pressure to liberalise and democratise.

Naturally, elite and mass-level explanations of ethnic cleansing are not incompatible, and many authors advance one theory to account for elite policies of ethnic cleansing and another to explain public willingness to participate in them or permit their execution.

Conclusion

Ethnic cleansing follows a different logic than genocide. Since ethnic cleansing is principally aimed at consolidating control over territory, rather than destroying all or part of an ethnic group, conflicts with extensive ethnic cleansing call for territorial solutions such as regimes for land- and resource-sharing. They also call for targeted sanctions and prosecution of individual ethnic cleansers, rather than grass roots solutions that are aimed at healing societal divisions.

Second, our definition of ethnic cleansing should be broadened to encompass both violent expulsions and policies of quiet ethnic cleansing undertaken during periods of peace. This expanded definition should also include not only the exile of unwanted groups, but also the resettlement of homes and property with members of the dominant group. This broadened perspective suggests the need for interventions with a broader mandate than simply ending violent conflict and keeping the peace. Third parties should instead monitor and sanction policies of territorial aggrandisement – not only during times of violence, but prior to the outbreak of conflict and following the cessation of hostilities.

Finally, since ethnic cleansing is the key driver of wartime (and peacetime) segregation, effective conflict mediation requires an assessment of the extent to which ethnic cleansing is driven by grass roots fears, hostilities and insecurities, as opposed to elite policies aimed at territorial conquest. If the former, then ethnic cleansing is an extremely unfortunate but inevitable by-product of ecological pressures, and the international community should use population transfers to complete the separation of groups to prevent additional mass murder and violent expulsions driven by the inexorable logic of sectarian war. If the latter, then the international community should identify and target the architects of ethnic cleansing using a mix of legal and economic (and possibly even military) sanctions.

If societal cleavages or political or economic factors on the ground are *not* the main impetus of ethnic cleansing, and such policies are instead driven by the agendas of small groups of elites, then the most effective means of deterring or halting ethnic cleansing is changing elite behaviour rather than trying to effect large-scale political or economic changes such as democratisation and economic development (Valentino 2004). Prevention is, of course, easier than the cure, and the first step in preventing ethnic cleansing campaigns is monitoring elite behaviour, which might involve examining the statements and beliefs of influential political elites and powerful groups in transitioning or otherwise-at-risk societies. An effective early warning system for ethnic cleansing before it comes to fruition is clearly the most desirable policy response.

Further reading

Naimark, N. M. 2001, *Fires of Hatred: Ethnic Cleansing in Twentieth Century Europe*, Cambridge MA, Harvard University Press.

Valentino, B. A. 2004, *Final Solutions: Mass Killing and Genocide in the Twentieth Century*, Ithaca NY, Cornell University Press.

Power, S. 2002, '*A Problem from Hell*': *America and the Age of Genocide*, New York, Basic Books.

Browning, C. R. 1992, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland*, New York, HarperCollins.

Pappe, I. 2006, *The Ethnic Cleansing of Palestine*, Oxford: Oneworld Publications.

Bell-Fialkoff, A. 2005, *Ethnic Cleansing*, New York, St Martin's Press.

Bibliography

Bartov, O. 1996, *Murder in our Midst: The Holocaust*, *Industrial Killing*, *and Representation*, Ithaca NY, Cornell University Press.

Bell-Fialkoff, A. 2005, *Ethnic Cleansing*, New York, St Martin's Press.

—1993, 'A Brief History of Ethnic Cleansing', *Foreign Affairs*, Vol. 72, No. 3, pp. 110–21.

Browning, C. R. 1992, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland*, New York, HarperCollins.

Browning, C. R. and M. Jurgen. 2004, *The Origins of the Final Solution: the Evolution of Nazi Jewish Policy*, *September 1939–March 1942*, Lincoln NE, University of Nebraska Press/Yad Vashem.

Carmichael, C. 2002, *Ethnic Cleansing in the Balkans: Nationalism and the Destruction of Tradition*, London, Routledge.

Cigar, N. L. 1995, *Genocide in Bosnia: The Policy of '*Ethnic Cleansing*'*, College Station TX, Texas A&M University Press.

Downes, A. B. 2006, 'More Borders, Less Conflict? Partition as a Solution to Ethnic Civil Wars', *SAIS Review*, Vol. 26, No. 1, 49–61.

— 2008, *Targeting Civilians in War*, Ithaca NY, Cornell University Press.

— 2004, 'The Problem with Negotiated Settlements to Ethnic Civil Wars', *Security Studies*, Vol. 13, No. 4, pp. 230–79.

Evans G. and M. Sahnoun et al. 2001, *The Responsibility to Protect*, Ottawa: International Commission on Intervention and State Sovereignty.

Fein, H. 1993, *Genocide: A Sociological Perspective*, London, Sage Publications.

Gallagher, T. 2003, *The Balkans after the Cold War: From Tyranny to Tragedy*, London and New York, Routledge.

Goldhagen, D. J. 1996, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*, New York, Knopf.

Götz, A. 2007, *Hitler's Beneficiaries: Plunder, Racial War, and the Nazi Welfare State*, New York, Holt.

Gross, J. 2006, *Fear: Antisemitism in Poland after Auschwitz*, New York: Random House.

Hayden, R. M. 1996, 'Schindler's Fate: Genocide, Ethnic Cleansing, and Population Transfers', *Slavic Review*, Vol. 55, No. 4, pp. 727–49.

Hobsbawm, E. J. 1995, *The Age of Extremes*, London, Abacus.

Horowitz, D. 1985, *Ethnic Groups in Conflict*, Berkeley CA, University of California Press.

Kaufman, S. J. 2001, *Modern Hatreds: The Symbolic Politics of Ethnic War*, Ithaca NY, Cornell University Press.

Kaufmann, C. D. 1996, 'Possible and Impossible Solutions to Ethnic Civil Wars', *International Security*, Vol. 36, No. 4, pp. 136–75.

—1998, 'When All Else Fails: Ethnic Population Transfers and Partitions in the Twentieth Century', *International Security*, Vol. 23, No. 2, pp. 120–56.

Koser, K. and Black, R. 1999, 'The End of the Refugee Cycle', in R. Black and K. Koser (eds) *The End of the refugee Cycle: Refugee Repatriation and Reconstruction,* Oxford, Berghahn Books.

Kuper, L. 1981, *Genocide*, New Haven CT, Yale University Press.

Lieberman, B. 2006, *Terrible Fate: Ethnic Cleansing in the Making of the Modern World*, Chicago, Ivan R. Dee.

MacKinnon, C. 2006, *Are Women Human? And Other International Dialogues*, Cambridge MA, Harvard University Press.

Mann, M. 2005, *The Dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge, Cambridge University Press.

Martin, T. 1998, 'The Origins of Soviet Ethnic Cleansing', *Journal of Modern History*, Vol. 70, No. 4, pp. 813–61.

Mearsheimer, J. and van Evera, S. 1995, 'When Peace means War', *New Republic*, 18 December, pp. 16–21.

Melson, R. 1992, *Revolution and Genocide: On the Origins of the Armenian Genocide and the Holocaust*, Chicago, University of Chicago Press.

Mueller, J. 2000, 'The Banality of "Ethnic War"', *International Security*, Vol. 25, No. 1, pp. 42–70.

Naimark, N. M. 2001, *Fires of Hatred: Ethnic Cleansing in Twentieth Century Europe*, Cambridge MA, Harvard University Press.

Office of Population Research. 1947, 'Population Transfers: Facts and Reflections', *Population Index*, Vol. 13, No. 1 (January), pp. 8–11.

Pappe, I. 2006, *The Ethnic Cleansing of Palestine*, Oxford, Oneworld Publications.

Posen, B. R. 1993, 'The Security Dilemma and Ethnic Conflict', *Survival*, Vol. 35, No. 1, pp. 27–47.

Power, S. 2002, *'A Problem from Hell': America and the Age of Genocide*, New York, Basic Books.

Riedlmayer, A. J. 2007, 'Crimes of War, Crimes of Peace: Destruction of Libraries during and after the Balkan Wars of the 1990s', *Library Trends*, Vol. 56, No. 1, pp. 107–32.

Straus, S. 2006, *The Order of Genocide: Race, Power, and War in Rwanda*, Ithaca NY, Cornell University Press.

Valentino, B. A. 2004, *Final Solutions: Mass Killing and Genocide in the Twentieth Century*, Ithaca NY, Cornell University Press.

Van Evera, S. 1994, 'Hypotheses on Nationalism and War', *International Security*, Vol. 18, No. 4, pp. 5–39.

Waters, T. 2006, 'On the Legal Construction of Ethnic Cleansing', Berkeley Electronic Press (bepress), Legal series, University of Mississippi Law School, http://law.bepress.com/expresso/eps/951.

Weitz, E. 2003, *A Century of Genocide: Utopias of Race and Nation*, Princeton NJ, Princeton University Press.

Wolff, S. 2004, 'Can Forced Population Transfers Resolve Self-determination Conflicts? A European Perspective', *Journal of Contemporary European Studies*, Vol. 21, No. 1, pp. 11–29.

11 Genocide

James Hughes

The greatest challenge for understanding genocide is that, while there is almost universal revulsion today at what the term is presumed to encapsulate – mass killing and group annihilation – there is in fact no consensus over the definition of what acts are covered, which groups are protected, or what causes it. Harff and Gurr identified forty-four cases of state-sponsored mass murder occurring since 1945 that they believe satisfy the 'general definitional criteria' of genocide (Harff and Gurr, 1988: 362–5). Academic scholarship on genocide has grown immensely in response to the Holocaust, postcolonial conflicts, and civil wars in developing countries. Yet, until the Yugoslavian civil wars of the early 1990s the international community was reluctant to even attribute the word genocide to any particular conflict, and generally prefers to use, as in the case of Rwanda, the more diluted term 'acts of genocide'.

There are, broadly, two main areas of contention in the question of genocide. First, there is a lack of agreement over the very definition of the term, and even whether this matters for how perpetrators should be dealt with. Second, scholars are divided over the extent to which genocide is strictly a phenomenon of the modern era and linked with modern state-building and nationalism or is a recurrent feature of human history. Clearly, the capacity of the modern state to engage in genocide has grown exponentially, yet how one interprets the modernity of genocide itself will shape the identification of the principal causes of genocide. This is perhaps the most vigorously disputed area – between those who seek to find the drivers of genocide in historical events, ancestral hatreds, extremist ideologies, radical leaders and crisis contingencies and those who stress the role of social structural determinants such as plural societies, uneven power relations, group competition and materialist grievances.

Definitions

The term 'genocide' was coined by Polish legal scholar Raphael Lemkin in 1943 (Lemkin, 1944), but as early as 1933 he had formulated the concept, proposing that a new crime of 'barbarity' under international law be created to cover acts that included, among others, 'acts of extermination' directed against 'ethnic, religious or social collectivities whatever the motive (political, religious, etc.)'. Lemkin's conceptualisation developed prior to the Holocaust. The most important sources of inspiration for his thinking were historical genocides, from the more recent – the genocide and deportation of Armenians by Turks from the Ottoman Empire in 1915 and after – to earlier patterns of European colonisation and colonial genocides. Lemkin's concern with genocide was intellectually grounded in his study of international law and the concept of universal

human rights, both of which developed largely from philosophical and legal debates that began in the sixteenth century over the legitimacy and conduct of European colonisation. By the time he wrote *Axis Rule* in 1944 the European present, in the form of Nazi extermination policies, had caught up with its genocidal past. Nevertheless, there was a lack of clarity in Lemkin's original conceptualisation of genocide, for he did not distinguish it sufficiently from other forms of mass violence but rather understood it as incorporating 'massacres, pogroms, actions undertaken to ruin the economic existence of the members of a collectivity'. He was the first, nevertheless, to stress the 'existential' threat posed to a 'collectivity' by genocide (Lemkin, 1933). Today, genocide is most frequently associated with the extermination of the Jews by the Nazis during World War II – a genocide that is by far the most studied and commemorialised, including a 'Holocaust Remembrance Day' held annually on 27 January (the date of the liberation of Auschwitz-Birkenau extermination camp by Soviet troops) – a date first commemorated in Germany from 1995 but established as an international commemoration by the United Nations in 2005.

Despite the Holocaust, embedding the concept of 'genocide' in international law was problematical due to a lack of consensus on its meaning. The Convention on the Prevention and Punishment of Genocide was passed by the UN General Assembly in December 1948 and became international law in 1951.

The term was not employed in the charter of the International Military Tribunal established by the Allies under the London Agreement of 8 August 1945. There were several references to acts of 'extermination' including 'on political, racial or religious grounds', mostly but not solely in reference to persecution of Jews, and they were subsumed within the category of 'crimes against humanity' (Nuremburg Trial Proceedings, 1945a). However, somewhat confusingly, the term 'genocide' was mentioned once in the indictment at the Nuremberg Trials, and that was actually under count 3, 'War crimes', rather than count 4, 'Crimes against humanity'. The indictment against leading Nazi officials charged that they 'conducted deliberate and systematic genocide, viz., the extermination of racial and national groups, against the civilian populations of certain occupied territories in order to destroy particular races and classes of people and national, racial, or religious groups, particularly Jews, Poles, and Gypsies and others' (Nuremburg Trial Proceedings, 1945b). The Nuremburg trials therefore employed the concept before it was actually specified as a crime under international law, but also narrowly framed it as a war crime perpetrated by states and their agents.

Lemkin's more expansive conceptualisation was more fully captured by the Convention. His core idea that genocide posed an 'existential' threat to a group was retained in the Convention, but the range of groups protected was limited. Article II of the Convention defined 'genocide' as 'acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such'. Acts covered included: '(*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' (United Nations, 1948). Lemkin's notion that genocide could also be applied to the extermination of 'social collectivities' was dropped, for this was seen as a euphemism for 'class war' by the Soviet Union. The Nuremburg Trials' inclusion of 'political' groups in the crime of 'extermination' was also abandoned. The Stalinist regime of the Soviet Union had conducted in the early 1930s one of the worst (in

numerical terms) genocides in history by its extermination of 'kulaks' (nominally 'wealthy peasants'), which included the Holodomor famine genocide in Ukraine (Conquest, 1987). Due to the Soviet Union's opposition to the inclusion of 'political' groups as a protected category, and to secure the passing of the Convention at the General Assembly, its framers settled on a narrow definition of the groups covered and thereby intentionally excluded not only political but also cultural, linguistic and socioeconomic groups (Whitaker Report, 1985). The Holodomor genocide is an example of the paradoxical politicisation of genocide that has been shaped by the narrow framing of the definition in the Convention. The Ukrainian peasantry was not specifically or disproportionally targeted by Stalinist dekulakisation, which ravaged the Soviet peasantry in general, but the exclusion of political and social groups from the definition forced Ukrainian claimants to construct these historical events in national and ethnic terms.

Because the crime of genocide was not part of international law prior to 1945, trials of former Nazi officials and collaborators post-Nuremburg have usually involved charges of 'crimes against humanity' with no mention of 'genocide'. This was the case, for example, in the most prominent of the post-Nuremburg trials of Nazis, the case of Adolf Eichmann in Israel in 1961. Eichmann's fifteen-count indictment cited 'physical extermination of the Jews' among other 'crimes against humanity' (Trial of Adolf Eichmann, 1961). The Genocide Convention envisaged prosecution by the national courts of the territory where the crime took place, and by an international criminal court, not universal jurisdiction. For some law scholars the Eichmann trial was part of the positive process of creating an international legal architecture based on 'cosmopolitan' (a.k.a. Western liberal) norms – a process that was accelerated by judicial activism on crimes against humanity, war crimes and genocide during the 1990s (Benhabib, 2005). Such interpretations are based on a poor historical understanding of the post-World War II era and ignore the seminal work on genocide by scholars such as Leo Kuper. It was Kuper's series of studies in the 1980s that drew attention to the failure of the international community to prevent and punish genocide (Kuper, 1981, 1984, 1985). Kuper highlighted the perverse ironies inherent in the international treatment of genocide: the Convention stipulated that genocidal states were expected to prosecute themselves, and no international tribunal or court had been set up as a guardian to the Convention; and the UN system itself protected perpetrators, because, as he put it, 'the sovereign territorial state claims, as an integral part of its sovereignty, the right to commit genocide, or engage in genocidal massacres, against peoples under its rule, and that the United Nations, for all practical purposes, defends this right' (Kuper, 1982: 161).

Recommendations made by Kuper and others for strengthening international action, the Convention, and preventing genocide made little progress during the Cold War. Even internal UN reports were largely ignored. In 1985 the report of the UN Special Rapporteur on genocide – the so-called 'Whitaker Report' – suggested that 'considerations of both of proportionate scale and of total numbers are relevant' in determining acts of genocide, and recommended that 'political' and 'sexual' groups be included among those specifically protected by the Convention. Given the weakness of international and domestic action, many, like Kuper, turned their energies to developing non-governmental organisations (NGOs) which could monitor conflict, raise media and public awareness, act as an early warning system and press states and international organisations such as the United Nations to act. (There are by now a number of such

advocacy organisations, most notably in the case of genocide: Genocide Watch, http://www.genocidewatch.org/). The idea of forceful international action to constrain genocide within states informed the development of the concept of 'humanitarian intervention' by the United Nations or states in concert or alone, but, as we shall discuss later, this idea became salient in international politics only after the Cold War.

Cold War politics heavily militated against not only a wider definition of the crime but also its prosecution through universal jurisdiction. Acts of genocide, including several involving hundreds of thousands of victims, such as those against political opponents (the murder of some half a million 'communists' by the Indonesian military in 1966–65), against declared 'class enemies' (the deaths of some 1.7 million Cambodians by starvation, overwork, untreated illness or execution during the Khmer Rouge regime in 1975–79), against ethnic groups (the Tutsi genocide of hundreds of thousands of Hutus in Burundi in 1972 and the Guatemalan military campaigns of extermination of at least 200,000 indigenous Maya in 1982) went unpunished. After World War II the ideology of 'counter-communism' led the United States to attempt to forcibly resist the spread of hostile 'communist' regimes, first in North Korea in the early 1950s, and then in Vietnam in the 1960s and early 1970s. In his later years Robert McNamara, US Defense Secretary during the Vietnam War, recoiled at the 3.2 million Vietnam dead (excluding South Vietnamese military) and the near genocidal policies of the United States: 'we were trying to do something that was militarily impossible – we were trying to break the will; I don't think we can break the will by bombing short of genocide' (McNamara, 1995). The paranoia of the United States about a 'domino effect' in the spread of communism in South East Asia led it to supporting a number of genocidal regimes in the region, notably Indonesia's military rulers, who, having exterminated their communist opposition in the mid-1960s, massacred some 300,000 East Timorese seeking an independent state after Portuguese decolonisation in 1975. With US and Chinese backing the followers of Pol Pot continued to hold the Cambodian seat at the United Nations long after they had been ousted from power by a Vietnamese military intervention in 1979 (much criticised in the West). The United States, Australia and all other Western nations refused aid, trade and diplomatic relations with the new anti-genocidal Cambodian regime, and the United Nations even imposed sanctions on it. The international community did not act when Saddam Hussein's regime in Iraq perpetrated genocide against the Kurds in the 'Anfal' campaigns culminating in 1988, which included the use of chemical weapons against civilian areas (Human Rights Watch, 1993) but intervened only when he attacked oil-rich Kuwait. The many examples of hypocrisy in the international community highlighted by Kuper and other genocide scholars were despite the duty imposed by Article I of the Convention on its contracting states 'to prevent and to punish' the crime.

As these cases, and others, demonstrate, during the Cold War the United States, the Soviet Union, China and their allies tended to be indifferent to genocidal acts perpetrated by regimes and governments that were considered to be allies, partners or of strategic importance. After the Cold War, however, some of these genocides were more widely recognised, notably that in Cambodia. Here lies a contradiction, for having refused to prevent or prosecute the genocide in Cambodia during the Cold War, the United States was at the forefront of attempts to institute international criminal proceedings against Pol Pot when he was ousted from the Khmer Rouge leadership in 1997. Yet the domestic parties in Cambodia had reached a peace agreement to end civil war in 1991 that specifically excluded war crimes trials of Khmer Rouge leaders, and former Khmer

Rouge Foreign Minister Ieng Sary was even pardoned in 1996. Almost thirty years later, in 2007, under pressure from the United Nations, Cambodia began the prosecution of five senior Khmer Rouge leaders, including Ieng Sary, but the indictments give prominence to various crimes against humanity and downplay genocide (Cambodia, 2007). A legitimate question is why now, and does the prosecution of five individuals serve any positive purpose? Advocates believe that the trials will be an important step against impunity – a salient factor in the new international norm of 'transitional justice' that emerged in the 1990s – as well as being a forum for disseminating knowledge about Khmer Rouge crimes. But the trials may also do more political harm than good by destabilising some of the fundamental compromises undertaken internally to end the civil war.

After the fall of communism, despite the new openness for action in the international system, states remained unwilling to fulfil their duties under Article I, as evidenced by the failure to intervene in a timely manner to prevent genocides in Rwanda (1994) and former Yugoslavia (1992–96). The changed international climate did, nevertheless, create opportunities for a new international judicial activism against perpetrators of war crimes, crimes against humanity and genocide. Since the early 1990s, national courts, whether of the territory where genocide was committed or elsewhere, and the ad-hoc international tribunals created by the Security Council, such as the International Criminal Tribunal for Rwanda (ICTR) and the International Criminal Tribunal for the former Yugoslavia (ICTY) have proactively interpreted Article VI of the Convention as permissive of universal jurisdiction despite the article's explicit wording. The conceptualisation of the crime of genocide, however, became confused with other forms of mass intimidation and violence in the expulsion and transfer of populations during warfare, captured by the term 'ethnic cleansing'. This term first came into wide currency as a result of the conduct of civil war in Bosnia and Herzegovina from 1992 to 1996. The term, a translation of the Serbo-Croat term *etničko čišćenje*, is derived from the Communist Party's sense of 'purge', and in practice covered a spectrum of activities from non-violent administrative intimidation and discrimination to violent expulsion and mass murder, and thus is of doubtful value in assessing genocide (Bell-Fialkoff, 1993; Petrovic, 1994). Nevertheless, the powerful rhetorical critique resonating from this vague term led to its wide employment by diplomats, politicians and especially journalists. UN General Assembly Resolution 47/121 of 18 December 1992 is very explicit in its paragraph 9 of the Preamble: '…the abhorrent policy of "ethnic cleansing" [which] is a form of genocide'. Forced transfer and expulsion of populations, however brutal, generally fall short of a true definition of genocide. In some cases, however, as in Bosnia and Herzegovina, forced transfer and expulsion of populations may precede or precipitate genocide. 'Death marches' of expelled populations have been a key feature of many historical cases of genocide, such as the Armenians, the Jews and Cambodians.

Since the early 1990s, tension has arisen between the judicial activism of UN courts and national courts, with the former attempting to provide rigorous and substantive judgements against perpetrators of genocide and other crimes against international humanitarian law, while the latter tend to make superficial and lightweight claims to 'customary international law' (Schabas, 2003). Universal jurisdiction has in fact involved few genocide prosecutions. Obstacles to prosecution are not just political, but include not least the problem of proving intent to destroy a group 'as such'. Outside of the UN courts, such as the ad-hoc tribunals on former Yugoslavia and Rwanda, the

special court on Sierra Leone and the special tribunal on Cambodia, the small number of prosecutions by states suggests that such trials are more symbolic and political in intent rather than serious efforts to prosecute perpetrators and thus deter the crime. National courts in Rwanda, Bosnia and Herzegovina, Croatia and Kosovo have also held trials based on the provisions of the Convention. Several European states have prosecuted government ministers, military officers and individuals for genocides that occurred in other states (notably Germany in cases relating to Bosnia and Herzegovina, and Belgium in cases relating to Rwanda).

The Rwanda case illustrates many of the problems inherent in prosecuting the crime of genocide. This genocide arose when a long-running civil war in an ethnically divided society, with a majority Hutu and minority Tutsi population in conflict, escalated in 1994 and triggered a Hutu elite mobilisation for the annihilation of the minority group. When the mainly Tutsi-dominated Rwanda Patriotic Front came to power in the aftermath of the genocide the mass punishment of perpetrators was made possible. A retrospective genocide law was passed in 1996, but with some 120,000 accused in detention the legal system in what was already a weak state simply could not cope. The sheer scale of potential cases in Rwanda meant that to prosecute the suspects by normal legal measures would have taken more than 100 years. A small number (eighty-one) of the highest-level suspects were arrested, detained and tried by the ICTR, of whom, by 2009, just twenty-three were convicted (for the cases see http://www.ictr.org). To deal with the case backlog in Rwanda a radical approach was taken. A special law of 2002 established a grass-roots community justice system (the *gacaca* 'courts') with minimal legal process (or protection) for judging the ordinary *genocidiares*. Some 12,000 such courts, involving hundreds of thousands of local participants, have judged and speedily convicted the low-level suspects, although the process has raised concerns about lack of due process and the role of revenge and score-settling.

Important developments in the prosecution and of the legal concept of genocide emerged from the ad-hoc International Criminal Tribunals established to deal with cases of Rwanda and Yugoslavia. Technically, the first head of government to be convicted of genocide was Pol Pot in 1979 (by a 'revolutionary tribunal' of the Vietnam-backed Cambodian regime), though this was in absentia and he died before being brought to justice. The first head of government to be convicted and imprisoned for genocide is former Rwandan Prime Minister Jean Kambanda (1998), who pleaded guilty. In the case of Bosnia and Herzegovina high-level Serbian officials were indicted by the ICTY for genocide or complicity to commit genocide, including the first sitting head of state, FRY President Slobodan Milošević (2001). Bosnian Serb leader Radovan Karadzić was originally indicted for genocide in 1995 but was arrested and put on trial only in 2008.

One of the brutal characteristics of the civil wars in Yugoslavia was the systematic use of rape against women. By the mid-1990s this type of rape was increasingly being analysed by legal scholarship and in UN reports on conflict within the lens of international legal instruments such as the Genocide Convention (Chinkin, 1994). The Akayezu decision by the ICTR in September 1998 illustrates some of the forwards–backwards contradictory legal development. This case established the precedent that in a context of mass violence systematic rape is an act of genocide when it is designed to 'prevent births within a group' (ICTR, 1998). Equally, the ICTR compounded existing confusion over the definition of a protected group under the Convention by reaffirming a Soviet-influenced definition of 'group'. Based on its reading of the travaux

préparatoires of the Genocide Convention (http://www.ictr.org/ENGLISH/cases/ Akayesu/judgement/akay001.htm, n. 96) it pronounced that protection extended only to 'stable' groups that are:

> constituted in a permanent fashion and membership of which is determined by birth, with the exclusion of the more 'mobile' groups which one joins through individual voluntary commitment, such as political and economic groups. Therefore, a common criterion in the four types of groups protected by the Genocide Convention is that membership in such groups would seem to be normally not challengeable by its members, who belong to it automatically, by birth, in a continuous and often irremediable manner.
>
> (ICTR, 1998)

The court reaffirmed not only a politicised reading of 'group', but also a meaning that is archaic, seemingly oblivious to the fact that all groups are socially constructed.

The Krstic decision of the International Criminal Tribunal for the former Yugoslavia in August 2001 concerned events in the UN-designated 'safe haven' of Srebenića in August 1995. Bosnian Serb forces under General Ratko Mladić pressed the outnumbered UN and Bosnian Muslim forces to surrender. Many tens of thousands of Bosnian Muslim civilians and soldiers were taken prisoner under guarantees of safety, but at least 7,000 Bosnian Muslim males approximating to fighting age were separated out and subsequently murdered. By judging Srebenica to be an act of genocide the ICTY took up the recommendation of the Whitaker Report and established the precedent that the reference in the Genocide Convention to 'in whole or in part' essentially meant instances when 'the alleged perpetrator intended to destroy at least a substantial part of the protected group' (ICTY, 2001).

Arguably, the international adjudication on the genocidal aspects of the international and internal armed conflicts of the 1990s has been more backward-looking than directional. On the one hand, the tribunals significantly expanded the definition of genocide by widening the interpretation of acts considered to fall under the intention to destroy the 'group as such'. On the other hand, they reaffirmed a politicised and restrictive understanding of 'group' in evaluating who is protected by the Convention. The contemporary conceptualisation of the act of genocide has also been strongly influenced by the much looser formulations of Lemkin in the 1930s, thus confusing the existential threat to a group with other forms of 'barbarity' in warfare and armed conflict such as massacre and mass rape. The Rome Statute establishing the International Criminal Court (ICC) in 1998 did not develop the concept any further, and merely incorporated the definitional part of the genocide convention verbatim in its Article 6. Illustrating some progress in international law since Nuremburg, the statute did, however, establish genocide as the most serious of the crimes of concern to the international community under its jurisdiction (Rome Statute, 1998).

The politicisation inherent in action to prevent genocide became more salient in the international community in the wake of the Yugoslav civil wars. There was a brief interlude of flirtation in some Western states with the doctrine of 'humanitarian intervention', the tenets of which were most succinctly stated by UK Prime Minister Tony Blair during the Kosovo crisis: 'the principle of non-interference must be qualified in important respects. Acts of genocide can never be a purely internal matter' (Blair, 1999). Two recent cases involving claims of genocide illustrate many of the dilemmas of

intervention and the problem of politicisation and state interests: Kosovo and Darfur. US President Bill Clinton asserted that NATO's military intervention in Kosovo in 1999, subsequently approved by the United Nations, 'stopped deliberate, systematic efforts at ethnic cleansing and genocide' (Clinton, 1999). Much controversy surrounds the motives for this intervention and whether the claim of genocide was employed by NATO states to legitimise a war pursued against Serbia's Milošević regime for other political and strategic reasons. There have been no indictments at the ICTY for genocide in Kosovo. NATO's intervention may have been intended to stop potential genocide against Kosovar Albanians, but it also allowed Albanian pogroms which caused violent ethnic cleansing of the vast bulk of the Kosovar Serb population (some 250,000 people).

In the case of Sudan's Darfur region, the divisions in the international community over how to respond are even more starkly apparent. This was the first major test case for the efficacy of the newly appointed (in 2004) UN Special Adviser on the Prevention of Genocide. The first Special Adviser (2004–07), Juan E. Mendez, an internationally distinguished human rights and transitional justice advocate, struggled to have Darfur classified as genocide. The United Nations estimate that 300,000 people have died in a six-year internal armed conflict starting in 2003, the bulk through hunger and disease, and more than 2 million more have been displaced. A UN report on Darfur of 2005 found that the Sudanese government was not pursuing a policy of genocide, though war crimes were rampant in the conflict, and it recommended ICC prosecutions in that vein (United Nations, 2005). Several Sudanese leaders have been indicted by the ICC, including the first sitting head of state, President Omar al-Bashir. Al-Bashir was, in fact, charged in July 2008 with genocide and crimes against humanity, with the indictment alleging he orchestrated systematic killings, rape and deportation by Janjaweed militia groups against ethnic minorities. The ICC prosecutor, Luis Moreno-Ocampo, who was formerly an experienced prosecutor of military human rights abuses and war crimes in Argentina, declared that the main genocidal weapons in Sudan were 'rape, hunger, fear' and ' Al Bashir does not need gas chambers, bullets or machetes. This is Genocide by attrition' (Moreno-Campo, 2008). The credibility of the ICC has been challenged, however, by the fact that only Africans have been indicted. The Darfur case illustrates the ways in which the claim of genocide is politicised. Mamdani has persuasively argued that it was not genocide but a bloody civil war (initially not involving the government) between rival groups competing for land in a context of drought-enforced population movements. The political pressures to declare it as genocide arose from the Bush Administration's 'global war on terror' and demonisation of the government of Sudan, and guilt among US opinion makers at a perceived failure to do 'something' in Rwanda. Colin Powell, then US Secretary of State, argued in June 2004 that Darfur did not meet the criteria of genocide, but by September he declared Darfur was genocide and the government of Sudan 'bore responsibility' (Mamdani, 2009: 6, 24–5, 67–70). Prunier, an influential writer on Rwanda's genocide could only ambiguously describe Darfur as a 'quasi-genocide'. In August 2009 the African Union rejected the genocide claim and announced that its member states would not enforce the ICC indictment.

Causes

A formidable problem in the study of genocide is to account for its very occurrence. For decades scholars have debated the causes and the motivations of the perpetrators.

Today, most scholars reject as unsatisfactory accounts of genocide that attribute its cause to any single process or event trigger. Factors such as historical, ethnic, and religious enmity between groups in a particular territory may provide a context where objective, structural conditions such as redistributions of power, a deteriorating economic situation, rising social inequalities, and sudden demographic changes may contribute to tensions between groups. But such group tensions have been historically and are today fairly ubiquitous and they do not deterministically lead to genocide. Given the ubiquity of group tensions across time, space and cultures, one might say that what is surprising is that the occurrence of genocide is relatively rare. This makes the predictive power of genocide scholarship poor. The study of genocide stresses the role of catalysts and additional fomenting drivers in contexts of increased tensions and raised anxieties. Studies give prominence to the presence of charismatic leaders or 'conflict entrepreneurs' who mobilise groups around exclusivist, racist ideologies, and who communicate a discourse and programmatic direction for mass inter-group violence. However, there is little agreement on why certain contexts or triggers turn mass violence into genocide in some cases and not others.

The two major perspectives in the study of genocide are the structural or functional approach and the 'intentionalist' approach. The connection of genocide with modernity is, to be more precise, an association with the origins and development of the modern state. In this sense, it provides a structural explanation of its cause. For Bauman, there is an 'elective affinity' between genocide and 'modern civilisation', which hinges on the organisational capacities of the modern bureaucratic state for social engineering (Bauman, 1989). The association of genocide with the state builds on the seminal work of Arendt on the nature of the totalitarian state as a twentieth-century phenomenon, with its capacity to draw on modern technology and communications for mass mobilisation of society, and on the role of genocide and terror as part of its ideological logic (Arendt, 1951). Twentieth-century genocide, notes Fein, 'is virtually always a state crime – not a collective outburst, a riot or communal violence' (Fein, 2001). The state-of-the-art techniques and organisational mode of genocide thus become frames for understanding it. The Holocaust was characterised by systematised coercive channelling of targeted groups to conveyer-belt mass murder, organised akin to an industrial *grand projet*. Austrian architects and German engineering firms constructed the 'death factories', as Arendt termed the extermination camps. Attempts by genocide scholars to theorise and develop typologies have not moved beyond the linkage of state and genocide (and it is nearly always a totalitarian or authoritarian state that they have in mind). Fein, for instance, developed a typology of genocides in which she identified four types: ideological, retributive, developmental or despotic (Fein, 1990). Chalk and Jonassohn distinguished between those that seek to implement an ideology, eliminate a threat (real or perceived), acquire wealth, or spread terror, while also arguing for a much looser definition that included social and political groups (Chalk and Jonassohn, 1990).

The attempt to link genocide with nationalism has necessitated a further retraction into history. Mann fixes the relationship between genocide and the modern state in the nineteenth century, shifting the explanation away from an emphasis on the totalitarian state and the notion of the Holocaust as the ultimate form of genocide. He points to the role of nationalist and democratisation ideologies that emerged largely in the middle of the nineteenth century in generating organic conceptions of the nation and the state. Nationalism entwined the demos with the dominant ethnos, leading to forms of democratic nation-state-building that, according to Mann, produced wholesale

inter-group violence. This he termed the 'dark side of democracy' (Mann, 2005). Critiques of Mann argue that he has revealed the 'dark side' of the nation-state, not democracy, but this deflects from Mann's robust use of historical evidence to demonstrate the interdependent origins of exclusivist nationalist ideologies in democratic modern state-building, and of the role of this kind of ideologically motivated violence in the pre-totalitarian state era.

The relationship between genocide and modern state formation is retracted even further into history by Levene, who argues that the earliest genocides occur in a small coterie of states at the forefront of the modern revolution from the sixteenth century to the eighteenth – England (the conquest and settlement of Ireland and other colonies), revolutionary France (the repression of the Vendée revolt), and the United States (extermination of native Americans). Moreover, these genocides adhere to the same diverse forms as more recent genocides – with racial, ethnic, religious and political factors playing a role. For Levene, genocide should be understood as an intrinsic part of the historical process of modernisation. The birth of the modern state during the Age of Enlightenment occurred in parallel with the formation of the international system. (Its birth is generally dated to the Treaty of Westphalia of 1648.) Geopolitical and economic competition between states in an increasingly internationalised context drove a race for modernisation which impelled some states to target for genocide populations perceived to be a threat or an obstacle to their power. The success of the most advanced modernising states – England, France, the United States – was founded on genocide. This success had demonstration effects on other modernising and colonising powers, for which genocide often became a response to uneven historical development. For Levene, modern genocides are most likely to occur in states undergoing a systemic crisis where the dominant ideology favours a radical and speedy modernising social transformation (the collapse of the Ottoman Empire, Germany after World War I, Stalinist Russia in the 1930s) (Levene, 2005a, and 2005b). A mentality of betrayal by a targeted group is a powerful undercurrent in such crises: the 'stab in the back' by Jews in Germany in 1918–19, the kulaks' 'grain strike' in 1927–28, the Armenians as an 'enemy within' in 1915, the Tutsi insurgency against Rwanda in 1994.

For classic studies of genocide, however, such as those by Kuper and others, the focus on modernity and the state as the key factors of causation is too restrictive. As Kuper's famous aphorism about genocide put it, 'the word is new, the crime ancient' (Kuper, 1981). Kuper argued that the essential structural base for genocide is the plural society based on persistent and pervasive cleavages between its segments. Such societies have a variety of synonyms: deeply divided societies, communally fragmented societies, multi-ethnic societies, composite societies, segmented societies and internally colonised societies, and so on. The strong historical correlation between genocidal conflicts and plural societies (as for example in India on partition, or in Bangladesh, or in Rwanda and Burundi) suggested a symbiotic relationship. This is not to say that genocide is inevitable in plural societies, as their history shows otherwise, but only that the presence of a diversity of racial, ethnic and/or religious groups that are politically, economically, socially and/or culturally distinct, organised and competing as segments offers the necessary conditions for domestic genocide. In extremis the plural society is characterised by systemic inequalities, discrimination and segregation. Such societies are often polarised into dominant and subordinate groups, with rigidity in power distribution that reflects the group inequality. Conflict tends to follow the lines of cleavage and inequality, generating zero-sum politics where grievances can be generalised into

systemic challenges. These structural conditions are likely to be conducive to genocidal conflict because they facilitate the framing of scapegoats, direct mass violence against collectivities and allow whole communities of the 'enemy' group to be targeted for annihilation.

The 'intentionalist' studies stress the role of radical, fundamentalist, usually apocalyptic, ideologies in fomenting genocide. Intent must be organised and systematic, not an individual spontaneous epiphenomenon. Attributing intention to destroy whole groups of people is highly dangerous, as it can itself result in crude stereotyping. For Semelin, ideologies of genocidal intent are concerned with 'identity, purity and security' (Semelin, 2007). These are, in essence, ideologies of racial superiority based on the construction of 'us versus them' antagonistic relationships between groups, notions of insiders and outsiders, with destructive paranoid fantasies of mass violence and conspiracy theories framing the 'other' as 'enemies within'. Developments in the arts and sciences in the late nineteenth and early twentieth centuries – Darwinism and eugenics, research on disease and its causes (vermin, contamination, bacteria and bacilli), and the concern with 'national character' in history – coincided with the rise of nationalist ideologies that stressed the organic concept of the state, people, culture and territory. Stone refers to this phenomenon as 'biopower' (Stone, 2008). This was also an era of mass epidemics in the growing urban centres. The obsession within racist ideologies on finding scapegoats, the excessive valuing of ethnic authenticity and purity, denouncing 'mixing' and defending against contamination from 'outsiders' to the group resonated with society-wide phobias. But it would be a mistake to connect the dehumanising frames inherent in genocide to one historical era. Dehumanisation, whatever the time or context, necessitates the use of non-human ascriptive labels: Nazi extermination of Jewish 'vermin', Soviet 'liquidation' of 'kulak spiders', Pol Pot's crushing of 'worms', the Hutu killing of 'cockroaches'.

History suggests that it is not only structure or a crisis/war time context that is important for the occurrence of genocide but also that charismatic leadership is pivotal. For some it is so pivotal that the crime is named for the leader: 'Hitler's Holocaust', 'Stalin's Great Terror'. For genocide is not only infused with apocalyptic fears but is orchestrated by a messianic design for the remaking of society, the state and the wider world, whatever the cost. The impetus may come from intellectual leaders – Cato's constant plea for Rome to destroy its strategic enemy, Carthage ('Carthago delenda est'), Gokälp's romanticising of the Anatolian Turks as an authentic core ethnie for national regeneration; it may involve a leader deluded by a 'divine mission' to transform the nation – Cromwell, Hitler; and revolutionary leaders bent on rapid social transformation – Stalin's 'Year of the Great Turn', Pol Pot's 'Year Zero'; or it may simply reflect a broader elite's racism and strategic anxieties – Jefferson's and Jackson's framing of native Americans as obstacles to US expansion, and US counter-communism during the Cold War.

Mass society has also its role to play. The logistics of organising the deportation to extermination camps of some 6 million Jews, 1 million Sinti and Roma, and hundreds of thousands of other targeted groups (homosexuals, communists, trade unionists) by the Nazis between 1939 and 1945 required societal involvement on an immense scale. The genocide of the Jews in Eastern Europe also in many cases was characterised by barbaric personalised killing (especially in Latvia, Poland, Belorussia and Ukraine) not dissimilar to the immediacy of the machete-wielding goriness of the Rwanda genocide of 1994. The study of process allows us to differentiate between forms of participation,

violence and barbarity that precede or precipitate genocide, and genocide proper. Studies of the participatory process, such as Goldhagen on the Holocaust, or Prunier on Rwanda, illustrate that genocide, whether perpetrated by a technologically advanced modern bureaucratic state like Nazi Germany or a relatively undeveloped rural society like Rwanda, requires mass mobilisation (Goldhagen, 1996; Prunier, 1995). It is the mass of 'ordinary' citizens who become engaged. This may generally involve assisting the state with the process of identification, exclusion, dehumanisation and ultimately extermination. Equally, we should not overlook the role of envy, resentment and greed in grass-roots genocide, as Gross's study of the murder of the Jews of Jedwabne by their Polish neighbours in 1941 reminds us (Gross, 2001). Sometimes, as in Nazi Germany, most citizens will be insulated by one or more removes from the actual killing, but Rwanda was a case of mass complicity in mass killing. Although separated by fifty years and a huge disjuncture in levels of modernity, the kill rate in pre-modern Rwanda also significantly exceeded that of the peak period in the Nazis' industrial extermination process. (Estimates indicate 500,000–800,000 Rwandan Tutsi were murdered over three and a half months in April–July 1994, compared with some 400,000 Hungarian Jews murdered at Auschwitz in April–June 1944.) Modern forms of mass communication provide an immediate translation of leadership ideology to mass society, a facilitation of command and control of the process and a capacity for the instantaneous repetition of propaganda for emulation that are among the most distinctive features of genocides in the twentieth century. Even in undeveloped Rwanda the process was largely orchestrated by radio. By the late twentieth century technological advances in mass communications had become not only a significant part of the causation of genocide but are also critical to its disclosure, if not prevention and punishment, through the publicity of mass media (for example, in the Balkans, Rwanda and Darfur) and the use of communications technology to internationally track, detain and build a trial case against suspected perpetrators.

But how far can we plausibly pursue historical retraction in the study of genocide? By the modern criteria of what constitutes genocide, there is no logical reason to determine it as a modern phenomenon. Baumann, Arendt, Mann and Levene, and others, offer us good grounds for understanding why genocides occurred in the particular historical eras that concern them. There may be no particular relationship between genocide and the twentieth century, but equally, as Kuper reminds us, there is no logical reason for the modern definitions to exclude cases from the pre-modern or even ancient era (for example, Mongol massacres across Eurasia in the thirteenth and fourteenth centuries, Caesar's destruction of 'barbaric' Gallic civilisation, the Roman republic's destruction of Carthage). The lessons from the distant past remain of value. After all, Thucydides' *Melian Dialogue* concerning the Athenian Empire's genocidal annihilation of Melos in 416 B.C. – a case not unlike Srebeniça – frequently features in modern US and UK military officer training on war crimes and genocide. This reminds us that genocide is a recurrent feature of war. To be precise, genocide characterises those wars where the 'laws and norms' of war have been refuted by one or other party. The decision to deny an opponent in a conflict (whether inter-state war or internal armed conflict) the legitimacy and protection afforded by the laws and norms of war is generally a strategic decision, and is one that is often configured by racism and/or religious zeal. Such behaviour is nearly always reciprocated by other parties to a conflict, as is evident on a grand scale from the responses to Hitler's direction of a race war against Slavs on the eastern front, and Japanese genocidal acts in South East Asia. There are numerous

historical cases of anti-colonial resistance, guerrilla wars and insurgencies where states refuse to recognise armed resistance as being legitimate, and refuse to comply with the combatant–noncombatant distinction in the use of force, thus leading to war crimes and indiscriminate civilian casualties. The decision can also arise, however, from tactical responses to resistance, military frustration and opportunities for rape and plunder (through the siege of a city, for example: the British army's sacking of Badajoz in 1812; the Japanese army's 'Rape of Nanking' in 1937; the Wehrmacht's obliteration of the Warsaw Uprising in 1944; the Russian military assault and destruction of Grozny by aerial bombing in late 1994–early1995, and many others).

The relationship between military culture and genocide has been most extensively studied in the case of Germany. The German Empire's displacement and extermination of the Herero and Nama peoples at the beginning of the twentieth century (1904–07) in what is today Namibia is often represented as the 'first' modern genocide. Hull locates the intentionality for 'absolute destruction' (genocide in this case) within the 'developmental logic' of German military culture, which encouraged a doctrinal fixation on a strategy of 'annihilation' and the overriding 'military necessity' to achieve victory at all costs through extreme solutions. The doctrine laid the foundations of what became 'total war' in World War II: rapid and unrestrained action against an enemy, without distinction of civilians or soldiers, including a repertoire of savagery – of laying waste, reprisals, summary justice, mass killings, even genocide (Hull, 2005). Not for the first time, however, a people were annihilated less by direct killings than by forced starvation and neglect in concentration camps.

But how distinctively brutal was German military culture? Parallels could be drawn with other contemporaneous episodes of systematic mass killing by the military, such as the US repression of the Philippines rebellion (1899–1902). There was certainly murderous neglect by the British military and civil authorities of Boer civilians who died by the tens of thousand in concentration camps during the 'Boer War' (1900–02). Race is an obvious vital point of distinction in explaining the different levels of barbarity or restraint and deathly outcomes. The Herero and Nama were black. The US pursued a colonial 'race war' where Filippinos were generally dehumanised, akin to blacks and native Americans in the United States proper (Kramer, 2006). The US military's savagery in crushing resistance in the Philippines differed little from the German military except that the scale was greater – some half a million war casualties, and perhaps as many again perished through disease and neglect. Moreover, US military policy had direct antecedents in the genocidal campaigns against native American peoples. In contrast, the comparative British restraint during the Boer War was rather exceptional, and can be attributed to the fact that the Boers were white descendants of Europeans. Distinguishing a brutal exceptionalism in German military culture is myopic.

Military culture and behaviour can be more appropriately disaggregated into forms which generally accept the laws and norms of war and those which do not. Military practices developed by the colonial powers to combat anti-colonial resistance in the nineteenth and early twentieth centuries – concentration camps for whole populations, relocation and displacement of peoples, land seizures, all punctuated by massacres and occasionally genocide, fall into the latter category. This bifurcation of military culture continued to be evident in the military repertoire of what was later in the twentieth century termed 'counter-insurgency'. The racism and brutality of British military policy against the Mau Mau rebellion in Kenya and the Chinese communist insurgency in Malaya, French policy against the Algerian revolt and later US policy in Vietnam built

on lessons learned in the nineteenth century. A similar pattern is evident also in another great European colonial power, Russia. It is unsurprising that Russian military vehicles in the military campaigns in Chechnya in 1994–96 and 1999–2004 often bore the legend 'Ermolov', for General Ermolov's genocidal campaigns against the peoples of the north Caucasus in the 1820s fit well within the overall pattern of practices of military conquest established by other European colonial powers.

The evolution of a culture of non-restraint and non-discrimination in German military doctrine undoubtedly contributed to German complicity in the Armenian genocide in 1914–18 in which at least a million Armenians were murdered, starved or died from neglect and forced marches in a campaign of deportation and extermination pursued by the Ittihadist Turkish military regime determined to build an exclusivist Turkish nation out of the collapsing Ottoman Empire. The Armenian case is perhaps the best, but far from being the only, illustration of the state-enforced collective amnesia, censorship and self-censorship that often surrounds genocide. States rarely promote a historical narrative of their genesis and development that throws light on genocidal episodes. Post-World War II Germany is a notable exception to this rule, as the study of the Holocaust features prominently in the educational curriculum from an early age, and the German state has made immense efforts to compensate and commemorate victims. In sharp contrast, other European colonial powers, notably Britain, France, Spain, Portugal and the Netherlands, have yet to undergo a *Vergangheitsbewaltigung* (actively coming to terms with the past) as pervasive as that of post-war Germany. In the case of Turkey, however, the censoring of the past has reached heights where not only careers are threatened but prosecution, forced exile and murder face those who recognise the Armenian genocide. Conscious of the shame attached to the term genocide, successive Turkish governments have pressed foreign states, including the United States and many European states, into using alternative terminology such as the 'tragic events of 1915' to disguise the genocide. The use of euphemisms and metaphors by perpetrators to cloak genocide is not uncommon, and to some extent could be understood as reflecting shame. The minutes of the Wannsee Conference of 1942, where the Nazis organised the 'Final Solution' to the 'Jewish Question', referred to 'emigration' and 'transportation' to the east. Stalin spoke of the 'liquidation of the Kulaks as a class'. Truman referred to the atom bombs dropped on Japan as a 'rain of ruin', whereas RAF Bomber Command labelled its mass killing of German civilians in World War II as 'dehousing'.

The discussion of the causation of genocide so far has largely focused on the question of threat perception, or what realists term the 'security dilemma' – whether and how states or dominant ethnie (and they could be majorities or minorities) perceive other groups to be a threat that requires the mass physical extermination of that group. The threat is generally claimed to be one that is posed to a state-building project, and by extrapolation to the geopolitical power of a state vis-à-vis other states. These are interdependent existential threats. The state-building group fears that the purity and power of its state is threatened by the presence of a hostile group, to which the answer is to annihilate that group. Focusing on this formula, with the state as the unit of analysis, overlooks other significant dynamics and rationale for genocide. The threat perception may also be ethnic, cultural, or religious and assume transnational forms. The emergence of a transnational 'globalised' form of Islamist extremism since the mid-1990s, as most clearly articulated by the militant Salafism of al-Qaeda, has employed claims of 'massacres' of Muslims in diverse places, including Lebanon,

Bosnia and Herzegovina, Chechnya, Kashmir, Somalia, Burma et al. to legitimise an armed struggle against the 'Judeo-Christian alliance' of the United States, Israel and the 'West' (Bin Laden, 1996).

The materialist rationale for genocide might be often quite narrow and explicit – land greed, conquest and forced seizure, and settler colonialism. Recent scholarship on genocide has more systematically and rigorously analysed and highlighted Lemkin's interest in the connection between genocide and colonialism (Moses, 2008). A persuasive case has been made for the colonial 'land-grabbing' origins of the modern conception of genocide. A pattern of genocide has emerged historically in places where land greed has become infused with religious bigotry, and where the racist and religious ideologies of coercive colonial conquest combine with settler colonialism (Kiernan, 2007). European philosophers have debated since the sixteenth century on the morality of colonial occupation and barbarism, including the physical and 'cultural' genocides of indigenous societies versus their rights – all conducted under the rubric of the *mission civilisatrice* (Fitzmaurice, 2008). Historically, settler colonists and the settler colonial mentality of forced acquisition have been the driving forces for the dehumanisation and displacement of peoples, the logical conclusion of which is genocide. The interaction of religion and the interests of settler colonists is most illuminating when the core elements of both are the basis for an overriding state ideology, as in the US ideology of 'providence' and later 'manifest destiny', and the Zionist biblically rooted claims to Palestine. In these and other cases genocidal massacres were employed as a terrorising land-clearing device. While state leaderships have often attempted to disguise the motivations of racism and religious bigotry within the more legitimate ideological wrappings of security or national interests, it is generally only the exceptionally fanatical leader who openly expresses clarity of genocidal intent. Cromwell saw his massacres of the Irish as a 'judgement of God' on 'Papists'. The Cromwellian attributed slogan 'to Connaught or Hell' captured the genocidal logic. Hitler's demand for 'living space' for Germany in the east also had racial and ideological ends – the 'obliteration of Jewish Bolshevisation'. Yet even great democrats can articulate deeply genocidal instincts. How different the Jefferson Memorial would look if it inscribed his damnation of the native Americans: 'to pursue them to extermination'. To be fair to Jefferson, this and a few comments of similar ilk were reluctantly made in the aftermath of massacres of settlers by native Americans, and, unlike many of his contemporaries, Jefferson recognised that genocide was part of the 'Anglo' culture of colonial occupation, from Ireland to Asia. For some scholars, ethnic competition for land was a factor in the Rwanda genocide, as it is in Darfur. A sole focus on threat perception and security dilemmas, however, distracts us from the role of state ambitions and material interests. Elites may exaggerate a threat and thereby provide a discourse to legitimise acts which may, in fact, have an ulterior motive, whether it is the pursuit of material interests – seizing and colonising lands from another group – or imposing ideological hegemony – as in racial purity, or to counter communism.

Conclusion

Explanatory frameworks for understanding genocide are weak both as regards the looseness of definitions and determining its causes. Examining the main genocides of the modern era – say since the French revolution – reveals a diverse list of states from all regions of the world, representing all cultures, all ideological trends, rich and poor,

and all regime types from democracies, to empires, authoritarian and totalitarian states. There is much of merit in the observation that genocidal states/societies have been the ones with the greatest complexes about security and position internationally, and political and cultural coherence internally. A focus on wars and other crisis contingencies, and leaderships who articulate this anger and resentment by seeking a radical transformation of domestic politics and foreign policies, are important but not sufficient to explain genocide. Observing the social contexts in which genocide occurs appears to confirm Kuper's pointing to the segmented composition of societies as the structural foundation for genocide. However, most societies are structured plurally. So the question remains: what makes some societies genocidal and others not? Much of the scholarship on genocide, generated from the United States and informed by liberal norms, is overly focused on the relationship between genocide and twentieth-century totalitarian and authoritarian states. As Kuper, Mann and others have argued, genocide affects all historical periods and regimes, including democracies. If we further take into account the role of state strategic ambitions, ideological and material interests, racism, imperialism and settler colonialism, and forms of inequality and group competition, we come closer to explaining why state/societal resentments against specific groups can turn genocidal. Ideologies of racial superiority, in particular, however explicit or implicit, are likely to be an important part of the justification for genocide.

Undoubtedly, genocide is a product of extraordinary circumstances. What genocide studies have proved unable to do is to provide a general model which would allow us to forecast when state anxieties and societal antagonisms reach the threshold of toxicity where they unleash genocide.

Further reading

Robert Gellately and Ben Kiernan, eds (2003) *The Specter of Genocide. Mass Murder in Historical Perspective*, Cambridge: Cambridge University Press.

Ben Kiernan (2007) *Blood and Soil. A World History of Genocide and Extermination from Sparta to Darfur*, New Haven CT: Yale University Press.

Leo Kuper (1981) *Genocide. Its Political Use in the Twentieth Century*, London: Penguin.

A. Dirk Moses, ed. (2008) *Empire*, *Colony*, *Genocide. Conquest*, *Occupation*, *and Subaltern Resistance in World History* Oxford: Berghahn.

Israel W. Charny, ed. (2000), *Encyclopedia of Genocide*, 2 vols, Santa Barbara CA: ABC-CLIO.

References

Hannah Arendt (1951) *The Origins of Totalitarianism*, New York: Harcourt Brace.

Zygmunt Bauman (1989) *Modernity and the Holocaust*, Oxford: Oxford University Press.

Andrew Bell-Fialkoff (1993) 'A Brief History of Ethnic Cleansing', *Foreign Affairs* 72, 3: 110–21.

Seyla Benhabib (2005) 'On the Alleged Conflict between Democracy and International Law', *Ethics and International Affairs* 19, 1: 85–100.

Osama Bin Laden (1996), 'A Declaration of Jihad against the Americans occupying the Land of the two Holy Sanctuaries', in Bruce Lawrence, ed. *Messages to the World. The Statements of Osama Bin Laden*, London: Verso, 23–30.

Tony Blair (1999) The Doctrine of the International Community, http://www.number10.gov.uk/Page1297.

Cambodia (2007) Extraordinary Chambers in the Courts of Cambodia Office of the Co-prosecutors, Statement of the Co-prosecutors, Phnom Penh, 18 July 2007, http://www.yale.edu/cgp/downloads/Statement_of_Co-Prosecutors18-July-2007.pdf.

Frank Chalk and Kurt Jonassohn, eds (1990) *The History and Sociology of Genocide. Analyses and Case Studies*, New Haven CT: Yale University Press

Christine Chinkin (1994) 'Rape and Sexual Abuse of Women in International Law', *European Journal of International Law* 5: 326–41, http://www.ejil.org/pdfs/5/1/1246.pdf.

Bill Clinton (1999) Press conference by the President, the White House, June 25, 1999, http://clinton6.nara.gov/1999/06/1999-06-25-press-conference-by-the-president.html.

Robert Conquest (1987) *The Harvest of Sorrow. Soviet Collectivization and the Terror-Famine*, New York: Oxford University Press.

Helen Fein (1990) *Genocide. A Sociological Perspective*. London: Sage Publications.

—(2001) *Denying Genocide. From Armenia to Bosnia*, Occasional Papers in Comparative and International Politics 1, London: Department of Government, London School of Economics and Political Science

Andrew Fitzmaurice (2008) 'Anticolonialism in Western Political Thought: The Colonial Origins of the Concept of Genocide', in A. Dirk Moses, ed. *Empire*, *Colony*, *Genocide. Conquest*, *Occupation*, *and Subaltern Resistance in World History*, Oxford: Berghahn, 55–80.

Daniel Jonah Goldhagen (1996) *Hitler's Willing Executioners.*, *Ordinary Germans and the Holocaust*, New York: Knopf.

Jan T. Gross (2001), *Neighbors. The Destruction of the Jewish Community in Jedwabne*, *Poland*, Princeton NJ: Princeton University Press.

Barbara Harff and Ted Robert Gurr (1988) 'Toward Empirical Theory of Genocides and Politicides: Identification and Measurement of Cases since 1945', *International Studies Quarterly* 32: 359–71.

—(1996) 'Victims of the State: Genocides, Politicides and Group Repression from 1945 to 1995', in Albert J. Jongman, ed. *Contemporary Genocides: Causes*, *Cases*, *Consequences*, Leiden: PIOOM/University of Leiden: 33–58.

Isabel V. Hull (2005) *Absolute Destruction. Military Culture and the Practices of War in Imperial Germany*, Ithaca NY: Cornell University Press.

Human Rights Watch (1993) http://www.hrw.org/legacy/campaigns/iraq/#Anfal.

International Criminal Tribunal for Former Yugoslavia (2001) Prosecutor v. Radislav Krstic, Case No. IT-98-33-T, Judgement, 2 August 2001, http://www.icty.org/x/cases/krstic/tjug/en/krs-tj010802e.pdf.

International Criminal Tribunal on Rwanda (1998) Prosecutor v. Jean-Paul Akayesu, Case No. ICTR-96-4-T, Judgment, 2 September 1998, http://www.ictr.org.

Ben Kiernan (2007), *Blood and Soil. A World History of Genocide and Extermination from Sparta to Darfur*, New Haven CT: Yale University Press.

Paul A. Kramer (2006), *The Blood of Government. Race*, *Empire*, *the United States and the Philippines*, Chapel Hill NC: University of North Carolina Press.

Leo Kuper (1981) *Genocide. Its Political Use in the Twentieth Century*, London: Penguin.

—(1984) *International Action against Genocide*, London: Minority Rights Group.

—(1985) *The Prevention of Genocide*, New Haven CT: Yale University Press.

Raphael Lemkin (1933) *Acts Constituting a General (Transnational) Danger considered as Offences against the Law of Nations*. Additional explications to the Special Report presented to the Fifth Conference for the Unification of Penal Law in Madrid, 14–20 October 1933, http://www.preventgenocide.org/lemkin/madrid1933-english.htm.

—(1944) *Axis Rule in Occupied Europe. Laws of Occupation: Analysis of Government – Proposals for Redress*, Washington DC: Carnegie Endowment for International Peace, http://www.preventgenocide.org/lemkin/AxisRule1944–1.htm.

Mark Levene (2005a) *Genocide in the Age of the Nation State*, Vol. I, *The Meaning of Genocide*, London: I. B. Tauris.

—(2005b) *Genocide in the Age of the Nation State*, Vol. II, *The Rise of the West and the Coming of Genocide*, London: I. B. Tauris.

Mahmood Mamdani (2009), *Saviours and Survivors: Darfur, Politics and the War on Terror*, London: Verso.

Michael Mann (2005), *The Dark Side of Democracy. Explaining Ethnic Cleansing*, Cambridge: Cambridge University Press.

Luis Moreno Campo, International Criminal Court, Prosecutor's Statement on the Prosecutor's Application for a Warrant of Arrest under Article 58 against Omar Hassan Ahmad Al Bashir, The Hague, 14 July 2008, http://www.icc-cpi.int/NR/rdonlyres/A2BA9996–67C3–4A5F-9AD2-B20A7FD2D176/277757/ICCOTPST20080714ENG.pdf.

Nuremberg Trial Proceedings (1945a) Vol. 1, Charter of the International Military Tribunal, 8 August 1945, http://avalon.law.yale.edu/imt/imtconst.asp#art22.

Nuremberg Trial Proceedings (1945b), Vol. 1, Indictment, 18 October 1945, http://avalon.law.yale.edu/imt/count3.asp.

Drazen Petrovic (1994) 'Ethnic Cleansing: An Attempt at Methodology', *European Journal of International Law* 5: 342–59.

Prevent Genocide International, http://www.preventgenocide.org/punish/.

Gérard Prunier (1995) *The Rwanda Crisis.*, *History of a Genocide*, *1959–1994*, New York: Columbia University Press.

Gérard Prunier (2005) *Darfur. The Ambiguous Genocide*, London: Hurst.

Rome Statute (1998) of the International Criminal Court, 17 July 1998 (entered into force 1 July 2002), http://www.icc-cpi.int/NR/rdonlyres/EA9AEFF7-5752-4F84-BE94-0A655EB30E16/0/Rome_Statute_English.pdf.

William A. Schabas (2003) 'National Courts Finally Begin to Prosecute Genocide, the "Crime of Crimes"', *Journal of International Criminal Justice* 1, 1: 39–63.

Robert Scheer (1995) Born of Blind Faith: Robert McNamara believed he would ascend in a meritocracy. And with good reason. So what went so 'terribly wrong'? *Los Angeles Times*, May 16, 1995, http://articles.latimes.com/1995-05-16/news/ls-2273_1_robert-mcnamara?pg = 4.

Trial of Adolf Eichmann (1961) District Court Sessions, Session No. 1, 11 April 1961, http://www.nizkor.org/hweb/people/e/eichmann-adolf/transcripts/Sessions/Session-001-01.html.

Jacques Semelin (2007) *Purify and Destroy. The Political Uses of Massacre and Genocide*, New York: Columbia University Press.

Dan Stone (2008), 'Biopower and Modern Genocide', in A. Dirk Moses, ed. *Empire*, *Colony*, *Genocide. Conquest*, *Occupation*, *and Subaltern Resistance in World History*, Oxford: Berghahn, 162–79.

United Nations (1948) United Nations General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, New York, 9 December 1948, http://treaties.un.org/doc/Treaties/1951/01/19510112%2008–12%20PM/Ch_IV_1p.pdf.

—(2005) *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General*, Geneva, 25 January, http://www.un.org/News/dh/sudan/com_inq_darfur.pdf.

Whitaker Report (1985) United Nations Economic and Social Council Commission on Human Rights Sub-commission on Prevention of Discrimination and Protection of Minorities, Thirty-eighth Session, item 4 of the provisional agenda, E/CN.4/Sub.2/1985/6, 2 July 1985. Revised and updated report on the question of the prevention and punishment of the crime of genocide, prepared by Mr B. Whitaker, http://www.preventgenocide.org/prevent/UNdocs/whitaker/.

12 Debating partition

Evaluating the standard justifications

Brendan O'Leary

Political partition may usefully be defined as a *fresh* political border cut through at least one community's national homeland with the goal of resolving conflict (see Talbot and Singh 2009; applying the approach suggested in O'Leary 2007). Political partition is therefore distinct from adjacent phenomena, such as *secessions*, which are attempted within existing recognized units (O'Leary 2001: 54, 2005, 2007; the latter article defends this definition), or from *border adjustments*, such as those that occur after a shift in the course of a river bed, or from a shift in maritime boundaries following the immersion of an island, i.e., where the placements of people are not at stake.

Explanations of partitions, both in particular and in general, are recurrent in political science and history (e.g. Fraser 1984; Hasan 1993, 2002; Mansergh 1997), but this chapter focuses on the arguments used to justify them, drawing mostly from the twentieth-century cases of Ireland, India, Palestine and Cyprus. Just as no one is a relentless advocate of divorce at the slightest hint of disagreement between couples, so there are no relentless advocates of partition at the slightest hint of national or ethnic conflict. Partitionists, however, are obliged to use rhetoric. This phrasing is not disparaging. Long ago the Stagirite taught the world that rhetorical argument must be advanced when we are uncertain of our premises but must nevertheless persuade ourselves of the best choice of policy (Aristotle, *Rhetoric*). The most powerful arguments for resolving antagonisms through partition may be labeled, in order, as "historicist," "last resort," "net benefit," "better tomorrow," and "realist rigor."

Partitionist arguments

The historicist argument. Historicists assume that history is necessarily evolving in a given direction (Popper 1976/1957), and conclude that we should aid the inevitable by giving it a nudge. Some insist that once nationalist, ethnic, or communal conflicts pass a certain threshold they will end in partition (e.g. Galbraith 2006; Kaufmann 1998). They may detect such tendencies in residential, educational, and employment segregation, in the formation of nationalist, ethnic, or communal parties, or in the overheating of political systems with the demands of what W. H. Auden's poem "Partition" satirizes as "peoples fanatically at odds, With their different diets and incompatible gods" (Auden 1976).

Historicism may shape policy because it is seen as both informed and realistic. That partition is inevitable, or is already happening, that facts have already been established "on the ground," are assumptions that may persuade policy makers that the process should be sped up to reduce the pain. In 1993 advocates of the partition of Bosnia and

Herzegovina *and* of "population transfers" John J. Mearsheimer and Robert A. Pape maintained, "transfer is already occurring. … The only question is whether it will be organized, as envisioned by partition, or left to the murderous methods of the ethnic cleansers" (Mearsheimer and Pape 1993). Another partitionist argues that "ethnic wars always separate the warring communities," so it is not a question of "whether the groups will be separated but how" (Kaufmann 1998: 123). It is a tempting argument when extensive expulsions are afoot by militias, paramilitaries, or police, but there is no confirmed social science law that *all* segregation – voluntary or forced – leads inevitably to the breakup of states. Not only has no one identified clear thresholds of violence (absolute or proportional to population) beyond which partition (or separation more broadly) becomes inevitable, but also simple comparative evaluations of recent conflicts show that there can be peace without separation (Carment and Rowlands 2004: 369 ff.).

The "last resort" argument. This argument acknowledges that alternative strategies exist to manage or resolve national, ethnic or communal conflicts, such as federalism, consociation, arbitration, or integration, and accepts that these alternatives should be attempted before partition is considered. But, if these options fail, so the argument goes, partition should be chosen to avoid genocide or large-scale ethnic expulsions (universally acknowledged to be the worst possible outcomes). Partition, in short, should be pursued as public "triage." Exponents of this argument often invoke the "security dilemma" (Jervis 1968; Kaufmann 1996b, a, 1998; Posen 1993; Johnson 2008). The claim is that in conditions of emergent anarchy, e.g. when an empire or a regime is collapsing, the relations among ethnic groups become akin to that of individuals in a Hobbesian state of nature. One distrustful community will seek to enhance its security, which will enhance the insecurity of the other communities, creating a vicious and escalating cycle of insecurity. Ethnic groups with strong and durable identities will be mobilized for war in conditions of insecurity, and will attack ethnic islands of the other community, or protect their own by expelling others. Partition is justified, in these conditions, because it ends the imperatives to cleanse and rescue, and renders war unnecessary to achieve mutual security. In Auden's poem the partitionist lawyer, Radcliffe, is told, "It's too late/For mutual reconciliation or rational debate/The only solution now lies in partition" (Auden 1976). The logic and the modeling and the poetic satire are neat, but critics rightly suspect the underlying psychology and sociology.

The net benefit argument. A third line of argument need not presume the empirical existence of an ethnic security dilemma, or justify partition only when it is absolutely necessary to prevent genocide or large-scale expulsions. Instead, it suggests that partition should be chosen when, on balance, it offers a better prospect of conflict reduction than maintaining the existing borders. The suggestion is that partition is desirable in its own right as a preventative strategy; it need not be the option of last resort. The net benefit argument was maintained in the last years of British imperial rule by the leading politicians of minorities who opposed independence within existing colonial borders – by Ulster unionists in Ireland, who were prepared to abandon their fellow unionists elsewhere in Ireland; by Zionists in Israel who then thought some sovereign Israeli land was better than hoping for Eretz Israel; and by the Muslim League in India, which decided that southern Muslims would have to fend for themselves. Here it was argued that partition was justified to prevent a loss of freedom – it was not then maintained that genocide and ethnic expulsions were going to be carried out by Irish, Indian, or Palestinian nationalists. Some consider partition an appropriate and prudent preemptive policy choice simply where there are ethnically

intermixed populations which are capable of sustained pogroms, massacres, expulsions, and genocide. The argument, of course, tends to license too many partitions: after all, of which groups could it be said that they are incapable of genocide? Organized extermination has occurred in every continent, in all periods of human history, within every major religious civilization, and in all political systems (though under some more than others) (Chirot and McCauley 2006).

The "better tomorrow" argument. The historicists, the triagists, and the utilitarian calculators jointly maintain that after partition there will be a reduction in violence and conflict recurrence. New more homogenized polities will have better prospects of stable democratization, of political development, and of better relations in general. The analogy is with divorce. After the trauma is over, the former partners will conduct themselves better because their interests will not interfere so intimately with one another's identity, pride, and emotions. This argument predicts a better tomorrow based on key counterfactual assumptions, namely, that without partition there will be more conflict and conflict recurrence; and that more heterogeneous polities have poorer prospects of democratization, political development, and intergroup relations. One author even claims that the evidence from Ireland, India, Palestine, and Cyprus confirms that partitions reduce violence and conflict recurrence, and that the post-partitioned entities were no less democratic or culturally exclusive than their precursors (Kaufmann 1998)!

The "realist rigor" argument. The tough-minded partitionist maintains that any possible difficulties with partition flow from irresolution – a thoroughgoing revision of borders, which fully separates the relevant antagonistic communities, is what is required. Good fences make good neighbors; bad fences provoke disputes. Policy makers must devise borders – and provide incentives for controlled population movements – that will create sufficient homogeneity so that the incentives for national, ethnic, religious, and communal violence are radically reduced. Another and better cut will be advocated to rectify the surgery if it was botched the first time.

For it to work, the rigorous realists maintain, that partition must lead to radical demographic restructuring, reducing the military and political significance of the new minorities. Mearsheimer and Pape and subsequently Mearsheimer and Steven van Evera argued for the partition of Bosnia and Herzegovina, "shrinking it to save it," as they put it (Mearsheimer and Van Evera 1995). They deemed unworkable the alternative federal formula developed under the plan proposed by former US Secretary of State Cyrus Vance and former UK Foreign Secretary David Owen, and criticized the 1995 Dayton settlement, negotiated and effectively dictated by US diplomats, as "an unfinished peace," precisely because it did not arrange a three-way partition of Bosnia and Herzegovina between Muslims, Serbs, and Croats, but just an incomplete two-way split between the recently constructed Muslim-Croat federation and Republika Srpska.

These five standard arguments for partition are political and moral. They are not on their face simple apologias, or excuses for land-grabbing, or indeed for dereliction, though, of course, they may provide cover for such actions. Indeed I have carefully avoided selecting propartitionist arguments which are obviously racist, sectarian, or civilizationist in order to present partitionism in its best light.

These five arguments are only partially testable. One accepts historicist philosophies, or approaches, or one does not – Popper's critique (1957) of historicism is convincing to

this author even though Popper's history of ideas is not always accurate. The leap from demographic trends to assumptions of future political behavior by pro-partitionists is not scientific; the same trends may be compatible with a range of political relationships – from genocide to federal or consociational coexistence. The "realistic rigor" thesis is probably not testable at all, because confronted by the evidence of catastrophe partitionists will claim that the tragedies lie in the imperfection of the attempted project rather than the idea itself. Though there is now an interesting literature which tests partitionist claims (Sambanis and Schullhofer-Wohl 2009; Sambanis 2000; Chapman and Roeder 2007), not all of the above arguments are testable, and, at least on my definition of partition, the number of twentieth-century cases that were not rapidly reversed is pretty small, making large-*n* testing problematic (the existing literature usually conflates partitions and secessions in order to get a larger *n*). Many partitionists' claims, however, are at least implicitly empirical. Partitionists implicitly predict either a linear or an exponential relationship between the degree of national and ethnic heterogeneity of a place and the security dilemmas that provoke violence (false). They insist "restoring civil politics in multiethnic states shattered by war is impossible because the war itself destroys the possibilities for ethnic cooperation." They insist that the "stable resolution of ethnic civil wars is only possible when opposing groups are demographically separated into defensible enclaves" (Kaufmann 1996b: 137). These arguments suggest that it is foolish to insist on maintaining unviable multinational polities.

The modalities of partitionists

The above partitionist arguments do not tell us who should execute the deed, or how they should go about their work. Partitionists who are not mere annexationists come in two general types – proceduralists and paternalists – though they may come in fusions. Proceduralists favor justice and agreement, while paternalists favor imposition in others' interests – they put order before justice.

Proceduralists advocate consultation with the "affected parties," to achieve as much reciprocal consent on the new border as possible, and try to establish rules to which reasonable partitions should conform. They see roles for commissions, and particularly judges and technical experts, in determining appropriate boundaries. The British Empire was a procedural partitionist. It set up boundary commissions in twentieth-century Ireland, Palestine, and India. The United Nations attempted to be proceduralist in Palestine in 1947.

Honest proceduralists reject any partition proposal that does not meet fairness and feasibility requirements. Some proceduralists are less honest, and claim that it is not they or their governments who partition. Mountbatten declared in his radio broadcast of March 3, 1947, which announced the plan to partition India, that "I felt it was essential that the people of India themselves should decide this question of partition" (Ahmed 1999: 119). He ordered the legislative assemblies of Bengal and the Punjab (excluding European members) each to meet in two parts, one representing the "Muslim majority" districts, the other the rest of the relevant province. The districts were to be defined, not by the past votes for the members, but by reference to the 1941 census. A simple majority in either part would be sufficient to trigger partition of the relevant region. (In the Punjab the new West section of the assembly voted against partition by ninety-nine votes to twenty-seven, while the new East voted in favor by fifty votes to twenty-two (Ahmed 1999: 121). Punjab therefore had one hundred and twenty-one

assembly members' votes against and sixty-seven for, but under Mountbatten's rule the partition process continued.)

Arend Lijphart has specified the requirements of a fair partition (Lijphart 1984). A partition can be acceptable where it is negotiated by all the affected groups rather than imposed; when it involves a fair division of land and resources; and where it results in homogeneous, or at least substantially less plural, independent states. The major difficulty with this reasonable conception of a principled partition is the sheer unlikelihood of the first requirement: nonimposition. The affected parties – politicians and their publics – are not likely to agree unanimously, and even if representative politicians did concur, it is unlikely that all the adversely affected people will agree, even if offered significant compensation. Partitions involving the movement of people or of their sovereign territory are simply not likely to proceed with technical agreement and political consensus.

Lijphart's other criteria offer feasible benchmarks against which to evaluate the fairness of partitions of binational or multinational polities. The Radcliffe "Award" in Bengal in 1947 almost perfectly met Lijphart's second and third criteria. West Bengal, an area of 28,000 square miles, was to contain a population estimated at 21.19 million people, of whom 29 per cent were Muslims. East Bengal, to become East Pakistan, an area of 49,000 square miles, contained a population of 39.11 million, of which 29.1 per cent were Hindus (Chatterji 1999: 191). West Bengal was to get 36.6 per cent of the land to accommodate some 35.1 per cent of the Bengal population, while East Bengal was to get 63.6 of the land to accommodate 64.8 per cent of the population. The ratio of the majority to the minority populations was almost identical, and the resulting entities more homogeneous than their predecessor, partitioning a polity with a Muslim:Hindu ratio of 56:44 into two with 70:30 majority:minority ratios. But we might equally conclude that Radcliffe created two large Northern Irelands out of Bengal, and very few regard the bloody Indian partition as a success story.

Jan and Birgitta Tullberg have also proposed procedural criteria for a fair partition (Tullberg and Tullberg 1997). They conflate partition with secession, but then so too do most of their critics (e.g. Rothchild 1997). The Tullbergs believe that borders should be drawn to leave as few people as possible in the "wrong" state, advocating that an equal number of people from each group should be wrongly placed after a partition. The partitioning border also ought to be as "natural" as possible. They also propose rules for "transfers": in a binary partition each state should be responsible for accepting people of its own nationality; each individual may emigrate to the "right" state; and each state should be entitled to evict members of the other group. The Tullbergs' critics have little difficulty in picking out the difficulties with these proposals (e.g. Lustick 1997; McGarry and Moore 1997; Ryan 1997). Why should an equal number of "wrongly" placed people be regarded as a fair outcome, as opposed to an equal ratio of "wrongly" to "rightly" placed people in each jurisdiction? Surely fairness should include proportionality, not just absolute numbers? The notion of "natural" borders is highly problematic – even if common among politicians and mass publics. Lastly, the proposed transfer rules are appalling – and illegal under international law. They license ethnic expulsions, and incentivize them. The proposals also give insufficient recognition to the importance of the integrity of the territorial homeland in the eyes of at least one community: for whom it is not the rules of partition with which they disagree, but the very idea, which is equivalent to a discussion of the modalities under which they are to be executed.

Paternalists, by contrast, assume that the local parties or communities are incapable of reaching a reasonable agreement, except perhaps after protracted wars that end in stalemate. They propose that a sufficiently powerful outsider should determine a partition, one that that will be durable, and reduce conflict as much as possible – and quickly. A settlement that addresses security imperatives is more important than meeting participation requirements or considerations that might flow from abstract social justice. Paternalists usually advise or lobby great or regional powers. "Better rough justice than none" is their outlook. For contemporary Kosova, Mearsheimer argued that partition is the only viable strategy for anything that resembles peace in the long term – the best, as he put it, of a handful of really lousy alternatives. His premise was that multiethnic states do not (or cannot?) survive, especially, he claims, in Europe. Interventions to hold multiethnic states such as Bosnia and Herzegovina together will not work "unless we [the United States] stay there forever" (Mearsheimer 1999a, b). American realists are not against multinational or multiethnic states in principle, but believe, correctly, that there is a general American tendency to underestimate the power of nationalism, and a dogmatic American faith that other multiethnic societies can integrate themselves as America's immigrants have (Mearsheimer and van Evera, 1995: 21).

Anti-partitionist arguments

Let us now consider the most powerful rebuttals of partitionist arguments. Anti-partitionists include nationalists and multinationalists. Nationalists reject the rupturing of their national territories; multinationalists reject the historicist assumptions of homogenizers and their negative assessments of the prospects for coexistence. They share common appraisals of how partitions are perverse, of how they jeopardize existing relationships, and of the impossibility of achieving fair partitions. Their arguments include (1) the rejection of the rupturing of national unity, (2) advocacy of the possibilities of constructive bi- and multinationalism, (3) the practical impossibility of just partitions, (4) the high likelihood of worsening violence, (5) the elusive mirage of homogenization without expulsions, (6) the damage to the successor states, and (7) the failure to make a clean or elegant cut, all of which jointly render the surgical and the triage claims highly suspect.

The rupturing of national territorial unity is protested by those who hold that partition is a violation of the right to self-determination, of the right to territorial integrity of the entity that is being partitioned. This complaint is usually accompanied by the claim that partition is being proposed or executed in the interests of privileged minorities, and that it is especially brutal in its impact on what will now become border communities. In all cases the nationalists observe that "border communities" which were previously not "border" communities may suffer most – the Sikhs of the Punjab; the Irish nationalists of south Armagh, Tyrone, Fermanagh, Derry city and Newry; and the peoples among divided cities, for example those of Jerusalem (between 1948 and 1967) and Nicosia.

In the twentieth century partitions were rejected by most of the majority nationalists whose national homelands were freshly cut. Irish, Indian, Palestinian, and Cypriot nationalists argued that partition was a violation of national self-determination and directly contravened the expressed preferences of the relevant majorities in their national territories. Bosniaks made the same claim – though ethnic Bosniaks were just a plurality in the former Yugoslav republic. Indian nationalists, for example, argued

that their nation had a long past, had been treated as an entity by the British Empire, prepared for self-government as such, and that India as a whole was the appropriate unit for self-determination (Nehru 1989). The Muslim League's claim that there were two nations and not one on the subcontinent was treated as false, proved by Congress's own Muslim voters and politicians, and dismissed as being made very late in the day – in the vested interests of privileged elites regrettably manipulating communal passions. Until the end, many Congress leaders regarded Jinnah's endorsement of the two-nation thesis as a bargaining posture. Cypriot nationalists likewise insist that the partition of Cyprus, and the proclamation of the Turkish Republic of Northern Cyprus, violated Cyprus's integrity and its right to self-determination and sovereign independence – entrenched in treaties between the UK, Turkish, Greek, and Cypriot governments. They complain that the United Kingdom's resistance to Greek demands for decolonization and *enosis* (union) with Greece led the imperial power in the 1950s to mobilize the Turkish minority in their support, especially within the police and the army, and that this encouraged Turkish Cypriots to demand *taksim*, the partition of Cyprus between Greece and Turkey (Anderson 2008). Cypriot nationalists see the "counternationalism" of the Turkish minority as manipulated or rooted in past privilege, believing that the British had played Greek and Turkish Cypriots against one another (Hitchens 1997; Kyle 1984).

Advocacy of binationalism or multinationalism. Only disputing their premises plausibly rebuts nationalist anti-partition arguments. That involves either insisting that within the pre-partitioned entities there was more than one nation with a right to self-determination, or rejecting national self-determination arguments completely (an intellectual move not evaluated here because partitionists do not reject the idea of nation-states).

The binational or multinational case is that plurinational arrangements must be properly exhausted before partition is considered genuinely as a last resort. Multinationalists maintain that if one were to accept that there were two nations in Ireland, India, Palestine, and Cyprus, or three in the case of Bosnia and Herzegovina, no automatic case for partition followed. Instead they observe that partitionists must insist on the undesirability, infeasibility, or insecurity of binational, federal, consociational, or confederal arrangements. It is just assumed by partitionists that such options are or were impossible, and often this claim obscures more creative modes of coexistence. In three British imperial cases most of the relevant minority – Ulster Unionists, the Muslim League, and Zionists – appeared unwilling to propose or experiment with such formulas. Their veto of alternative formulas, backed by force, was rendered more effective by the declarations of the imperial power that they would not coerce the relevant minorities. These minorities' leaders sought partition either before, or coterminous with, the withdrawal of the imperial power, and refused or blocked all other options. That partition was "a last resort," or a regrettable choice "when all else had failed," therefore usually rings hollow. In Cyprus, by contrast, before independence a generous constitutional arrangement was negotiated for Turkish Cypriots, but arguably one that was so generous in its overrepresentation of the minority that it was bound to provoke Greek Cypriot resentment.

The impossibility of just partition. Anti-partitionists argue that, even if partition should be an option of last resort when clashing nationalities have rejected binational or multinational forms of shared rule and self-rule, that does not justify any partitions, but only fair or just partition. The latter, however, demands the wisdom of Solomon,

which by definition is rare. They require not just wisdom but a great or regional power that is well governed if they are to be procedurally proper (all of which seems an unlikely combination).

International procedures, including World Court jurisprudence, have peaceably addressed some border disputes between states. Typically, however, these arise from ambiguities in historic treaties or legislative documents (for example, disputes between the Netherlands and Belgium, Burkina Faso and Mali, Honduras and El Salvador, and over the Aouzou desert strip – at issue between Chad and Libya). Or they involve maritime jurisdictions (for example, the negotiations over the Timor Gap, disputes between Norway and Great Britain, and between the United States and Canada in the Gulf of Maine). Or, they are occasioned by natural geographical changes in terrain and river beds (e.g. through "avulsion") (Prescott 1996). Legal procedures are not, however, appropriate for what is at stake in political partitions. From 1945 until 2009 only two disputes where homelands were arguably at stake, both involving marginal islands, have been settled by the International Court of Justice, one being the Minquiers and Ecrehos islands located between the English-speaking Channel Islands and French Normandy. It remains to be seen whether the Permanent Court of Arbitration at The Hague has successfully determined the borders of Abyei, which will be at issue between Northern and Southern Sudan – whether the South opts for secession or unity in the referendum scheduled for 2011 (Arbitral Tribunal 2009).

According to the Book of Kings, Solomon did not partition the famously disputed baby but adopted a procedure, the threat of partition, to establish its true mother. No such procedure is likely to work well amid mass ethno-nationalist politics. The credible threat of partition will likely provoke preemptive action, in the form of ethnic expulsions, to establish "facts on the ground." These repercussions are more likely than the disputing parties coming to their senses. Kaufmann and partitionists therefore get the causality wrong: it is partitionists who generate a self-fulfilling security dilemma. The credible threat of partition flows from decisions of a state or imperial authority – or of known plans by paramilitaries that have state support. It is they who occasion the "security dilemma," not the mere presence of heterogeneous populations. It was partition which occasioned extensive violence in Northern Ireland between 1920 and 1922, and "it was the *escalating possibility* of partition, and the tensions that unleashed, which caused the August 1946 violence in Calcutta and the subsequent 'security dilemma' [of the] Hindus and Muslims of Bengal" (Bose 2002: 179).

Partitionists usually come from among the self-appointed, as with most paternalists, and are unlikely to be impartial. The Peel Commission, which first proposed the partition of Palestine, exceeded its terms of reference, at the prompting of Professor Coupland, who became the chief enthusiast and crafted the text. The outgoing imperial power determined the procedures for partition in Ireland and India, and handed over some established groundwork for the UN partition plan for Palestine. In Ireland partition was executed unilaterally in 1920 before the United Kingdom negotiated with Ireland's elected Sinn Féin government. An invading Turkish army in 1974 determined the fresh cut in Cyprus, stopping at a line that the Turkish government had proposed in 1965 and which had been rejected by the UN mediator Galo Plaza (Kliot and Mansfield 1997: 503).

Anti-partitionists observe that boundary commissions usually give the pivotal power to the relevant big power. Thus the Irish Boundary Commission of 1924–25, and the 1947 Radcliffe Commissions in Punjab and Bengal, had British appointees as the

decisive chairs. With some exceptions, the local appointees acted as partisan champions of the ethno-national or religious communities that they were appointed to represent – though they were constrained to make their arguments persuasive, and to make their proposals as consistent as possible with the commissions' terms of reference. If the local nominees to boundary commissions are bound to act to some degree as ethno-national champions, that places the burden of decision upon the organizers and chairs of such commissions: in Auden's words, Radcliffe was told, "We can give you four judges, two Moslem and two Hindu/To consult with, but the final decision must rest with you" (Auden 1976). The key difficulty for such chairs is what we might call Solomon's agenda. That can be defined by the following questions.

- *Which should be the units around which new boundaries should be drawn?* One cannot have elections to determine who should be among the electorates that have the final say. The Irish Free State thought that a plebiscite should be conducted in all the Poor Law jurisdictions in Northern Ireland – excepting in Belfast and County Antrim – whereas unionists insisted that the six counties of the north-east be treated as a bloc. Relatedly:
- *Should there be subunit opt-outs?* If unit A opts to be with one state, but B, a concentrated minority within A, wants to go with another, may it opt out?
- *How should units' preferences be determined?* If there is agreement on the units of determination, then how should the new boundary respect popular preferences? Should this be done through local plebiscites, or through determining people's presumed preferences through their ascriptive identities as recorded in census data (that may be unreliable)? If there are to be plebiscites, what rule should be adopted for determining whether a given unit goes to one jurisdiction or another: a simple majority of those voting, an absolute majority of registered voters, a weighted majority? And, if working from census data, who should count: adults, or adults and children?
- *Should local popular preferences be considered just one criterion to be balanced among others*? How important should be matters such as the maintenance of *contiguity* (at issue in the formation of Pakistan, and in the redistricting of West Bengal); *preserving a cultural heartland* (at issue in the division of Sikh sacred sites in the Punjab, in the placement of Jerusalem, and at issue in proposals to partition Kosova); *retaining a unit within an economic*, *geographical hinterland or infrastructure* (at issue in the location of Derry and Newry in Ireland, and in the waterways and canals of the Punjab); or *ensuring militarily secure borders* (at issue in every partition)?
- If nonpreferential factors are to be considered in designing new borders, *should local popular preferences be subordinated* to these other considerations, and, if so, which ones – and who should make that determination?
- *Should there be constitutional amendments* to ratify the commission's proposals or referendums, and should there be provisions to enable their subsequent revision?

Given the difficulties in Solomon's agenda it is not surprising that Radcliffe, the man who drew the partition of Bengal and the Punjab, refused to be interviewed on his work for the rest of his life (Ahmed 1999; Chatterji 1994, 1999): "Return he would not/Afraid, as he told his Club, that he might get shot" (Auden 1976). Radcliffe's commission worked fast, and it mattered; its resolutions were implemented. The commission chaired by Richard Feetham in 1924 to consider adjustments in the light of Article 12 of the

Anglo-Irish Treaty did not work in a hurry, and eventually made no difference to the line of partition in Ireland. But Feetham's judgement of his terms of reference shaped the commission's outcome: "the Commission is not to reconstitute the two territories, but to settle the boundary between them. Northern Ireland must, when the boundaries have been determined, still be recognizable as the same provincial entity" (Hand 1969; O'Callaghan 2000). In south Down, the location of a *new* reservoir to supply Belfast, not yet finished, incredibly became an argument for maintaining the existing border because Feetham maintained that, whenever there was a clash, economic and geographic factors had to trump local popular wishes. This case, of a failed commission, vividly demonstrates the procedural conundrums attached to boundary commissions, and the unpredictable consequences of giving judges vague terms of reference. It is difficult to imagine impartiality in the appointment and management of a boundary commission – an empire or regional power has its own interests, and their officials will take great care over appointments to such bodies.

The likelihood of disorder and violence. Anti-partitionists turn the tables on the subject of violence. They maintain that partitions encourage ethnic expulsions; trigger partially chaotic breakdowns in order, leading to flight, opportunist killing, rapes, and looting; lead to more violence than that which preceded them; have domino effects; contribute to post-partition wars, and insecurities; and set precedents that lead to demands for repartitions. Their case is that partitions are perverse: they achieve the exact opposite of what they nominally intend.

In raw numbers of dead and forcibly displaced, the critics are correct across the cases of India, Palestine, Ireland, and Cyprus. The partition of India was accompanied by a death toll, variously credibly estimated at between 200,000 (Moon 1998) and 500,000 (Khosla 1989; Kumar 1997). (Figures of up to 2 million are also cited.) Involuntary and expelled cross-border refugees and displaced persons may have approached 15 million. The scale and intensity of the brutal coercion, rape, abduction of women, looting, family fragmentation, and resettlement pains were individually and collectively appalling. The partition of Palestine and the war that accompanied Israel's declaration of independence led to the deaths of approximately 6,000 Israeli Jews and over 10,000 Arabs, and to the expulsion and flight of over 750,000 Palestinians, who became homeless refugees, whom Israel refused to allow to return, and whom the Arab states refused to integrate. As a byproduct of the partition, and of Israel's war of independence, over half a million Jews were expelled from surrounding Arab states. In the Turkish invasion and partition of Cyprus 6,000 Greek Cypriots were killed and 2,000 reported missing, and some 1,500 Turks and Turkish Cypriots were killed. After the partition more than 10,000 Greek Cypriots were pressurized into leaving Northern Cyprus, on top of the nearly 160,000 who had already fled before the invading Turkish army. The partition of Ireland was accompanied by the least violence amid twentieth-century partitions, in raw numbers and taking into account the scale of the population. But the deaths accompanying the formation of Northern Ireland between 1920 and 1922 have been estimated at between 232 and 544 (O'Leary and McGarry 1996: 21) and either figure is much higher than the death toll in Ulster before the partition. Moreover, thousands of Catholics were expelled from their jobs and their homes in Belfast and fled south; thousands of Protestants also emigrated from independent Ireland. It therefore beggars belief that Kaufmann (1998) argues that in all these cases partition successfully reduced violence! He compares post-partition internal violence in the new units with the violence that accompanied the partition – which begs the appropriate evaluative

question because it discounts the conflict immediately caused by the partition itself. In Cyprus significant intercommunal killings between 1960 and 1974 preceded the partition (Loizos 1988) but Kaufmann's argument is made convincing only by failing to count the costs of the partition itself.

At bottom, claims such as Kaufmann's are counterfactual, not factual: his claim is that without partition the conflicts would have been worse. In three of the cases – Ireland, India, and Palestine – Kaufmann maintains that it was independence from Britain, and the collapse of its military and policing authority, rather than partition, that caused large-scale violence. This is simply unconvincing. Had the imperial authority transferred power to a single central authority then the security dilemma would surely have had less resonance than one accompanying partition and the formation of two new governments. Partitionists inevitably have to defend the historical record of partitions through counterfactual propositions: partition was not the problem per se, but rather the particular partition was defective in key respects. Kaufmann, for example, regards the leaving of intermixed populations as potential triggers of future insecurity. The reason the Cypriot partition, according to his criteria, was "better" than any of the others was because of the planned and implemented ethnic expulsion that accompanied it. Kaufmann's argument shows it is easy to slip from a defense of partition as a last resort to tacit support for ethnic expulsions, or "population transfers" in the standard euphemism.

Partitions are especially perverse when they have domino effects – triggering post-partition wars. Security dilemmas now take an interstate rather than merely intercommunal form. The Arab–Israeli wars of 1956, 1967, and 1973, and the Israeli–Lebanese wars, show that the partition of Palestine was not the end of conflict in the region. India and Pakistan have fought three wars, in 1948, 1965, and 1971, triggered by two regions troubled by the repercussions of the 1947 partition: Kashmir in the first two, and East Bengal in the third. Radcliffe did not partition Jammu and Kashmir. Instead, the United Kingdom left it to its princely head, as with all other princely states, to determine its future. Princely self-determination was Great Britain's last contribution to the theory of partition management. Under coercive pressure from Pakistan, its Hindu ruler took his majority Muslim province into the Indian Union. Bose (2002: 183–89) documents Kaufmann's errors in understanding what happened in Kashmir). War was triggered, leaving Kashmir divided by a line of control and with a UN presence. India and Pakistan still confront one another over what Pakistanis are inclined to call the "unfinished business" of partition, but now with each state in possession of nuclear arms. A thousand miles divided the Pakistan that resulted from partition – a security nightmare for any armed forces. Its internal divisions proved deeper than geographical noncontiguity: East Pakistan's Bengalis experienced discrimination and domination at the hands of West Pakistan's power elite, and when the latter refused to allow authentic federalism or authentic democratization, and engaged in genocide, the secession of Bangladesh was fought for, and won, in 1971, with the aid of a decisive Indian intervention. Conflict in and over Northern Ireland, though it never took the form of interstate war, was not resolved before 1998, or 2007, depending upon your point of view (Taylor 2009). The partition of Cyprus is maintained by the presence of the Turkish army, and by UN peacekeeping forces in buffer zones. It threatens war between Turkey and Greece, two NATO "allies," while the nonrecognition of the Turkish Republic of Northern Cyprus affected the complex diplomacy attached to the accession to the European Union of Cyprus (as a whole). Official Cyprus is now within the

European Union and has the ability to help veto Turkey's accession. These post-partition interstate tensions (Cyprus and Ireland) and interstate wars (in the Middle East and South Asia) hardly inspire confidence that partition offers a "realistic" settlement of security dilemmas.

The receding goal of homogenization. Critics of partition maintain that the only thing they "are unlikely to produce is ethnically homogeneous … states" (Horowitz 1985: 589). This argument may seem compelling. Post-partition India and Pakistan were both vast, populous, and multiethnic, and remained multireligious; and West Pakistan experienced a fresh infusion of linguistically differentiated refugees. Post-partition Israel was left with a significant Palestinian Arab minority, and soon had waves of new Jewish refugees of diverse ethnic formation. Its subsequent settler colonial infusion policies in the West Bank and Gaza hardly aided the homogenization of the occupied territories. Northern Ireland was left with a unionist and cultural Protestant/nationalist and cultural Catholic ratio of 67:33 that has since shifted to 60:40, and may have moved past 55:45 toward parity. Horowitz's argument, however, needs to be qualified by considering religious, not ethnic, homogenizing. Pakistan is certainly proportionally more Islamic than India, even though India had, and still has, the largest minority Muslim population in the world. (The secession of Bangladesh led to an irony: Muslims in India separately outnumber those in Bangladesh and Pakistan.) In Ireland, ethnicity and religion were fused in many people's identities, but the Irish Free State was more Catholic than pre-partition Ireland, and Northern Ireland was more Protestant than historic Ulster. Israel was more Jewish, and the West Bank and Gaza more Muslim and Christian, than pre-partition Palestine. The units of post-partition Cyprus are very ethnically, linguistically, and religiously homogenized by comparison with pre-1974 Cyprus.

Critics of partition establish their point more effectively when they say that partition *alone* is unlikely to generate the presumably desired homogenization. The rigorous realists rely on a tacit assumption: the necessity of expulsions. Consider just twentieth-century European ethno-national and ethno-religious history. None of the new European states created after 1919 – after the collapse of the Czarist, Hohenzollern, Habsburg, and Ottoman Empires – came close to being mononational because of the Versailles settlement, or the settlements at other chateaux in the Paris region, or because of other subsequent border adjustments before 1939. Of the seven that survived in some form after the Second World War their proportion of national minorities fell from 25 per cent in the 1930s to 7.2 per cent in the 1970s, a radical homogenization. But only a small proportion of this change was the consequence of border adjustments. The rest has to be accounted for by genocide, expulsion, and assimilation (Coakley 1992b, a; Horak 1985: 4). The dark nights of Nazism, the Second World War, and Stalinism – not partitions – "tidied up" Europe's states.

Partitions are never enough for rigorous homogenizers. They must pursue voluntary or quasi-voluntary "transfers," and are driven to condone or organize expulsions, while post-partition states may pursue policies of control that encourage potentially or actively disloyal minorities to emigrate while encouraging inward immigration of the "right" people to ensure the demographic advantage of the *Staatsvolk*. Partitions without comprehensive expulsions generate two kinds of orphaned minorities: former prospective majorities, and formerly dominant minorities. The former are often double losers – they may have never shared in the self-government of their community as part of a majority, and now they are in another jurisdiction. Former prospective majorities

and formerly dominant minorities may both become part of irredentist movements, or campaign for a further partition.

Damage to successor states. Anti-partitionists maintain that partitions generate new security crises of an interstate form, but also cause significant economic disruption, and not just because they may be accompanied by communal conflict and warfare, and sudden flows of refugees. They disturb established monetary and exchange networks, increase transactions costs, enhance the likelihood of protectionism, and provide incentives for smuggling and other border-related criminal activity. They have led to the depreciation of significant capital investments in transport, as roads, railways and canals, and ports and airports, have their original functions terminated or significantly damaged, and to losses that may flow from failure to cooperate in agriculture, water management, and energy production and distribution (Moriarty 1994). The new post-partition entities have common functional and infrastructural interests flowing from their shared pasts. So they usually end up, ironically, by considering post-partition cross-border functional cooperation, or confederal arrangements – which put in question part of the necessity of partition in the first place. Great Britain accompanied the partition of Ireland with a proposed Council of Ireland, intended to link the Belfast and Dublin parliaments, and it insisted that the Irish Free State share a common crown and membership of the "British Commonwealth of Nations."

Of the cases considered here the Irish Free State has had, in the long run, the most successful post-partition experience in state-building, development, and democratization. But its early years were deeply affected by the civil war that accompanied its inception – and that might have been avoided had there been no partition. Ireland's comparative homogenization, through its integration and assimilation of its formerly dominant minority, the Anglo-Irish, suggests it was a beneficiary of the partition it opposed. But this perspective neglects the costs of partition for Irish state-building, especially in economic development. The new state began life without the industrial base of Belfast, and with a larger Protestant minority the long cultural sway of the Catholic Church over public policy in Ireland might have been less, and terminated earlier. Northern Ireland, by contrast, has been persistently unstable. Between the 1920s and the 1960s it was operated under a control system. Since the 1960s its conflict made the United Kingdom the most internally politically violent established European democracy (O'Leary and McGarry 1996: ch. 3; and 1). Post-partition Pakistan is acknowledged as a developmental disaster. The story of post-partition Palestine is known to the world. The unrecognized Turkish Republic of Northern Cyprus has an unenviable reputation for corruption. There is a pattern here: one entity (Ireland; India; Israel; and Greek Cyprus) has done better than the other. Triage has certainly not been equally good for all. In the separation of Siamese twins the record appears to show that at least one of the twins has been badly lamed.

On the failure to make a clean or elegant cut. Partitionists do not have an easy time in creating new maps. Not only do their maps bleed, but also they do not look good – look at the shape of West Bengal, or the meandering border of Northern Ireland. One can argue that partitions worsen the "compactness" of the post-partition entities by contrast with their precursors. Compactness here refers to the physical solidity of a state – something that once was widely believed to have implications for its military security, and arguably still affects popular assumptions about the right shape of a state, however much academicians reject the thesis of "natural boundaries." It was once argued that an ideal state is a circle, with a capital at its center, a form that has multiple

communications, control, and security advantages (Galnoor 1991; Galnoor 1995: 26 ff.). The most compact state, a perfect circle, would have an index score of 1; a square state would score well too, as would a pentagon or a hexagon. It is possible to think of partitions where the compactness scores of at least one entity have "improved." Hungary, as it emerged from the partition of the Austro-Hungarian Empire, became fairly compact, with a score of 1.5, by comparison with its former shape. But, the Peel Commission (1.8) and the UN partition plans for Palestine (3.3) would both have worsened the compactness of the Jewish state by comparison with mandate Palestine (1.5), and the Israel that emerged from the 1949 armistice lines had a worsened index (2.1). Pakistan, of course, in two discontinuous entities, achieved no compactness. Northern Ireland's new borders created adverse security and transport connections because its compactness was worse than that of Ireland as a whole. The potency of argument of this kind is questionable to those who think that globalization has abolished geography. Compactness may, however, have less salience for military security and communications than it once had. And compactness is far more complex to measure, assess, and use in evaluation than was once thought (Niemi et al. 1990).

Conclusion

The partitionist and anti-partitionist arguments just considered are universal; they recur in response to, or in the aftermath of any proposed or actual partition. I have deliberately not biased the evaluation of either partitionists or anti-partitionists by attributing racist, chauvinist, or sectarian claims or motivations to their exponents – though these are part of the historical record, and no doubt part of the future. The claim is that these are typically the best arguments that accompany actual partitions as well as the best arguments that accompany the defeats of proposals to have partitions. The arguments themselves must enter any rounded historical explanations of why partitions do or do not occur. When partitions occur the arguments of partitionists have been compelling for at least one powerful agent, but they may not be sufficient to explain why they occur, especially given that the rebuttals of partitionist arguments seem more generally compelling – and are now internationally endorsed in international law.

Anti-partitionists, the foregoing evaluation suggests, have better arguments, judged by realistic, political, and moral criteria. When partition threatens, the appropriate slogan should not be John Lennon's "Give peace a chance," nor Edward Luttwak's "Give war a chance" (Luttwak 1999), but rather "Give power sharing a chance." Contemporary Northern Ireland suggests, and even Lebanon and Iraq may in future suggest, that complex power sharing settlements are possible even after protracted ethno-national wars (Kerr 2006; O'Leary 2009; Weller et al. 2008). They are at least as feasible as partitioning intermingled populations and less likely to risk mass deaths.

Partitions deserve their poor press. They have not generated better security environments. Most have been biased toward privileged or dominant minorities – pushing conflict downstream. Partition processes and post-partition arrangements have been worse than those predicted by supporters of partition for at least one successor unit. Partitionists are generally forced to argue that the pathologies of their preferred partition were the result of an imperfect design or of insufficient rigor, a response that is unfalsifiable and unconvincing. Prudence therefore mandates opposing partition as a tool of international public policy-making, and placing the burden of proof on its advocates.

For those of who us who are not historicists there can be no certainty that there will be no further partitions – partitionist plans have been proposed in the last two decades for Quebec, Bosnia and Herzegovina, Kosova, Sri Lanka, Burundi, and Rwanda, Afghanistan, and Iraq. (Galbraith's 2006 advocacy of the partition of Iraq may be usefully compared with my own reflections (O'Leary 2009, see especially 142–47).) Moreover, it cannot be known in advance that there will never be any case where partition truly is a better policy option for the affected peoples than the alternatives. But the standard for making that argument should be that partition is demonstrably the best way to prevent genocide, or large-scale ethnic expulsions, or their recurrence – after reflecting that proposing partition may enhance the risk of genocide and ethnic expulsions. Note carefully, the arguments surveyed here are not intended to hold any sway against the merits of peaceful negotiated secessions within recognized boundaries. (See Young 1997b, a for a good discussion of the commonalities of peaceful secessions.) There are good and bad secessions, but, by contrast, it is hard to find a good twentieth-century partition. What the argument here suggests is that the novelty of proposing and implementing a fresh sovereign border may destabilize existing intergroup relations in ways that may take generations to repair. By contrast, because secession takes place within a recognized border it may be easier to accomplish a soft landing to the crisis that promotes it.

This chapter has not discussed the reversibility of partitions (see O'Leary 2007: 905–6 for some speculations). It is sufficient to observe here that if the evidence suggests that one should generally oppose partitionist arguments that does not mean that one should necessarily support all efforts to reverse partitions; and even the practical feasibility of overturning a partition does not mean that that it is necessarily the best political option. The reunification of Ireland and of Cyprus under confederal and consociational formulas *may* be in the material and collective long-run interests of all the majorities of the affected peoples. By contrast, reunification in historic Palestine or South Asia are less obviously in the interests of the affected peoples. Nor has this chapter extensively discussed explanations of partitions (see O'Leary 2007), which are rooted in the competition between the nation-state form and its rivals and the forces which underpin nationalism in modernity (Gellner 1983). Nor has this chapter attempted to synthesize the results of the large-*n* literature with the detailed comparative case histories that have helped clarify the materials provisionally summarized here, partly because the author believes that much of these discussions is at cross-purposes, given the lack of scholarly clarity in coding what is to count as a partition – as opposed to a secession.

Acknowledgements

References

Ahmed, Ishtiaq. 1999. "The 1947 Partition of Punjab: Arguments put forth before the Punjab Boundary Commission by the Parties Involved." In *Region and Partition: Bengal, Punjab and the Partition of the Subcontinent*, ed. I. Talbot and G. Singh. Karachi: Oxford University Press.

Anderson, Perry. 2008. "The Divisions of Cyprus." *London Review of Books*, April 24.

Arbitral Tribunal. 2009. "Final Award: In the Matter of an Arbitration before a Tribunal Constituted in accordance with Article 5 of the Arbitration Agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army on Delimiting Abyei Area and the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two Parties of which only One is a State, July 22," ed. Permanent Court of Arbitration. The Hague: PCA.

Aristotle. "Aristotle's *Rhetoric*: A Hypertextual Resource compiled by Lee Hunnicutt, http://www.public.iastate.edu/~honeyl/Rhetoric/."

Auden, W. H. 1976. *Collected Poems*, edited by Edward Mendelson. New York: Random House.

Bose, Sumantra. 2002. *Bosnia after Dayton: Nationalist Partition and International Intervention*. New York: Oxford University Press.

Carment, David B., and Dane Rowlands. 2004. "Vengeance and Intervention: Can Third Parties bring Peace without Separation?" *Security Studies* 13 (4): 366–93.

Chapman, Thomas, and Philip G. Roeder. 2007. "Partition as a Solution to Wars of Nationalism: The Importance of Institutions." *American Political Science Review* 101 (4): 677–91.

Chatterji, Joya. 1994. *Bengal Divided : Hindu Communalism and Partition, 1932–1947*. Cambridge and New York: Cambridge University Press.

—1999. "The Making of a Borderline: The Radcliffe Award for Bengal." In *Region and Partition: Bengal, Punjab and the Partition of the Subcontinent*, ed. I. Talbot and G. Singh. Karachi: Oxford University Press.

Chirot, Daniel, and Clark McCauley. 2006. *Why Not Kill Them All?* Princeton NJ: Princeton University Press.

Coakley, John. 1992a. "The Resolution of Ethnic Conflict: Towards a Typology." *International Political Science Review* 13 (4): 343–58.

—ed. 1992b. *The Social Origins of Nationalist Movements: The Contemporary West European Experience*. London: Sage.

Fraser, Thomas G. 1984. *Partition in Ireland, India, and Palestine: Theory and Practice*. New York: St. Martin's Press.

Galbraith, Peter W. 2006. *The End of Iraq: How American Incompetence created a War without End*. New York: Simon & Schuster.

Galnoor, Itzhak. 1991. "Territorial Partition of Palestine: The 1937 Decision." *Political Geography Quarterly* 10 (4): 382–404.

—1995. *The Partition of Palestine : Decision Crossroads in the Zionist Movement*. Albany NY: State University of New York Press.

Gellner, Ernest. 1983. *Nations and Nationalism*. Oxford: Blackwell.

Hand, Geoffrey J, ed. 1969. *Report of the Irish Boundary Commission, 1925*. Shannon.

Hasan, Mushirul, ed. 1993. *India's Partition: Process, Strategy and Mobilization*. Delhi: Oxford University Press.

—ed. 2002. *The Partition Omnibus: Prelude to Partition; The Indian Muslims and the Imperial System of Control, 1920–1932; The Origins of the Partition of India, 1936–1947; Divide and Quit; Stern Reckoning*. New Delhi: Oxford University Press.

Hitchens, Christopher. 1997. *Hostage to History: Cyprus from the Ottomans to Kissinger*. London: Verso.

Horak, S. M. 1985. "East European National Minorities, 1919–1980." In *Eastern European National Minorities, 1919–1980: A Handbook*. Littleton CO: Libraries Unlimited.

Horowitz, D. 1985. *Ethnic Groups in Conflict*. Berkeley CA: University of California Press.

Jervis, Robert. 1968. "Co-operation under the Security Dilemma." *World Politics* (January): 167–213.

Johnson, Carter. 2008. "Partitioning to Peace: Sovereignty, Demography, and Ethnic Civil Wars." *International Security* 32 (4): 140–70.

Kaufmann, Chaim. 1996a. "Intervention in Ethnic and Ideological Civil Wars: Why One Can be Done and the Other Can't." *Security Studies* 6 (1), autumn: 62–100.

—1996b. "Possible and Impossible Solutions to Ethnic Civil Wars." *International Security* 20 (4): 136–75.

—1998. "When All Else Fails: Ethnic Population Transfers and Partitions in the Twentieth Century." *International Security* 23 (2), fall: 120–56.

Kerr, Michael. 2006. *Imposing Power Sharing: Conflict and Coexistence in Northern Ireland and Lebanon*. Dublin: Irish Academic Press.

Khosla, G. D. 1989. *Stern Reckoning: A Survey of the Events Leading up to and Following the Partition of India*. Delhi: Oxford University Press.

Kliot, N., and Y. Mansfield. 1997. "The Political Landscape of Partition: the Case of Cyprus." *Political Geography* 16 (6): 495–521.

Kumar, Rhadha. 1997. "The Troubled History of Partition." *Foreign Affairs* (January–February).

Kyle, Keith. 1984. *Cyprus*. London: Minority Rights Group.

Lijphart, Arend. 1984. "Time Politics of Accommodation: Reflections – Fifteen Years Later." *Acta Politica* 19 (1): 9–18.

Loizos, Peter. 1988. "Intercommunal Killing in Cyprus." *Man* (n.s.) 23 (4): 639–53.

Lustick, Ian S. 1997. "The Illusion of a Radical Solution to Cultural Conflict when 'We' and 'Them' are Part of 'Us'." *Politics and the Life Sciences*, September: 262–64.

Luttwak, Edward N. 1999. "Give War a Chance." *Foreign Affairs* 78 (4): 36–44.

Mansergh, Nicholas. 1997. "The Prelude to Partition: Concepts and Aims in India and Ireland." In *Nationalism and Independence: Selected Irish Papers*, edited by Diana Mansergh. Cork: Cork University Press.

McGarry, John, and Margaret Moore. 1997. "The Problems with Partition." *Politics and the Life Sciences*, September: 18–19.

Mearsheimer, John J. 1999a. "Remarks in 'Policy Forum: The Balkan War: What do We do Now?" *Cato Policy Report* 21 (July–August) 4: 5–8.

—1999b. "The Case for Partitioning Kosovo." In *NATO's Empty Viictory: A Postmortem on the Balkan War*, ed. T. G. Carpenter. Washington DC: Cato Institute.

Mearsheimer, John J., and Robert A. Pape. 1993. "The Answer: A Three-way Partition Plan for Bosnia and How the US Can Enforce It." *New Republic*, June 14, 22–28.

Mearsheimer, John J., and Stephen Van Evera. 1995. "When Peace Means War." *New Republic*, December 18: 16–21.

Moon, Penderel. 1998. *Divide and Quit: An Eye-witness Account of the Partition of India*, new ed. Delhi: Oxford University Press.

Moriarty, Martin. 1994. "The Cost of Partition." Review of Paul Teague (ed.) *The Economy of Northern Ireland: Perspective for Structural Change, International Review of Applied Economics* 8 (1): 95–99.

Nehru, J. 1989. *The Discovery of India*. New Delhi: Signet Press.

Niemi, Richard G., Bernard Grofman, Carl Carlucci, and Thomas Hofeller. 1990. "Measuring Compactness and the Role of a Compactness Standard in a Test for Partisan and Racial Gerrymandering." *Journal of Politics* 52 (4), November: 1155–81.

O'Callaghan, Margaret. 2000. "'Old Parchment and Water': The Boundary Commission of 1925 and the Copperfastening of the Irish Border." *Bullan: An Irish Studies Journal* 4 (2): 27–55.

O'Leary, Brendan. 2001. "Introduction. The Elements of Right-sizing the State." In *Right-sizing the State: the Politics of Moving Borders*, ed. B. O'Leary, I. Lustick, and T. Callaghy. Oxford: Oxford University Press.

—2005. "Partition." In *The Routledge Encyclopaedia of the Social Sciences* 3, ed. A. Kuper and J. Kuper. London: Routledge.

—2007. "Analyzing Partition: Definition, Classification and Explanation." *Political Geography* 26 (8): 886–908.

—2009. *How To Get Out of Iraq with Integrity*. Philadelphia: University of Pennsylvania Press.

O'Leary, Brendan, and John McGarry. 1996. *The Politics of Antagonism: Understanding Northern Ireland*, 2nd ed. London and Atlantic Heights NJ: Athlone Press.

Popper, Karl Raimund. 1976 (1957). *The Poverty of Historicism*. London: Routledge & Kegan Paul.

Posen, Barry. 1993. "The Security Dilemma and Ethnic Conflict." *Survival* 35 (1): 27–47.

Prescott, Victor. 1996. "Contributions of the United Nations to Solving Boundary and Territorial Disputes, 1945–1995." *Political Geography* 15 (3–4): 287–318.

Rothchild, Donald. 1997. "Secession is a Last Resort." *Politics and the Life Sciences* 16 (2): 270–72.

Ryan, Stephen. 1997. "Between Separation and Unity." *Politics and the Life Sciences* 16 (2): 268–70.

Sambanis, Nicholas. 2000. "Partition as a Solution to Ethnic War: An Empirical Critique of the Theoretical Literature." *World Politics* 52 (July): 437–83.

Sambanis, Nicholas, and Jonah Schullhofer-Wohl. 2009. "Is Partition a Solution to Civil War?" *International Security* 34 (2): 82–118.

Talbot, Ian, and Gurharpal Singh. 2009. *The Partition of India*. Cambridge: Cambridge University Press.

Taylor, Rupert, ed. 2009. *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*. London: Routledge.

Tullberg, Jan, and Birgitta S. Tullberg. 1997. "Separation or Unity? A Model for Solving Ethnic Conflicts." *Politics and the Life Sciences* 16 (2): 237–48.

Weller, Marc, Barbara Metzger, and Niall Johnson, eds. 2008. *Settling Self-determination Disputes: Complex Power Sharing in Theory and Practice*. Leiden and Boston MA: Nijhoff.

Young, Robert. 1997a. "How do Peaceful Secessions Happen?" *Canadian Journal of Political Science* 27 (4): 773–94.

—1997b. "How do Peaceful Secessions Happen?" In *Wars in the Midst of Peace: The International Politics of Ethnic Conflict*, ed. D. B. Carment and P. James. Pittsburgh PA: University of Pitsburgh Press.

13 Irredentas and secessions

Adjacent phenomena, neglected connections

Donald L. Horowitz

To think about something makes it necessary to identify and isolate it, to fix upon it and, in fixing upon it, to reify it. Even before conscious conceptualization occurs, even in the selection of phenomena for study, concepts creep in. The more careful the thinking, the more precise the identification of the phenomena for study, the greater the isolation of one phenomenon from its neighbours, even its near neighbours. When the careful thinker says, "I mean to include this and to exclude that," the precision that makes any careful thinking possible may come at a price. Less careful but perhaps more nimble thinkers – namely, those actors whose behaviour forms the subject of social-science thinking – have a way of putting back together what careful thinkers pull apart.

Secessions and irredentas are near neighbours that can be pulled apart for analysis, properly in my view, but with points of contact and even, at times, a degree of interchangeability that might permit groups to choose one or the other and that also makes it necessary to treat the two phenomena together, in order to have a full view of each. By and large, the two have not been treated together. They have either been treated in isolation or mentioned in the same breath without an appreciation of their connections. When, however, secessions and irredentas are considered together, some rather startling conclusions emerge. Since the two phenomena are sometimes alternatives to each other, the frequency of each is, in part, a function of the frequency of the other. Furthermore, the strength of a given movement may be, in part, a function of the possibility that the alternative movement may arise, Indeed, the fate of a movement, at least in the sense that it manages to extract concessions from a central government, may depend on which course it takes,

Two distinct phenomena

Secession and irredentism are definable in distinct terms, even if we restrict ourselves solely to ethnically motivated movements. Secession is an attempt by an ethnic group claiming a homeland to withdraw with its territory from the authority of a larger state of which it is a part. Irredentism is a movement by members of an ethnic group in one state to retrieve ethnically kindred people and their territory across borders.

It will quickly be noted that disparate subphenomena are subsumed in the definition of secession propounded here. The definition might be sufficiently elastic to embrace the activity of a group that merely seeks regional autonomy or creation of a federal

system and control of its own state as a component of such a system. This was the aim of the Federal party in Sri Lanka until at least 1972 and of the Liberal party in the Sudan until 1958. The same definition of secession might also comprehend the activity of an ethnic group occupying a discrete territory within a state in an existing federal system but aiming to carve a new state out of its portion of the existing state, The Telangana movement in Andhra Pradesh is one of several such movements in India.[1] Nigeria has had many comparable movements, beginning with the United Middle Belt Congress in the 1950s. Finally, and most relevantly for connections to irredentism, this definition of secession certainly includes attempts to form separate, independent, internationally recognized states out of existing sovereign entities, as in the unsuccessful war for Biafra and the successful war for Bangladesh. In this definition, secession thus entails several forms of greater or lesser withdrawal from existing units.

Similarly, irredentism, as defined here, contains two subtypes: the attempt to detach land and people from one state in order to incorporate them in another, as in the case of Somalia's recurrent irredenta against Ethiopia, and the attempt to detach land and people divided among more than one state in order to incorporate them in a single new state – a "Kurdistan," for example, composed of Kurds now living in Iraq, Iran, Syria, and Turkey. Both forms of reconstituted boundaries would qualify as irredentist.

Despite their elasticity, the definitions of the two phenomena are conceptually distinct. Irredentism involves subtracting from one state and adding to another state, new or already existing; secession involves subtracting alone.

Moreover, the distinction between secessions and irredentas seems to capture some important differences in political phenomena on the ground; it is not merely a figment of the imagination of analysts. A glance at the relative frequency of the two phenomena hints at this. There are possibilities aplenty for secession and irredentism in the postcolonial world of Asia, Africa, and the Middle East. Most states are ethnically heterogeneous; of these, most have territorially compact minorities. Likewise, many ethnic groups are divided by territorial boundaries. Consequently, secession and irredentism are both abundantly plausible possibilities in the contemporary world. The necessary conditions, if not the sufficient conditions, for both are present, but the two phenomena are by no means proportionately represented in relation to the possibility of their occurrence. In spite of predictions to the contrary,[2] there have been remarkably few irredentas in the postcolonial states, but there have been a great many secessionist movements.

Withdrawal alone attracts many more adherents to action than does withdrawal coupled with the aim of reincorporation in another state. This seeming puzzle becomes even more perplexing when additional facts are added to the comparison. Consider just two. First, although secession is common, the victory of secessionist movements is extremely uncommon. Victory requires external assistance, which is rarely forthcoming in a volume and duration sufficient to win the war and create the new secessionist state. The Bangladesh example was (until the 1990s) conspicuous by its exceptional character. The improbability of success, however, has not deterred a significant number of secessionist groups. Second – again contrary to forecasts that wealthy regions would be more likely secessionists[3] – secessionist regions are disproportionately ill favoured in resources and per capita income.[4] Not infrequently, groups attempt to withdraw from states from which their region actually receives a subsidy.

Counterintuitively, then, in numbers that are both absolute and relative to the possibilities, secession is much more frequent than irredentism, and this despite the

enormous obstacles to success and the disadvantages most secessionist regions would face were they to succeed. By contrast, irredentism is rare, even though the first subtype of the definition of irredentism would usually involve the armed forces of one state in retrieving kinsmen across borders from another. Although irredentism would often carry with it military resources often denied secessionists, that advantage does not appear to increase the frequency of irredentas. Some behavioural features must therefore be associated with one phenomenon that is not associated with the other Otherwise, the disparate incidence of the two phenomena cannot be explained.

This suffices to demonstrate the utility of distinguishing between secessions and irredentas. In fact, there is a whole spectrum of phenomena worth distinguishing. At one end, there are international border disputes that have no ethnic component and are therefore not irredentist. Latin American history is filled with such disputes.[5] At the other end of the spectrum, there are territorially compact groups that nevertheless do not wholly dominate their region, which is ethnically heterogeneous. Although they may not aspire to secession, they may well aspire to homogeneity and take violent steps toward that end. A good many ethnic riots produce a stream of refugees of the victim group, which in turn fosters increased territorial segregation. Violence that increases homogenization is, to be sure, a frequent prelude to secession or irredentism – it may be that for the Albanians in the Kosovo province of Yugoslavia,[6] but it need not be and probably is not for groups like the Assamese in India.

Having delimited the two phenomena and argued that, on the face of it, the delimitation seems useful, I now propose to put back together what I have pulled apart. I adhere to the utility of the secession–irredentism distinction, and I continue to think the differential incidence of the two is partly explicable in terms that are peculiar to the dynamics of each.[7] Nevertheless, I intend to show that there are some fairly close connections between the two as well. For example, one reason there are few irredentas may be that many groups that have a choice between irredentism and secession find the latter the more satisfying choice. Indeed, the potential for irredentism may increase the frequency and strength of secession, but not vice versa. In short, while it makes a difference which course of action a group is embarked upon, my aim here is to elucidate the neglected interrelations between secessions and irredentas where both are possible.

Two related phenomena

The connections between secessionist and irredentist movements can be divided into three sets of issues. The first relates to the convertibility of the two types of movement. The second involves the relative frequency of secessions and irredentas. The third concerns the relative strength of the movements. These three issues are, as we shall see, closely related to each other

The convertibility of claims

To speak seriously of interchangeability – of the possibility that a movement may become either secessionist or irredentist or that it may move from one category to the other – is to limit ourselves to those territorially compact ethnic groups that span borders. Not all secessionists are in this category. Bengalis are found on the Indian side of the border as well as on what is now the Bangladesh side and what was before 1971 the East Pakistan side, but Ibo (except for some migrants to other countries) are entirely

contained within Nigeria's boundaries. The Bengalis might have become either irredentist or secessionist, but the Ibo had no irredentist option. Although a great many groups do span borders, a good many others are in the Ibo category.

Violence is frequently convertible from one form to another. Countries that experience political violence of one sort are likely to experience violence of another sort.[8] Relatively spontaneous violence often gives way at later stages to more organized violence. Riots, for example, are a common forerunner of secessionist movements; for transborder ethnic groups, it stands to reason that if conditions are not propitious for irredentism, those groups may turn to secession, and vice versa.

Underpinning the convertibility of movements is the mutability of ethnic-group claims, of international relations, and of transborder ethnic affinities. Groups (and states) are not born irredentist or secessionist; they can and do move back and forth from integrated participation in the state of which they are a part to a posture of secession or irredentism.

To begin with, whether a group is integrationist or secessionist depends, in large measure, on its assessment of its prospects in the undivided state. The Ibo were the most prominent proponents of one Nigeria. With a considerable investment in human capital, they had migrated all over Nigeria in their quest for employment. Perhaps one Ibo in four or five lived outside the Eastern Region before 1966. But when recurrent violence, culminating in the massacres of September–October 1966, drove the Ibo back to the east, then and then only did the Ibo become secessionist. Meanwhile, the Hausa travelled in the opposite direction, from their openly secessionist inclinations of mid-1966 to their strong role in suppressing the Biafra secession and preserving an undivided Nigeria.

The Ibo and Hausa were not alone in altering their collective objectives. The Sri Lankan Tamils are as reluctant a group of secessionists as may be found, but secessionist some did become, especially after the bloody anti-Tamil riots of 1983.[9] The southern Sudanese, on the other hand, were divided and, even when not divided, were ambiguous about what they wanted during the civil war of 1963–72. For some groups, the dominant theme was a settlement within the Sudan; for others, it was southern independence. At times, one or another of these themes was ascendant; at other times, both were heard simultaneously, even from the same speaker. In 1972, an abrupt settlement of the war, on terms of regional autonomy, was reached. Following the resumption of hostilities in the southern Sudan in the 1980s, guerrillas fighting in the south declared as their goal the democratization of the entire country, rather than merely the liberation of the southern Sudan.[10] Like the Nigerians, the southern Sudanese have, at various times, moved in various directions.

That flexibility extends to irredentism, it is no secret that many Kurds advocate the creation of a Kurdistan out of portions of several independent states. During most of the post-World War II period, however, regional autonomy and secession, rather than irredentism, have been the stated Kurdish objectives.[11] There is an obvious reason for this. Kurds in Iraq have required assistance from Iran to make any claim effective. From time to time, Iran has provided substantial aid. Without any doubt, no such aid could be expected for a movement that pursued the irredentist objective of unification of all the Kurds, including those in Iran.

To put the point sharply, the propensity for an irredentist ideology to emerge among an ethnic group to be retrieved is directly related to the likelihood that the putative irredentist state will espouse a similar irredentist ideology. That propensity is inversely

related to the likelihood that the emergence of an irredentist claim will produce denial of the international assistance that would be accorded to secessionists or, even worse, will produce suppression of the irredentists.

To make matters more complex, it is not merely ethnic groups that are fickle in their objectives. State policies supporting or opposing secessions and irredentas also change. In 1975, Iran abruptly terminated military assistance to Kurds in Iraq and eventually closed its border to them, thereby dooming their movement. In 1987, India ceased its assistance to Sri Lankan Tamil secessionists, reached an agreement with the Sri Lankan government providing for Tamil regional autonomy instead, and attempted to suppress by armed force Tamil guerrillas in Sri Lanka itself. Periodically, Somalia, perhaps the most persistently irredentist state in the postcolonial world, has embarked upon a policy of détente with Ethiopia, which at other times is the target of its irredenta.[12] State policy in pursuit of irredentism tends to be inconstant.

That inconstancy drives some potential irredentists to secession instead. For a time in the 1970s, it seemed as if the connections between the Malaysian state of Sabah and the Moro National Liberation Front (MNLF) in the Philippines might support an attempt to link the two politically. The ethnic identity of the Chief Minister of Sabah was Suluk, as was that of a good many Philippine Muslims engaged in the combat, and the Chief Minister had relatives across what had always been a permeable water boundary. But there are Malaysians of Suluk origin only in Sabah, and they are a distinct minority even there. No leaders in Kuala Lumpur were Suluk. Eventually the Chief Minister was voted out of office, and the remote possibility of irredentism was stillborn. The MNLF never turned its struggle in an irredentist direction.

The southern Philippine example brings us to one final aspect of convertibility: the convertibility of ethnic affinities. To define irredentism as an attempt to retrieve kindred people across boundaries is to assume that kindred people know each other, that kinship and ethnicity are firm. It is by now well established, however, that ethnic identity is variable over time and over context. Consider, for example, the case of Malays in southern Thailand. There is no doubt whatever that migration and interchange between them and Malays in the northern Malaysian states of Kedah and Kelantan have been considerable, and there are still family ties across the border.[13] To most Malays, however, the "Pattani Malays" of southern Thailand seem rather foreign, and their distance is accentuated by the Indonesian origin of many Malays in southern Malaysian states. One of the major problems with irredentism is that the ethnic affinity of the core of a putative irredentist state may not extend to people at and beyond the periphery, and those are the very people who are to be retrieved.

The relative frequency of movements

Like some of the other forces conducive to the convertibility of movements, the variability of group affinities across borders extends also to the relative frequency of secessionist and irredentist claims. Because of the common reluctance of people at the centre to see nominally kindred people on the periphery as truly members of the same ethnic group, and for many other reasons as well, irredentist action on the part of the potential retrieving state is distinctly uncommon. I shall not rehearse all of these reasons here, because they have been laid out carefully elsewhere.[14] I shall merely touch on a few that bear on the comparative frequency of secessions and irredentas.

For several reasons, the foreign-policy goals of most putative irredentist states (apart from the actual goal of retrieval) can be achieved better by encouraging secessionist movements by groups located in antagonistic states than by encouraging irredentism. For one thing, there is the easy reversibility of the policy. As the Iranians demonstrated in 1975, aid to secessionists can be terminated abruptly in return for a quid pro quo. Carefully rationed Malaysian assistance to the Moro secessionists in the Philippines helped persuade the Philippine government to abandon its claim on the Malaysian state of Sabah. Ethiopia has helped southern Sudanese secessionists in order to discourage Sudanese help for secessionists in Ethiopia. Typically, when the objectives are achieved, the aid is terminated – which is one reason why there are many wars fought by secessionists but few that they win. Even the government of India was able to reverse its policy of support for the Tamil secessionists in Sri Lanka in return for a regional autonomy agreement. The Sri Lankan Tamils are a kindred people, which many secessionists who receive aid are not,[15] but there was no irredentist claim advanced in their behalf. Aid to irredentists, however, is underpinned by an ideology of common fate that hardly lends itself to abrupt termination. Indeed, when the Somali regime did disengage from war in the Ogaden the decision helped precipitate the Somali coup of 1969, because kindred groups in the armed forces did not wish to abandon Somalis of the Darood subgroup on the Ethiopian side of the border,

If adjacent states find irredentism unattractive, the feeling is reciprocated by many discontented, territorially compact, transborder ethnic groups, Groups like these, with the potential to be retrieved, find retrieval by the putative irredentist state undesirable. This may be because that state is poorer or less prestigious or more authoritarian than the state in which they are now encapsulated. Baluch would rather be in Pakistan or be independent than be in Afghanistan, even if Afghanistan were at peace. Toubou in northern Chad might equally prefer several alternative fates to merger in Qaddafi's Libya. Ethnic affinity across borders is not enough by itself to make merger attractive.

One reason fostering the reluctance to be incorporated is so obvious that it has escaped notice altogether: the interests of political leaders of a potentially secessionist region. They are generally willing to accept independence, even though independence often means an economic position for their state that is inferior to the one it enjoyed as part of an undivided state, partly because with independence they will no longer have to compete for leadership positions with all the other political leaders in the undivided state. By partitioning their area within sovereign boundaries they also keep out competition for leadership. The ready willingness of so many backward regions to attempt secession soon after independence owes something to the interests of leaders who felt unable to compete in the wider arena.

The same logic applies to the response to the prospect of annexation in an adjacent, albeit ethnically kindred, state. Irredentism will re-merge not just populations but leadership pools. True enough, the ethnic affinities of the annexing and the annexed peoples may be more felicitous, but for leaders this may be more, rather than less, dangerous. If there is a sharp disparity of ethnic identification between the population of a given region and the population of the rest of the state in which it is currently merged, leaders of the group dominant in the region at least face no external challenge to their leadership of that group from leaders of the population in the remainder of the undivided state; by the same token, they are unable to aspire to leadership positions in the undivided state. This is the pre-secession situation. In the post-secession situation, those leaders still face no external challenge to their leadership, but now their group leadership

becomes state leadership, for the region has achieved sovereignty. If, instead of secession, the choice is merger into an existing, adjacent state via irredentism, regional leaders have not achieved sovereignty and also are no longer immune from external challenge. Quite the opposite. Ethnic affinities across the irredentist border open the way to challenges to their leadership from ethnically kindred leaders of the annexing state.

There are also, of course, wider opportunities for leaders of the annexed region in the larger irredentist state as a whole, but these are more circumscribed than they might at first appear. First, leaders from the newly annexed region must break into what is likely to be a crystallized political situation and do so from a merely regional base, with at best imperfect knowledge of the new state and its political patterns. Second, because ethnic affinities are rarely undifferentiated, the newly annexed area stands every chance of being regarded as at least subethnically different in composition (in dialect, accent, family ties, or customs) – in short, as truly peripheral[16] – and its people, cousins though they are, are likely to be viewed as rustics who lived too long under an alien regime. So the position of the annexed region as peripheral newcomer is an enormous impediment to the national-level ambitions of its leaders should irredentism succeed.

Given this structure of opportunities and constraints, is it not obvious that secession will be the preferred alternative of most ethnic leaders in separatist regions? Of course, leadership interests are not always overriding, Leaders may be, and sometimes are, overruled by an avalanche of mass ethnic sentiment.[17] Moreover, the particular structure of opportunities and constraints will vary from one situation to another, and some regional leaders may prefer irredentism to secession, just as many prefer continuation of the region in the undivided state of which it is currently a part.[18] But where withdrawal from that state is the preferred option, most leaders, most of the time, will think in terms of becoming leaders of the sovereign state, rather than risking reincorporation into another, larger state, the behaviour of which toward a newly annexed region is, in any case, impossible to foretell. Overall, leadership interests are a major explanation for the frequency of secession and the infrequency of irredentas.

Reluctance to be annexed by an adjacent state may also derive from the heterogeneity of the irredentist state. Even assuming transborder ethnic affinities are intact, the retrieving state may contain a plurality of ethnic groups, so that a decision in favour of irredentism will not necessarily be a decision resulting in ethnic self-determination, much less domination in the new state. The Ewe and the Bakongo (of the Democratic Republic of Congo [Kinshasa] and the Republic of Congo [Brazzaville]) are in this position. Even if adjoining states containing other Ewe and Bakongo wished to retrieve them – which they do not – the presence of still other powerful ethnic groups in the retrieving state would deter acceptance of the offer.

Moreover, such potentially irredentist groups – the Kurds are also among them – cannot practically go the alternative route and opt for multiple secessions, carving out of several existing states a new, homogeneous Ewe, Bakongo, or Kurdish state. One secession is difficult enough; it has long odds. But multiple secessions threaten the very governments whose aid across borders is the indispensable component of success. I have already noted the unwillingness of the Kurds in Iraq to take a position regarding Kurds in Iran that would have precluded Iranian assistance. The same applies to all such transborder groups; for this reason, potential irredentists are much more likely to engage in their own separate secessions.

As a matter of fact, virtually everything I have said thus far points in the same direction. If claims are convertible from secession to irredenta and vice versa, if

transborder affinities are imperfectly developed, if state policy is at best inconstant, and if there is frequently a reluctance to retrieve or to be retrieved, the sum of all of this is a powerful structural bias against the incidence of irredentism. What that means is that discontented groups will tend to look favourably on secession, rather than on irredentism, where both are possible. The Malays of southern Thailand, who might have become irredentist but find no such invitation from across the Malaysian border, are likely to find secession an attractive alternative. As noted earlier, the many compact groups that do not span borders do not, by definition, have an irredentist option. In practice, neither do most of the many transborder groups have an irredentist option.

In short, all else being equal, the fewer the irredentas, the larger the number of secessionist movements. And since irredentas are rare, secession is by far the more frequent movement of territorially compact ethnic groups. The opposite conclusion also seems likely: ceteris paribus, if for some reason the various inhibitions on irredentism were to decline and irredentism were to become more common, there would also be fewer secessionists.

That is not to say that there is only a finite amount of ethnic discontent available or a finite number of movements possible among territorially compact ethnic groups. It is only to make the important point that the two types of movement are closely related and frequently are plausible alternatives to each other. The behaviour of many groups in one direction or another is structured by the availability or absence of the other option. Since there is no reason to think the inhibitions on irredentism will in fact decline – particularly because irredentism, unlike secession, depends on the presence of two willing parties whose interests and affinities are rarely identical – secession is likely to remain by far the more common movement.

The strength of movements

The strength of secessionist and irredentist movements – and their prospects for success – may be affected in various ways by whether they choose one or the other alternative and by whether the other possibility lurks in the background. If a transborder group attempts secession, the states hosting its population may combine to suppress the movement, as Iran and Pakistan have both suppressed the Baluch movement. If the groups adjacent to the border choose separate secessions at different times, the neighbouring governments may, on the contrary, provide assistance to the secessionists in the country across the border, on the Ethiopia–Sudan model. If, on the other hand, a movement becomes irredentist and one of the transborder segments seeks incorporation in the neighbouring state, it is quite possible that the two states will be at war over the issue.[19] So the range of possibilities simultaneously affects prospects for the discontented ethnic groups and for relations between the states of which they are a part. The form of the movement thus has consequences, and the likely consequences presumably have a reciprocal influence on the form the movement takes and the objectives it proclaims.

Whether secessionists receive any significant support from the state across the border will depend, in considerable measure, on the international interests of that state and its objectives with respect to its neighbour. Where interests are perceived to be in conflict, at least some help can generally be expected, as Pakistan's receptivity to the Sikh independence movement shows. But where irredentism is in the background – even in the very remote background, as in India's relations with the Sri Lankan Tamils (despite Sinhalese suspicions of worse) – more support can be expected, at least for a time.

Indeed, because of external help of various kinds, from various sources, both the Sikh and the Sri Lankan Tamil movements engaged in armed warfare far out of proportion to the underlying and at best ambivalent sentiments of their putatively secessionist populations. The armed militants had their way because of international connections.

Where, however, irredentist sentiment is more strongly felt in the putative retrieving state, warfare may be initiated even if – and perhaps because – the authorities in the putative irredentist state are unsympathetic to the irredentist objective. I am thinking here of the warfare that made Bangladesh independent. To be sure, there were several reasons why India intervened in East Bengal in 1971. There was an unparalleled opportunity to dismember Pakistan and install a friendlier government on the eastern frontier. There was the burden of refugees and the prospect of long-simmering guerrilla warfare across borders under circumstances that might later become more favourable to Pakistan. Pakistan's retaliation for inevitable Indian assistance to the guerrillas might prove painful. But, above and beyond all the other reasons, there were incipient claims in West Bengal for the unification of all Bengalis, east and west. Had this movement succeeded, the Hindu–Muslim balance in India would have been altered permanently, and India would have assumed the burden of supporting a very poor dependent state. An independent Bangladesh was far preferable to a growing demand for a Bengali irredenta. Consequently, India's willingness to go to war to secure Bangladesh's independence was likely coloured by the alternative (and undesirable) possibility of irredentism. The success of the war produced a fait accompli, an independent Bangladesh that ended the irredentist clamour the government of India had no wish to encourage,

If this analysis is correct, it shows that the only successful secession from 1945 to 1991 was the result of a secessionist war conducted in the growing shadow of a potential irredenta. And if this is so, the example shows again, not merely how the two phenomena are related, but how the reluctance of states to espouse irredentist claims drives ethnic movements toward secession – in this case, secession augmented by military force that an irredenta-shy regime committed in time to forestall an irredentist movement it had no wish to encourage.

The choice of movement and the bases of action

In explaining the relationship between secessions and irredentas. I have not gone all the way back to account for the emergence of movements for ethno-territorial separatism in the first instance. To do this would require much greater explication of the course of ethnic relations within the undivided state. There is now quite a wide range of theorizing on the emergence of such movements, some more inward-looking, emphasizing intra-ethnic history, myths of origin, and connections to land, others more outward-looking, emphasizing interethnic changes within the present territory.[20] What is rare is a general theory that accounts for whether ethnoterritorial separatism will take a secessionist or irredentist course. The two are typically bracketed together in the literature, as if the emergence of one or the other were a matter of no consequence or a happenstance event.

We have seen, however, that secessions and irredentas are convertible under some circumstances but not perfectly interchangeable at all. Their widely differential frequency shows how much more attractive secession is overall. To the participants, it obviously matters enormously which course is chosen, and it follows that the conditions

associated with each course can, in principle, be specified. As they make such choices, group members and leaders resort to an array of perceptual and calculative considerations. Who are our true cousins? In which territorial unit are my political ambitions more likely to be fulfilled? Who will deploy force against us if we go in one direction or another? Neither secession nor irredentism is a spontaneous, unorganized movement, so it is hardly surprising that the strategic choice should have a heavy overlay of calculations of rational interest.

Such a conclusion should not, however, displace the role of the emotional discomfort that is customarily felt in conflict-prone interethnic relations or the perceptions of ethnic affinity and disparity that define group boundaries – neither of which is properly subsumed in any sensible scheme based wholly on rational interest. Indeed, even as we explain the preference for secession over irredentism on understandable calculative grounds, we elide an element of choice that belies the dominant role of calculation: if nearly every secession is doomed to failure, why do secessionist movements continue to arise? Until we are able to specify the mix of givens and chosens, of passionate and calculative behaviour, with greater precision, we shall continue to bracket related ethnic phenomena, the choice of which is neither an unpredictable event nor a matter of indifference to the participants.

Notes

1 On 9 December 2009, the Indian government announced that it would start the process of creating a separate Telangana state. This was followed by serious unrest in the existing state of Andhra Pradesh, prompting the government on 24 December 2009 to make any further action dependent on a political consensus in the existing state.

2 Rupert Emerson, *From Empire to Nation* (Cambridge MA: Harvard University Press, 1960), p. 105.

3 Immanuel Wallerstein, *Africa: The Politics of Independence* (New York: Vintage, 1961), p. 88.

4 Donald L. Horowitz, "Patterns of Ethnic Separatism," *Comparative Studies in Society and History* 23, 2 (April 1981):165–195, at p. 194.

5 As Jacob Landau pointed out at the conference to which this chapter in its original form was a contribution.

6 Subsequent developments in the former Yugoslavia confirm this assessment from two decades ago: Kosovo is now an independent state, recognized by over fifty members of the UN following its unilateral declaration of independence on 17 February 2007.

7 Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley and Los Angeles, CA: University of California Press, 1985), chapter 6.

8 Ted Robert Gurr, *Why Men Rebel* (Princeton, NJ: Princeton University Press, 1970), pp. 4–5.

9 The military defeat of the Tamil Tigers by the Sri Lankan government in spring 2009 may have put at least a temporary end to any further secessionist impulses among some Tamils.

10 The 2005 Comprehensive Peace Agreement for Sudan includes an option for independence for the South. In late 2009, North and South reached an agreement on the terms of a referendum on the future status of the South in 2011.

11 Joane Nagel, "The Conditions of Ethnic Separatism: The Kurds in Turkey, Iran, and Iraq," *Ethnicity* 7, 3 (September 1980): 279–297; George S. Harris, "Ethnic Conflict and the Kurds," *The Annals* 433 (September 1977): 112–124.

12 While Somalia subsequently experienced a complete state collapse and has not had a functioning government for almost two decades now, irredentist impulses have kept resurfacing regularly.

13 David J. Banks, *Malay Kinship* (Philadelphia: Institute for the Study of Human Issues, 1933), pp. 25–28.

14 Horowitz, *Ethnic Groups in Conflict,* pp. 281–288, section entitled "Irredentism: Prerogative of the Few."

15 Ibid., pp. 274–275.

16 This is not necessarily a reflection of the actual historical role of the region now regarded as peripheral.

17 Here, however, it should be borne in mind that the leadership interests are likely to be disproportionately important. Once the matter comes down to secession or irredentism it will probably also come to fighting, and the leaders will negotiate access to the crucial arms.

18 For a discussion of the many African groups divided by boundaries see A.I. Asiwaju, ed., *Partitioned Africans* (New York: St. Martin's Press, 1985).

19 This point is based on Myron Weiner's comments at the conference to which this chapter in its original form was a contribution.

20 Compare, for example, Anthony D. Smith, *The Ethnic Revival in the Modern World* (Cambridge: Cambridge University Press, 1981), pp. 64–66, with Ronald Rogowski, "Causes and Varieties of Nationalism: A Rationalist Account," in Ronald Rogowski and Edward A. Tiryakian (eds) *New Nationalisms of the Developed West* (Boston MA: Allen & Unwin, 1985), pp. 87–107.

Further reading

Emerson, Rupert, *From Empire to Nation* (Cambridge MA: Harvard University Press, 1960).

Gurr, Ted Robert, *Why Men Rebel* (Princeton NJ: Princeton University Press, 1970).

Horowitz, Donald L., *Ethnic Groups in Conflict* (Berkeley CA and Los Angeles: University of California Press, 1985).

Horowitz, Donald, L., "Patterns of Ethnic Separatism," *Comparative Studies in Society and History* 23, 2 April 1981.

Smith, Anthony D., *The Ethnic Revival in the Modern World* (Cambridge: Cambridge University Press, 1981).

Wallerstein, Immanuel, *Africa: The Politics of Independence* (New York: Vintage, 1961).

14 Conflict prevention

A policy in search of a theory or a theory in search of a policy?

David Carment and Martin Fischer

> The claim that preventive statecraft is not just a noble idea but a viable, real world strategy has four principal bases. They are: the purposiveness of conflict interactions, the availability of early warning, opportunities for meaningful response strategies, and the unavoidability of international action.
>
> <div align="right">(Jentleson 2003)</div>

Written in the immediate aftermath of the Cold War, Jentleson's words ring true today just as they did when policy makers were faced with an unprecedented rise in ethnic conflict around the globe. Through an evaluation of both theory and policy, this chapter advances our understanding of why prevention remains, as Jentleson argues, both necessary and possible but also very difficult. Apart from this introduction, the chapter unfolds in five sections. In the first section, we discuss the conceptual aspects of prevention theory and policy. In the second section we engage in a broad discussion of ethnic conflict, and how its analysis can contribute to effective structural prevention. In the third section, supported by evidence from recent preventive activities by regional organizations and civil society, we assess conflict prevention policy in its operational guise, thus identifying key contributions to the field and opportunities for innovation. We conclude with some direction for future research and implications for policy.

Our chapter is premised on the assertion that, for the last twenty years, there has been a widening range of organizations that have been called upon to 'do' ethnic conflict prevention. These actors range from the corporate sector and NGOs to regional and multilateral economic and political organizations whose mandates, objectives and interests are quite different.

Yet, despite the fact that development practitioners, foreign policy makers, security specialists, civil society and even the private sector have historically approached ethnic conflict prevention from different directions, they have, over time, through cooperation as well as through support for extensive research and policy networks, developed a much better understanding of what conflict prevention entails and how it can be comprehensively applied. As a result, we have seen a virtual explosion in toolkits, early warning methodologies, frameworks for impact assessment and project evaluation, handbooks for practitioners, specialized funding envelopes, and multinational task forces. Donor agencies, foreign policy departments, defence departments, regional organizations and international financial institutions have all taken up the need for conflict prevention mainstreaming. Structural as well as operational initiatives have been put in place, prevention centres and units within governments and IGOs established, and collaborative research projects undertaken. Regional organizations

have been bolstered financially, and the private sector has been encouraged to take a more accountable role through the UN-led Global Compact.

In short, the gap between rhetoric and reality, which loomed large at the century's end, has been narrowed. Does this mean that more effective conflict prevention is now within reach? The answer is both yes and no. On the one hand, while there has been considerable deepening of capabilities through structural prevention and specialized departments within government agencies, in the absence of effective monitoring and evaluation methodologies, it is difficult to determine if these initiatives have lived up to the rhetorical claims. On the other hand, operational measures are more easily evaluated because of their presumed direct impact on conflict processes.

Bridging the gap

Much of the necessary conceptual and theoretical brush-clearing on conflict prevention has been conducted over the years by a number of think tanks in Europe and North America, publishing key findings on, among other things, the phases of conflict, tools and techniques for monitoring and assessment, political will and response strategies. In an important contribution to the field, Michael Lund (1999) examined the issues of conflict prevention impact assessment and the improvement of techniques and methods for conflict prevention. In doing so, he provides an all-inclusive definition of conflict prevention that provides a useful point of departure for this chapter. Lund suggests that:

> conflict prevention entails any structural or interactive means to keep intrastate and interstate tensions and disputes from escalating into significant violence and to strengthen the capabilities to resolve such disputes peacefully as well as alleviating the underlying problems that produce them, including forestalling the spread of hostilities into new places. It comes into play both in places where conflicts have not occurred recently and where recent largely terminated conflicts could recur. Depending on how they are applied, it can include the particular methods and means of any policy sector, whether labelled prevention or not (e.g. sanctions, conditional aid, mediation, structural adjustment, democratic institution building etc.), and they might be carried out by global, regional, national or local levels by any governmental or non-governmental actor.
>
> (Lund 1999)

It is obvious that a broad definition has both advantages and disadvantages. For example, in some instances the term conflict prevention is qualified by the antecedents "violent" or "deadly" as if to suggest that some conflicts may be constructive and are not in need of immediate attention or are at least less threatening. Others have taken conflict prevention to mean the task of addressing latent, underlying, or structural features, which, under certain conditions, have the potential to become deadly. Still others equate preventive diplomacy with conflict prevention, although that too is overlaid with conceptual ambiguity since preventive diplomacy carries with it connotations of crisis management, statecraft and the use of force in order to prevent the escalation of organized and wide-scale violence.

Is conflict prevention an *ad hoc action-oriented operational* approach to emerging and potential problems or is it a medium and long-term proactive *structuralist* strategy

intended to create the enabling conditions for a stable and more predictable international environment? One possible answer can be found in Boutros Boutros-Ghali's *An Agenda for Peace* (A/47/277-S/2411, 1992). To be sure, Boutros-Ghali chose to reflect only on preventive diplomacy within a range of conflict management techniques that include peace-building, peacemaking and peacekeeping and essentially on those activities that usually, but not always, fall under the purview of the United Nations, such as confidence-building measures, arms control and preventive deployment. Preventive diplomacy has now come to refer to a response generated by a state, a coalition of states or a multilateral organization – often represented by eminent envoys – intended to address the rapid escalation of emergent crises, disputes and inter-state hostilities. Preventive diplomacy entails primarily, but not exclusively, ad-hoc forms of consultation using non-compartmentalized and non-hierarchical forms of information gathering, contingency planning and short-term response mechanisms. The risks are proximate and analysis and action are combined at once in rapid succession.

Kalypso Nicolaïdis (1996) provides a useful conceptual framework for determining how preventive diplomacy and long-term structural approaches relate. Preventive diplomacy is seen as an operational response. It is premised on incentive structures provided by outside actors to change specific kinds of undesirable behaviour. Preventive diplomacy is, therefore, targeted and short-term and the preventive action taken relates directly to changes in conflict escalation and conflict dynamics.[1] In this regard outside actors can seek to influence the course of events and try to alter or induce specific behaviour through coercive and operational threats and deterrents or through less coercive strategies of persuasion and inducement.

Of course, operational and structural approaches are not mutually exclusive activities. Shifting attitudinal change necessarily entails a concerted movement toward, and investment in, both strategic operational responses and long-term approaches. Though not exclusively, conflict prevention *is* more and more often being associated with structural transformations achieved through developmental aid and with indeterminate processes that may take years if not decades to achieve. Ultimately, conflict prevention is a strategy intended to identify and create the enabling conditions for a stable and more predictable international security environment.

Causes of ethnic conflict and linkages to structural prevention

Much of the discussion on the causes of ethnic conflict as seen through a prescriptive lens has been shaped by the events of September 2001 and emerging problems associated with failed, fragile and weak states. As a result, security policy and development policy have become more intertwined than ever before. From a research perspective, a lot has been written and said about the relationship between ethnic conflict and prevention but there is little consensus on the relationships between them and, more important, where to focus policy relevant analysis. To fully understand ethnic conflict, it is suggested that there is a need to consider the political and economic advantages there are for certain parts of the elite and their client groups to either incite or sustain ethnic conflict. In fact, one body of literature, which may be too simplistic, argues that the "greed" of these groups is more important than the "grievances" for which violent conflicts take place. Often, one can observe a shift from "grievance" to "greed" in the course of conflict. At the same time, a shadow economy emerges to make high profits on the margin of the conflict. Political and other entrepreneurs benefit from the general insecurity and lack

of rule of law to extract precious natural resources trade. Both forms of economy result in a concentration of power and wealth, the destruction of economic assets, and the impoverishment of vulnerable ethnic minorities.

There is also an assumption that poverty is a source of ethnic conflict. This too is simplistic. Although nowadays most violent conflicts take place in poor countries, they do not necessarily occur in the poorest of them, nor are all poor countries involved in violent ethnic conflict. Research has shown, however, that extreme horizontal inequalities can become sources of conflict, where they are linked to the real or perceived exclusion of certain groups (Stewart 2001). The state thus plays a central role in the above processes, as it can either be an instrument of discrimination and private enrichment in the hands of a powerful elite and its followers, or it can mediate between different interest groups through inclusive political processes and the redistribution of resources.

Over the last ten years, various reports from the Center for International Development and Conflict Management, the Stockholm International Peace Research Institute, and the Peace Research Institute of Oslo, to name a few, have shown that large-scale ethnic violence is in decline globally. This evidence may point toward a more effective international response to conflict in the last decade, greater autonomy for ethnic minorities and possibly opportunities for peaceful protest for groups through democratic institutions. However, despite the apparent decline on a global basis, not enough attention has been paid, both by governments and donors, to developing approaches to integrating conflict sensitivity into development strategies and assistance at the sectoral and community level and to linking this assistance to the overall conflict analysis of a country or region. If indeed large-scale violence is in decline but horizontal inequalities are increasing then better analyses of these changes is crucial. The effects of conditionality, aid impacts and democratization on ethnic conflict also require attention. Prevention may take the form of responses to structural factors that may contribute to future and current conflict. However, this assumption is premised on the ability of structural efforts to contribute to equitable economic and social development among groups, governance reform which includes minority rights, arms control for groups in conflict, and inclusive security sector reforms that address legitimate minority grievances. Structural conflict prevention also includes activities that enhance the selectivity of aid and trade, such as the use of peace and conflict impact assessments, that contribute to a better understanding of specific groups are affected.

It is difficult to give an overall assessment of the impact of external development assistance on the dynamics of ethnic conflict. However, it is an important factor to consider. Macroeconomic assistance, mostly in the form of budget support, can have a stabilizing role. States mainly use it for debt servicing and paying the bureaucracy, thus maintaining critical state services. Yet, conditionalities attached to this aid (e.g. austerity programmes) can have opposite effects. At the programme and project level, externally imposed priorities and insensitive targeting policies can fuel tensions. Additional resources brought into poor ethnically divided areas risk being appropriated by the local elite and thus increase inequality, while the technical equipment is being vied for by conflict actors. The actual impact of external assistance, however, widely varies and strongly depends on local circumstances.

An understanding of the proximate causes of ethnic conflict indicates that elections and regime change, whether legitimate or not, are often trigger events for ethnic conflict and instability. Though democracy and trade may create peaceful states over the long

term, weak ethnically divided states often have short-term vulnerabilities that make transition to effective democratic governance extremely problematic, and even destabilizing. Thus, any strategy advocating democratization, good governance and economic modernization must take into account the possibility that such efforts may themselves trigger ethnic conflict and possibly even state failure in the short term, thereby denying the promise of long-term democratic stability. A process of peaceful political development is sometimes more important than holding elections especially when states have little or no experience in, or history of, democracy. Power-sharing failures abound, as illustrated by experiences in Fiji, Sri Lanka, South Africa and Bosnia and Herzegovina. Political parties are often seen as the key to prevention, but they can become weak, narrow and personalized.

The need for timely and correct analysis

All this assumes that those engaged in structural prevention know what to look for at the outset of their engagement. However, several problems arise in translating analysis in to action. Misdiagnosis can create "situational ambiguity" in which there is uncertainty about cause and effect, creating a perception of high risk with little or no potential for lasting impact. Under conditions of uncertainty, policy makers employ the phrase "the absence of political will" to rationalize their inactions. According to Woocher (2001), Jentleson (2003) and Ivanov and Nyehim (2004), among others, political will is a largely a "smokescreen" for either not taking the time to get the analysis right or not fully understanding the kinds of capabilities that could be deployed to address the problem.

As Suhrke and Adelman (1996) showed long ago in their careful assessment of the failure to respond to the genocide in Rwanda, that breakdown was due in large part to strategies of "passing the buck" and "waffling" by lead actors who actively encouraged situational ambiguity to discredit clear-cut analyses that would initiate decisive responses. The media played their part by engaging in misdiagnosis, interpreting the conflict as a complex humanitarian disaster rather than the politically motivated agendas of leaders who carefully laid out plans with genocidal intent (Suhrke and Adelman 1996; Jentleson 2003).

Fifteen years later, little research has been done to "unbundle" the political will problem and its relationship to analysis. Several task forces on genocide prevention[2] in Canada and the United States have been established but it remains to been seen what impact their recommendations will have on either ongoing or future risks (Albright and Cohen 2008).

In sum, forging a relationship between analysis and political will is complex but not insurmountable. The donor community, NGOs and the private sector need analytical tools. Investments in the development of local capacity is also crucial because NGOs and local actors are, by design, a crucial and necessary part of the analysis and response chain of responsibilities (Schnabel and Carment 2004). For example, the donor community has played a role in advancing a framework for analysis-driven programming in fragile states. A number of international partners, including the Department for International Development (DfID), the German Agency for Technical Co-operation (GTZ), the Dutch Foreign Ministry, the Swedish International Development Agency (SIDA) and the Canadian International Development Agency, among others, along with NGOs such as International Alert and SaferWorld from the United Kingdom; the

Africa Peace Forum (APFO) in Kenya, the Centre for Conflict Resolution (CECORE) in Uganda, and the Consortium of Humanitarian Agencies (CHA) in Sri Lanka, the West Africa Peacebuilding Network (WANEP) and the Forum on Early Warning and Response (FEWER) pioneered the mainstreaming of analysis and training into government agencies.

Investments by government agencies led to the Peace and Conflict Impact Assessment (PCIA) initiative, which sought to create a series of tools to aid in programming and policy decision-making. Though not concerned with ethnic conflicts *per se*, the initiative's focus on early warning and early response, driven by objective analysis and risk assessment, clearly has much in common with current efforts to enhance monitoring and assessment capability. These approaches assume that a demand side-oriented approach to analysis and response is better suited to local capacity building, given that various frameworks could be adapted to local needs (Nyheim 2008). Localized approaches also have another distinct advantage. Active and applied conflict prevention can easily be perceived as a serious threat to a state's sovereignty – and so political resistance is unavoidable. In part because of the unwillingness to allow outsiders to "meddle in their affairs," there has been much rhetoric and advocacy and sadly little specific in tackling conflict prevention within the United Nations. Thorough training, mainstreaming capacity building, is required to enhance preventive thinking. This does not just happen by itself or overnight, but can only be the result of deliberate action, collaboration and commitment from governments.

In sum, as Ouellette (2004) argues, financial capacity building might be seen as a easy short cut between analysis and prevention. However, earmarking funds or creating a central fund to support preventive measures, whether through agencies or civil society, is only part of the story. As with any government policy, the development of conflict prevention policy is constrained by various systemic, political and bureaucratic factors. These factors include the characteristics of the existing expenditure management system, the bifurcation of policy and budget, the fact that ends are chosen to fit available means, and poor horizontal integration across agencies and Ministries. In the case of conflict prevention, these problems are further compounded by the diversity of situations and the range of tools needed to address any given conflict. Establishing a sustainable financial regime able to support both operational and structural prevention requires a framework that allows for clear priority setting and operational doctrine (Ouellette 2004).

In answer to this challenge, a notable convergence has taken place between research and policy interventions that deal on the one hand with conflict and, on the other, with development. Hot conflicts have become primarily a poor-country affair, and extreme underdevelopment a problem of countries at war. It is now impossible to think seriously about development without considering conflict, and conversely to think of conflict without considering development. Such a convergence has spawned a number of research initiatives, and a growing willingness on the part of development agencies, from the World Bank and the Development Aid Committee of the Organization for Economic Cooperation and Development (OECD) to the United Kingdom's DfID and Canada's CIDA, to make conflict a standard preoccupation of their work.

Yet significant bureaucratic and institutional constraints remain. The most serious of these relate to problems of "political will", stovepiping, and inter-agency and interdepartmental coordination and collaboration. It has long been believed that one way to overcome "political will" and related issues is to provide specialized funding pools and to mainstream conflict prevention into the core mandates of agencies and

organizations. The World Bank for example has specialized in conflict prevention capacity building for over a decade now. The Organization for Economic Cooperation and Development (OECD) has developed a specific set of policy recommendations for donor countries. The British DfID and the German government, among others, have developed action plans for conflict prevention (see for example the *Action Plan on Civilian Conflict Prevention*, *Conflict Resolution*, *and Post-conflict Peace-building* (German Federal Government 2004). In the United States, the Office of the Coordinator for Reconstruction and Stabilization within the Department of State (S/CRS) is the new locus for American preventive strategies (Krasner and Pascual 2005). Though some emphasis is placed on structural preventive action, the core mission of S/CRS is to quickly mobilize and coordinate the American response to any emerging conflict situation. Toward this end, the office coordinates the efforts of both the State Department and USAid, and draws on resources from the Department of Defense, the intelligence community and other relevant government departments. The UK government has created two Conflict Prevention Pools (CPPs), one for sub-Saharan Africa (ACPP) and one for outside Africa (Global CPP, or GCPP), to improve department coordination and priority setting. The CPPs are jointly funded and administered by the Ministry of Defence (MOD), Department for International Development and the Foreign and Commonwealth Office (FCO).

Evaluating the operational prevention of ethnic conflict

Turning now to the operational dimensions of ethnic conflict prevention, in the early 1990s it became increasingly evident that the United Nations, government and most regional organizations were not up to the task of operational prevention. The problems, as highlighted above, were primarily bureaucratic but, as Michael Lund showed, a core issue was also attitudinal. His various analyses have helped dispel the sometimes prevailing assumption that operational prevention is an idealist notion that cannot succeed in a world driven by reactive – not proactive – notions of conflict management (see Lund 1996a, b, 2005). Lund shows that there has been growing interest in investing in the maintenance of peace to prevent potential conflicts. There are, in sum, intrinsic benefits of systematic preventive thinking, as reflected in serious commitments to mainstream operational prevention by numerous international organizations. To evaluate this assumption we look at recent evidence indicating that, on the operational side of the equation, some progress has been made.

An Agenda for Peace (A/47/277-S/2411, 1992), the Brahimi Report (A/55/305-S/2000/809, 2000) and the High Level Panel on Threats, Challenges and Change (A/59/565, 2004) all sought to bring operational prevention to the attention of the United Nations and its member states. As Carment and Fischer (2009) suggest, "there is little doubt that conflict prevention has won the rhetorical battle, judging by the various reports released within the last several years". But does it work?

To answer this question, we suggest that a much wider range of tools is available to external and internal actors than simply preventive diplomacy. Operational conflict prevention measures can be grouped into four sets of hands-on action:[3] first, political measures such as mediation with muscle, the creation of institutional mechanisms through regional and international organizations; second, economic measures such as sanctions; third, military measures such as preventive peace operations; fourth, civil society-led initiatives as network building and forums for dialogue.

Political measures and instruments

Political measures and instruments aimed at preventing ethnic conflict may include the establishment of national and regional mechanisms and institutions, direct preventive diplomacy activities (see Jentleson 2000, 2003) such as mediation, fact-finding, establishing good offices, initiating peace conferences, sending envoys, the creation of back channels, message carrying as well as problem-solving and confidence-building workshops, talks initiated by faith leaders and cross-group discussions. While there is an abundance of examples for each of these activities, it is at times hard to pinpoint if and when exactly they were successful at preventing the outbreak of ethnic conflict. Repeated reference has been made to efforts undertaken by former UN Secretary General Kofi Annan to curb the post-election violence in Kenya in late 2007 and early 2008.

On December 27, 2007, Kenya held its fourth multi-party elections. Violence erupted between supporters of the different parties after the Election Commission of Kenya prematurely declared President Kibaki the winner (see Dagne 2008; Nicoll and Delaney 2008). Many observers described the violence as being based on ethnic differences between the President's Kikuyu and the Luo and Kalenjin ethnic groups, supporters of the opposition leader Raila Odinga. Initial efforts by the African Union (AU) and European Union (EU) to curb the violence and bring about a negotiated settlement between the two parties failed. It was only "after intense mediation by a panel of eminent African led by the former United Nations Secretary General, Kofi Annan, [that] a power shower agreement was reached between the Kibaki government and the opposition party led by Odinga" (Kwaja 2009, 43). It is widely believed that without the mediation efforts led by Annan the ethnic violence would have escalated into full-blown civil war (see Romero et al. 2008). The Annan-led mediation effort was undertaken under the umbrella of the AU's Panel of the Wise, which was established as part of the AU's Peace and Security Council as "a panel of five eminent African personalities to engage in conflict prevention diplomacy" (Cilliers and Sturman 2004, 98). It serves as an example of an initiative originating directly from a regional organization's political organ.

Most regional organizations have included conflict prevention in their core mandate and have developed some political, civilian and military preventive capacities (see Carment and Fischer 2009; contributions in Schnabel and Carment 2004 I; Wulf 2009). Dorn (2004), among others, suggests that the EU played a crucial role in preventing a full-blown ethnic war in Macedonia in the mid-1990s. Based on its early prevention experience in the Balkans, the EU has created a host of different mechanisms to coordinate and increase the effectiveness of the various civilian and military resources at its disposal. As is the case with other regional organizations, the OSCE and EU have focused their political measures and instruments on the prevention of conflict stimulated by ethnic motives. Since the release of the International Commission on Intervention and State Sovereignty's report *The Responsibility to Protect* (R2P) in 2001, much of the academic and policy discussion relating to ethnic conflicts in general and genocides in particular has been focused on the tools and mechanisms detailed in the R2P.

The R2P agenda's threshold for the direct involvement in identity-based conflicts is fairly high. While much attention has been paid to the R2P's reactive component, Bellamy (2008) argues that the preventive pillar of the R2P has been largely overlooked. Instead of tying the R2P and conflict prevention together, the 2005 World Summit Outcome document (A/RES/60/1) shifted its focus on early warning by fully supporting the office of the Special Adviser on the Prevention of Genocide. The Special Adviser's

mandate was defined by the Secretary General to include, inter alia, the collection "of existing information … on massive and serious violations of human rights and international humanitarian law of ethnic and racial origin that, if not prevented or halted, might lead to genocide" and to "act as a mechanism of early warning to the Secretary General, and through him to the Security Council, by bringing to their attention situations that could potentially result in genocide" (S/2004/567).

Carment and Fischer (2009) conducted an in-depth review of seven regional organizations'[4] implementation of R2P's preventive principles. Here, we depart from a specific focus on the R2P's preventive pillar and broaden the framework's scope to reflect regional organizations' position toward the prevention of ethnic in conflict in general. We evaluate regional organizations along six criteria:

- Charter endorsement: to what extent do organizations' charters reflect preventive principles?
- Adherence to the principle of non-interference in member states' domestic affairs and the recognition of the principles of different identities.
- Capacity-building efforts that aim at strengthening capabilities for the long-term prevention of ethnic conflict.
- Dimensions of preventive diplomacy.
- Dimensions of conflict management.
- Direct preventive engagement.

Table 14.1 summarizes our findings along these six dimensions.

Table 14.1 Regional organizations' reflection of R2P prevention principles

Organization	Charter endorsement	Adherence to principle of non-intervention	Capacity building	Preventive diplomacy	Conflict management	Direct operational engagement
AU	●	○	◉	◉	◉	●
ECOWAS	●	○	◉	◉	◉	●
OSCE	◉[a]	○	●	●	●	◉
EU	◉[a]	○	●	●	●	●
ASEAN	○	●	○	○	○	○
OAS	○	●	○	○	○	◉
SAARC	○	●	○	○	○	○

Key ● Strong. ◉ Moderate. ○ Weak.

Note: [a]Not explicit charter endorsement but endorsement through key organs.

We conclude that these regional organizations' approach the prevention of ethnic conflict in very different ways. On the supportive end of spectrum, the AU's Constitutive Act strongly endorses preventive principles while ASEAN and the OAS strongly oppose interference in their member states' internal affairs. At a rhetorical level, the AU has shown a strong commitment to prevent ethnic conflicts from occurring and escalating. The Union has actively intervened in Burundi (African Union Mission in Burundi),[5] in Somalia (African Union Mission in Somalia),[6] and in Darfur (African Union Mission

in Darfur). However, despite the AU's strong formal commitment, its capacity for operational conflict prevention continues to be dependent on external support. Presently, the AU is unable to effectively engage in situations prior to the eruption of ethnic conflict (see Williams 2007).

At times, ECOWAS has been able to benefit from Nigeria's ability to provide operational capabilities and pressure other country to match its contributions. The OSCE's strong operational capabilities are at times hampered by political constraints brought about by struggles between member states. In East Asia (see Morada 2001) and Latin America (see Spehar 2001), regional organizations have not been able to move toward operational conflict prevention due to their adherence to the principle of non-intervention. In South Asia, the SAARC has had little, if any, effect in preventing ethnic conflict in its member states. The review shows that a direct connection exists between each regional organization's adherence to the principle of non-interference in the domestic affairs of member states and the position toward the prevention of ethnic conflict.

Regional organizations continue to pay insufficient attention to the prevention of ethnic conflict. We suggest two main reasons for this. First, many regional organizations continue to lack the operational capacity to prevent ethnic conflicts prior to violence erupting. Donors have for some time focused on mainstreaming conflict prevention by conducting training in conflict risk assessment and the development of conflict prevention policy (see contributions in Schnabel and Carment 2004 I and II). Second, as long as regional organizations are unwilling to institutionalize the prevention of ethnic conflicts, political problems will continue to undermine possible capacity building successes (see Lund 2000). The prevention of ethnic conflict requires substantial financial investments as well as long-term political commitment to develop effective operational structures. As long as the process of "formulating and promoting a shared set of ideas and a common moral commitment" (Lund 2000, 23) is hampered by the lack of political will, regional organizations will struggle with the operational prevention of ethnic conflict.

Economic measures

A central element of the UN Charter's mechanisms for the maintenance of international peace and security is the use of sanctions as set out in Article 42. A variety of sanction mechanisms including arms embargos and individual travel sanctions (see contributions in Brzoska 2001), the freezing of financial assets (see Biersteker et al. 2001) as well sanctions on specific natural resources such as oil and diamonds are available to the United Nations. Escribà-Folch (2009) argues that economic embargoes imposed by international organizations are the most effective type of coercive conflict management measure and have a shortening effect on the duration of intrastate conflicts. The UN Security Council has frequently reverted to economic sanctions targeted at natural resources to manage ethnic conflicts (see Cortright and Lopez 2000), most prominently perhaps in the post-conflict phase in Liberia in the early 1990s and as a tool to prevent the escalation of ethnic violence in Ivory Coast starting in 2004 (see Eriksson 2008).

Beginning with the initial decision to impose targeted sanctions on Côte d'Ivoire in 2004, the aim was to prevent a return to full blown ethnic conflict and achieve a settlement through democratic means (see Wallensteen, Eriksson and Strandwo 2006; Tamm 2002). A series of UN Security Council resolutions imposed a comprehensive sanctions regime on the country. This regime included an arms embargo, travel ban and the freezing of

financial assets (initially imposed through S/RES 1572 in November 2004) and later included sanctions on rough diamonds (S/RES 1643 in December 2005). In its assessment of the Ivoirien sanction regime (S/2006/204), the Expert Panel responsible for the evaluation concluded that the sanctions had "the effect of preventing a return to pre-war production levels" (Wallensteen et al. 2006, 13). Although the New Forces were able to diversify their revenue sources, we suggest that, in combination with other elements of the comprehensive sanctions regime, the restrictions placed on diamonds did in fact contribute to preventing the renewed outbreak of ethnic conflict in Côte d'Ivoire.

Military measures

As early as 1992, the *Agenda for Peace* directly points to the possibility of preventive military deployment[7] as a possible strategy for the prevention of increased inter- and intra-state violence. Jentleson (1996) argues that "preventive diplomacy, no less than other forms of diplomacy, often needs to be backed by the threat if not the actual use of force" (8). In 2001, the Secretary General's report *Prevention of Armed Conflict* suggested that all peacekeeping operations contain a preventive component. It further clarified that peace operations' "preventive role has been particularly clear when they have been deployed before the beginning of an armed internal or international conflict" (A/55/985-S/2001/574, 20). For a variety of reasons – the lack of political will (see contributions in SIPRI 2000) and operational readiness being the ones most frequently referred to – there are very few examples of military missions that were deployed prior to the outbreak of ethnic violence. The United Nations was first able to successfully move from these rhetorical commitments to operational reality with the deployment of the UN Protection Force (UNPROFOR) and later the UN Preventive Deployment (UNPREDEP) from March 1995 to February 1999 to Macedonia. UNPROFOR has been widely cited as an example of the deployment of a multinational force *prior* to the outbreak of significant ethnic violence (see Findlay 2002, 284); Björkdahl (2006) suggests that through Resolution 795 the Council explicitly highlights the mission's preventive nature: "concerned about possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory." The mission was thus tasked to monitor and report on activities that could lead to instability in Macedonia. Ackerman and Pala (1996) conclude that UNPREDEP in Macedonia was the first time the United Nations mandated a preventive mission "which aimed at preventing a first round of fighting". It proved that "despite its location in a war zone, a country can hold on to peace if it receives the help it needs in time" (Ackerman 1999, 4).

Civil society initiatives

In conflict settings around the world, non-governmental organizations (NGOs) engage in a host of preventive activities (see Aal 2004). These range from advocacy for human rights and the protection of civilians, the provision of humanitarian aid, strengthening of local civil society to concrete conflict prevention measures such as the facilitation of dialogue and problem-solving workshops. Recognizing the broad spectrum of roles that NGOs in general play in the prevention of ethnic conflict, in this part we pay particular attention to operational activities by organizations rooted in civil society (CSOs). Barnes (2006) argues that CSOs can engage in the prevention of ethnic conflict in three ways

(27): first, there are responses rooted in a specific civil society sector, for example trade unions, youth groups, women's associations or faith communities; second, CSOs can focus on working toward structural/policy changes in national, regional and global systems; third, local CSOs as well as ad-hoc coalitions of concerned citizens can target specific emerging conflict situations. Our focus will be twofold as we first return to the discussion of mechanisms that contributed to preventing the escalation of the post-election violence in Kenya into full-blown ethnic conflict and then briefly present efforts to build a global civil society network for the prevention of armed conflict.

Various civil society-led efforts worked alongside the high-level Annan-led mediation undertaken to prevent the escalation of ethnic violence after the December 2008 elections in Kenya. One of these initiatives was a movement called Concerned Citizens for Peace (CCP), a group of five eminent Kenyans, two former generals and two civil society activists, led by Ambassador Bethual Kiplagat (see Abdi 2008). The group's preventive activities occurred on three levels (Abdi 2008, 9–11). First, upstream activities aimed at supporting the top-level mediation and dialogue process. The five members were able to access key national and international politicians and engage them in preventive action (see Fisher and Zimina 2009). Second, middlestream efforts supported mid-level public and private institutions and key individual by mobilizing the government and public institutions as well as the media. For example, using national, regional and local media, CCP members made public appeals for the cessation of violence. Third, downstream activities targeted local-level programmatic actions by key individuals, groups and institutions to transform local violence, mobilize for change and offer practical support for confidence-building and healing. CCP was able to mobilize an extensive national network of peace resources that made important contributions to preventing the further escalation of violence.

In recent years, efforts have been undertaken to establish and strengthen a global network of CSOs working in the field of preventing ethnic conflict. The Global Partnership for the Prevention of Armed Conflict (GPPAC) is made up of nearly 1,000 NGOs working in the field of conflict prevention. Wolter (2007) argues that by creating a "knowledge based regime of prevention … GPPAC is becoming a driving force for effective UN/government/CSO partnerships" (75). GPPAC's Early Warning Early Response working group seeks to bring together partners working on civil society-based preventive actions. By facilitating dialogue and producing action-oriented analysis the working group seeks to enhance the capacity of CSOs to react to appropriate early warning signals.

This review of operational mechanism suggests that progress has been made in a variety of areas. Earlier we pointed to the lack of political will as an obstacle to structural prevention of ethnic conflict. Operational responses, in particular civil society-based activities, often fall victim to government's unwillingness to support "hard to measure" preventive activities. National, regional and global coalitions need to create and maintain sustainable partnerships in order to foster long-term preventive action that can produce preventive "success stories."

Conclusion

Our conclusions relate to directions for future work, not only to make ethnic conflict prevention effective but to ensure that it is sustainable. Three areas merit particular attention:

- *Integrating findings and methodologies across communities.* There is a lot of good, mostly complementary, analysis both in academe and advocacy circles. Some analysis and research finds its way into the policy community but not much of it is linked together in a formal institutionalized way with ongoing and secure funding. When it is used, risk analysis tends be drawn on in an ad-hoc and selective way. As a result, key findings remain underutilized and researchers have little incentive to collaborate among themselves and with the policy community. More hazardous is a trend within government towards individually tailored in-house analytical tools with each department advocating a distinct set of indicators, toolkits and a set of assumptions about causal connections that support their agendas. While this approach might be helpful in mainstreaming prevention of ethnic conflict within these departments to the extent that it forces decision makers to ask questions about causality (that they might not have considered before) it also poses challenges to interdepartmental coordination and inter-donor harmonization.
- *Linking analysis to response*. There remains a need for effective strategies that link analysis to policy. It has been argued, many times before, that a key problem in improving the prevention of ethnic conflict is not the availability of information or for that matter, the absence of early warning information, but a clear understanding of how to make diagnosis policy relevant. Risk analysis and early warning need to be practicable, standardized and accessible. In other words, the absence of a clear understanding of how specific information fits within the operational capacities of the end user is the most significant constraint on effective conflict prevention. Properly understood policy-relevant diagnosis combines real-time dynamic analysis with structural information, matches the analysis to the operational capacity of the end user and provides an evaluative framework for assessing policy impact.
- *Making prevention pay.* Political will, or more specifically its absence, is the No. 1 justification for inaction. Making prevention pay means that the costs (and risks) of inaction must be fully calculated and clearly communicated. It also means that institutional incentive structures must be developed to ensure better coordination across departments and between governments. Pooling of resources is one way to assist in the process of identifying costed options but this must be achieved at both the micro and macro level. Coordination means that programme officers from different departments should work effectively together as a problem-solving team and not in isolation. Making prevention pay applies to the private sector as well. While it is not without controversy the suggestion that the private sector, in particular the mining and resource extraction sectors, have a role to play in conflict prevention is well founded both on analytic as well as ethical and commercial grounds.

In this chapter, we have pointed to some of the challenges and opportunities of preventing ethnic conflict through structural and operational response mechanisms. For conflict prevention to move from rhetorical catch phrases to effective action, all involved – actors, national, regional and local governments, the United Nations, regional and civil society organizations, research institutions and the private sector – still have much more room to improve their analysis of emerging ethnic tensions, to take seriously warning signals and engage in appropriate preventive action. Only after this gap has been closed can we say that the concept of conflict prevention has moved from theory to policy.

Notes

1   For similar approaches linking prevention to response using an overarching framework see Lake and Rothchild (1998), Carment and James (1998), Tellis and Winnefeld (1998), Schneider and Weitsman (1997).
2   For a detailed overview of the literature on genocide prevention see Totten (2006).
3   Both the Carnegie Commission on Preventing Deadly Conflict (1997) and the International Commission on Intervention and State Sovereignty (2001) provide comprehensive lists of direct preventive tools.
4   A key criterion for the inclusion in the comparative framework is that the organization should have a security dimension in its mandate and charter. The reviewed organizations are: the African Union (AU), the Economic Community of West African States (ECOWAS), the Organization for Security and Co-operation in Europe (OSCE), the Association of South East Asian Nations (ASEAN), the Organization of American States (OAS) and the South Asian Association for Regional Cooperation (SAARC).
5   The AU's engagement in Burundi commenced in April 2003 and was the first mission carried out by the AU. Its principal mandate was to monitor and verify the implementation of the cease-fire agreement.
6   Created in January 2007, the AMISOM was mandated to support transitional governmental structures, implement a national security plan, train the Somali security forces, and assist in creating a secure environment for the delivery of humanitarian aid.
7   For an assessment of coercive and military prevention in ethnic conflict see Carment and Harvey (2000) and Carment (1995).

Further reading

Berdal, Mats R., and David Malone, eds. *Greed and Grievance: Economic Agendas in Civil Wars.* Boulder CO: Lynne Rienner, 2000.
Jentleson, Bruce. *Preventive Diplomacy and Ethnic Conflict: Possible*, *Difficult*, *Necessary.* La Jolla CA: Institute on Global Conflict and Cooperation, 1996.
Lake, David, and Donald Rothchild, eds. *The International Spread of Ethnic Conflict: Fear Diffusion and Escalation.* Princeton NJ: Princeton University Press, 1998.
Schnabel, Albrecht, and David Carment, eds. *Conflict Prevention*, *from Rhetoric to Reality: Opportunities and Innovations*, 2 vols. Lanham MD: Lexington Press, 2004.
Schnabel, Albrecht and David Carment, eds. *Conflict Prevention: Path to Peace or Grand Illusion?* Tokyo: United Nations University Press, 2001.
Conflict Prevention Network. *The Impact of Conflict Prevention.* Baden-Baden: Nomos, 1999/2000.

References

A/47/277-S/2411. An Agenda for Peace. Preventive Diplomacy, *Peacemaking and Peace-keeping. Report of the Secretary-General.* New York City: United Nations, 1992.
A/55/305-S/2000/809. Report of the Panel on United Nations Peace Operations. New York City: United Nations, 2000.
A/55/985-S/2001/574. Prevention of Armed Conflict. Report of the Secretary General. New York City: United Nations, 2001.
A/59/565. A More Secure World: Our Shared Responsibility. Report of the High-Level Panel on Threats, *Challenges and Change.* New York City: United Nations, 2004.
S/Res. 1572. New York City: United Nations Security Council, 2004.
S/2004/567. Outline of the Mandate for the Special Adviser on the Prevention of Genocide. New York City: United Nations Security Council, 2004.

A/Res/60/1. The World Summit Outcome Document. New York City: United Nations, 2005.

S/Res. 1643. New York City: United Nations Security Council, 2005.

S/2006/204. Update Report of the Group of Experts Submitted Pursuant to Paragraph 2 of Security Council Resolution 1632 (2005) concerning Côte d'Ivoire. New York City: United Nations Security Council, 2005.

S/2006/204. Update Report of the Group of Experts Submitted Pursuant to Paragraph 2 of Security Council Resolution 1632 (2005) concerning Côte D'Ivoire. New York: United Nations Security Council, 2006.

Aal, Pamela. "Non-governmental Organizations and Conflict Prevention: Roles, Capabilities, Limitations." *Conflict Prevention, from Rhetoric to Reality: Opportunities and Innovations*. Eds. Albrecht Schnabel and David Carment. Lanham MD: Lexington Press, 2004, 177–97.

Abdi, Dekha Ibrahim. *Working for Peace in Conflict Systems in Kenya: Addressing the Post-election Crisis, 2008*. Berlin: Berghof Research Center for Constructive Conflict Management, 2008.

Ackerman, Alice. *Making Peace Prevail: Preventing Violent Conflict in Macedonia*. Syracuse NY: Syracuse University Press, 1999.

Ackerman, Alice, and Antonio Pala. "From Peacekeeping to Preventive Deployment: A Study of the United Nations in the Former Yugoslav Republic of Macedonia." *European Security* 5:1 (1996): 83–97.

Adelman, Howard, and Susan Schmeidl, eds. *Early Warning and Early Response* New York City: Columbia University Press, 1998.

Albright, Madeleine, and William Cohen. *Preventing Genocide: A Blueprint for US Policy Makers*. Washington, DC: T American Holocaust Museum, American Academy of Diplomacy, United States Institute for Peace, 2008.

Barnes, Catherine. *Agents for Change: Civil Society Roles in Preventing War and Building Peace*. The Hague: Global Partnership for the Prevention of Armed Conflict, 2006.

Bellamy, Alex J. "Conflict Prevention and the Responsibility to Protect." *Global Governance* 14 (2008): 135–156.

Berdal, Mats R., and David Malone, eds. *Greed and Grievance: Economic Agendas in Civil Wars*. Boulder CO: Lynne Rienner, 2000.

Biersteker, Thomas J. et al. *Targeted Financial Sanctions: A Manual for the Design and Implementation. Contributions from the Interlaken Process*, Watson Institute for International Studies, Brown University, Providence RI, 2001.

Björkdahl, Annika. "Conflict Prevention Mainstreaming: a Comparison of Multilateral Actors." *Conflict Prevention, from Rhetoric to Reality: Institutions and Organisations*, eds. Albrecht Schnabel and David Carment. Lanham MD: Lexington Press, 2004, 387–408.

—"Promoting Norms through Peacekeeping: Unpredep and Conflict Prevention." *International Peacekeeping* 13.2 (2006): 214–28.

Brzoska, Michael, ed. *Smart Sanctions: The Next Step*. Baden-Baden: Nomos, 2001.

Carment, David. "Nato and the International Politics of Ethnic Conflict: Perspectives on Theory and Policy." *Contemporary Security Policy* 16.3 (1995): 347–59.

Carment, David, and Martin Fischer. "R2P and the Role of Regional Organisations in Ethnic Conflict Management, Prevention and Resolution: The Unfinished Agenda." *Global R2P* 1.3 (2009): 261–90.

Carment, David, and Frank P. Harvey. *Using Force to Prevent Ethnic Violence; an Evaluation of Theory and Evidence*. Westport CT: Praeger, 2000.

Carment, David, and Patrick James, eds. *Peace in the Midst of Wars: Preventing and Managing International Ethnic Conflicts*. Columbus SC: University of South Carolina Press, 1998.

Carnegie Commission on Preventing Deadly Conflict. *Preventing Deadly Conflict*. New York City: Carnegie Corporation of New York, 1997.

Chayes, Abram, and Antonia Handler Chayes, eds. *Preventing Conflict in the Post-Communist World: Mobilizing International and Regional Organizations*. Washington DC: Brookings Institution Press, 1996.

Cilliers, Jakkie, and Kathryn Sturman. "Challenges Facing the AU's Peace and Security Council." *African Security Review* 13.1 (2004): 97–104.

Colletta, Nat, and Michael Cullen. *Violent Conflict and the Transformation of Social Capital: Lessons from Cambodia*, *Rwanda*, *Guatemala*, *and Somalia*. Washington DC: World Bank, 2000.

Collier, Paul, and Anke Hoeffler. "Greed and Grievance in Civil War." *Oxford Economic Papers* 56.4 (2004): 563–95.

Conflict Prevention Network. *The Impact of Conflict Prevention*. Baden-Baden: Nomos, 1999/2000.

Cortright, David, and George A. Lopez. *The Sanctions Decade: Assessing UN Strategies in the 1990s*. Boulder CO: Lynne Rienner, 2000.

Dagne, Ted. *Kenya: The December 2007 Elections and the Challenges Ahead*. Washington DC: Congressional Research Service, 2008.

Davies, John, and Ted Gurr, eds. *Preventive Measures: Building Risk Assessment and Crisis Early Warning Systems*. Lanham MD: Rowman & Littlefield, 1998.

Dorn, Walter. "Early and Late Warning by the UN Secretary General of Threats to the Peace: Article 99 Revisited." *Conflict Prevention*, *from Rhetoric to Reality: Institutions and Organisations*, ed. David Carment and Albrecht Schnabel. Tokyo: United Nations Press, 2004, 305–44.

Eriksson, Mikael. *Operational Conflict Prevention and the Use of Targeted Sanctions: Conditions for Effective Implementation by the EU and UN*. New York City: Center for International Cooperation, 2008.

Escribà-Folch, Abel. "Economic Sanctions and the Duration of Civil Conflicts." *Journal of Peace Research.* Forthcoming (2009).

Findlay, Trevor. *The Use of Force in UN Peace Operations*. Oxford: Oxford University Press, 2002.

Fisher, Simon, and Lada Zimina. *Just Wasting our Time? Provocative Thoughts for Peacebuilders*. Berghof Center for Constructive Conflict Management, Berlin, 2009.

George, Alexander, and Jane Holl. *The Warning–Response Problem and Missed Opportunities in Preventive Diplomacy*. Washington DC: Carnegie Commission on Preventing Deadly Conflict, 1997.

German Federal Government. *Action Plan: Civilian Crisis Prevention*, *Conflict Resolution and Post-conflict Peace-building*. Berlin: Auswärtiges Amt, 2004.

International Commission on Intervention and State Sovereignty. *The Responsibility to Protect*. Ottawa: International Development Research Centre, 2001.

Ivanov, Anton, and David Nyheim. "Generating the Means to an End: Political Will and Integrated Responses to Early Warning." *Conflict Prevention*, *from Rhetoric to Reality: Opportunities and Innovations*. Eds. Albrecht Schnabel and David Carment. Lanham MD: Lexington Press, 2004, 163–76.

Jentleson, Bruce. *Preventive Diplomacy and Ethnic Conflict: Possible*, *Difficult*, *Necessary*. La Jolla CA: Institute on Global Conflict and Cooperation, 1996.

—*Opportunities Missed*, *Opportunities Seized: Preventive Diplomacy in the post-Cold War World*. Lanham MD: Rowman & Littlefield, 1999.

—"The Realism of Preventive Statecraft." *Conflict Prevention: Path to Peace or Grand Illusion*. Eds. David Carment and Albrecht Schnabel. Tokyo: United Nations University Press, 2003, 26–46.

Krasner, Stephen D., and Carlos Pascual. "Addressing State Failure." *Foreign Affairs* 84.4 (2005): 153–63.

Kwaja, Chris. "Do the People have Faith in Electoral Democracy? Lessons from Kenyan 2007 Presidential Elections." *African Journal of Political Science and International Relations* 3.2 (2009): 38–45.

Lake, David, and Donald Rothchild, eds. *The International Spread of Ethnic Conflict: Fear Diffusion and Escalation*. Princeton NJ: Princeton University Press, 1998.

Leatherman, Janie, et al. *Breaking Cycles of Violence: Conflict Prevention in Intrastate Crises*. Bloomfield CT: Kumarian Press, 1999.

Lund, Michael. *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy*. Washington DC: US Institute of Peace Press, 1996a.

—"Early Warning and Preventive Diplomacy." *Managing Global Chaos*. Eds. Chester A. Crocker, Fen Osler Hampson and Pamela Aal. Washington, DC: US Institute of Peace Press, 1996b, 379–402.

—"Improving Conflict Prevention by Learning from Experience: Context, Issues, Approaches and Findings." Conflict Prevention Network annual conference, 1999.

—"Creeping Institutionalization of the Culture of Prevention?" *Preventing Violent Conflict. The Search for Political Will, Strategies and Effective Tools. Report of the Krusenberg Seminar*. Ed. Stockholm International Peace Research Institute (SIPRI). Stockholm, 2000.

—"Greed and Grievance Diverted: Why Macedonia has avoided Inter-ethnic Civil War." *Understanding Civil War*. Eds. Paul Collier and Nicholas Sambanis. Washington DC: World Bank, 2005.

Marks, John. "Conflict Prevention: Macedonia Holds Good Will." *Peace and Conflict: Journal of Peace Psychology* 8.3 (2002): 293–96.

Montreal Institute for Genocide and Human Rights Studies. *Mobilizing the Will to Intervene. Leadership and Action to Prevent Mass Atrocities*. Montreal: Institute for Genocide and Human Rights Studies, 2009.

Morada, Noel M. *R2P Roadmap in Southeast Asia: Challenges and Prospects*. UNISCI Discussion Article 011, 2001.

Nicolaïdis, Kalypso. "International Preventive Action: Developing a Strategic Framework." *Vigilance and Vengeance*. Ed. Robert I. Rotberg. Washington DC: Brookings Institution Press, 1996, 23–69.

Nicoll, Alexander, and Jessica Delaney. *Violence in Kenya: Continuing Crisis*. London: International Institute for Strategic Studies, 2008.

Nyheim, David. *Can Violence, War and State Collapse be Prevented? The Future of Operational Conflict Early Warning and Response Systems*. Joint Room Document 1 of the DAC Network on Conflict, Peace and Development Cooperation (CPDC) and the DAC Fragile States Group, 2008.

Organisation for Economic Co-operation and Development. *Principles for Good Economic Engagement in Fragile States and Situations*. Paris: OECD, 2007.

Ouellette, André. "Conflict Prevention and Financial Capacity Building." *Conflict Prevention from Rhetoric to Reality: Opportunities and Innovations*. Eds. Albrecht Schnabel and David Carment. Lexington MA: Lexington Books, 2004, 341–58.

Rienstra, Dianne. "Assessing the Corporate Sector's Role in Conflict Prevention." *Conflict Prevention from Rhetoric to Reality: Opportunities and Innovations*. Eds. Albrecht Schnabel and David Carment. Lexington MA: Lexington Books, 2004, 359–84.

Romero, Roxana Gutiérrez, Kimenyi, Mwangi S. and Dercon, Stefan. "The 2007 Elections, Post-conflict Recovery and Coalition Government in Kenya." IIG Briefing Paper 1. Improving Institutions for Pro-poor Growth. Oxford University, 2008.

Rotberg, Robert I. *Vigilance and Vengeance: Ngos Preventing Ethnic Conflict in Divided Societies*. Washington DC: Brookings Institution Press, 1996.

Rubin, Barney. *Blood on the Doorstep: the Politics of Preventive Action*. New York City: Council on Foreign Relations, 2002.

Schmid, Alex. *Thesaurus and Glossary of Early Warning and Conflict Prevention Terms*. Forum on Early Warning and Early Response, 1998.

Schnabel, Albrecht, and David Carment. *Conflict Prevention from Rhetoric to Reality*. 2 vols. Lanham MD: Lexington Books, 2004.

Schneider, Gerald, and Patricia A. Weitsman, eds. *Enforcing Cooperation: Risky States and Intergovernmental Management of Conflict*. London: Macmillan, 1997.

Spehar, Elizabeth. "The Role of the Organization of American States in Conflict Prevention." *International Journal on Minority and Group Rights* 8.1 (2001): 61–70.

Stewart, Frances. *Horizontal Inequalities: A Neglected Dimension of Development*. Oxford: Centre for Research on Inequality, Human Security and Ethnicity, 2001.

Suhrke, Astrid, and Howard Adelman. *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*. Copenhagen: Joint Evaluation of Emergency Assistance to Rwanda, 1996.

Tamm, Ingrid J. *Diamonds in Peace and War: Severing the Conflict–Diamond Connection*. Cambridge: Carr Center for Human Rights, 2002.

Tellis, Ashley J., Thomas S. Szayan and James A. Winnefeld. *Anticipating Ethnic Conflict*. Washington DC: Rand Corporation, 1998.

Totten, Samuel. *The Prevention and Intervention of Genocide. An Annotated Bibliography*. New York City: Routledge, 2006.

Wallensteen, Peter, Mikael Erikson and Daniel Strandow. *Sanctions for Conflict Prevention and Peace Building: Lessons Learned from Côte d'Ivoire and Liberia*. Uppsala: Uppsala University. Department of Peace and Conflict Research, 2006.

Williams, Paul. "From Non-intervention to Non-indifference: The Origins and Development of the African Union's Security Culture." *African Affairs* 106.423 (2007): 253–79.

Wolter, Detlev. "UN: Effective Partnership between the UN, Member States and Civil Society to Promote Human Security." *Joint Action for Prevention: Civil Society and Government Cooperation on Conflict Prevention and Peacebuilding*. Ed. Paul van Tongeren and Christine van Empel. The Hague: Global Partnership for the Prevention of Armed Conflict, 2007, 74–77.

Woocher, Lawrence. "Deconstructing Political Will: Explaining the Failure to Prevent Deadly Conflict and Mass Atrocities." *Journal of Public and International Affairs* 12 (2001): 179–206.

Wulf, Herbert, ed. *Still under Construction. Regional Organsiations' Capacities for Conflict Prevention*. Duisburg: Institute for Development and Peace, 2009.

15 Managing and settling ethnic conflict

Asaf Siniver

Contending approaches to conflict management

The management of ethnic conflict, either by local elites or external actors such as individual states and international organisations, rarely results in the resolution of the conflict or the dissipation of rival ethnic claims and grievances. Conflicts characterised by ethnic and cultural rivalries are the most common types of conflict, most notably in Africa, Asia, the Middle East and Europe (Bercovitch and Fretter 2004, 46; Wallensteen and Sollenberg 1999). The significance of a group's ethno-cultural identity cannot be dismissed as a guise to power-seeking. Depending on their historical and geographical experiences, ethnic groups are highly diverse in their aspirations and claims. Minority groups within existing political communities may seek access to power and equal rights (for example, Israeli Arabs), indigenous groups such as the Mayans and the Chiapas may resist attempts by the state to assimilate them, whereas the Basque people can be described as ethnonationals who strive for self-determination and even independence (Gurr 2000). Most contemporary conflicts need external assistance in order to be brought under control, and accordingly such strategies of conflict management may involve diplomacy (for example, negotiation and mediation), legal methods (arbitration, adjudication) and even the use of military force. However, due to the intricate nature of some ethnically generated conflicts, we may at best hope to manage, or regulate them, rather than resolve them. Accordingly conflict management can be defined as the limitation, mitigation and containment of conflict without necessarily solving it. Importantly, conflict management is distinct from conflict resolution, where the emphasis is placed on resolving the underlying incompatibilities which have caused the conflict, rather than simply containing them. Conflict management and resolution are separate but related mechanisms which need to be used at different stages in the 'conflict cycle'; managing a conflict may take a long time and must foster conditions which are amenable to the successful resolution of the conflict (Tanner 2000).

The choice of strategies depends on the nature of the conflict and the identity of the warring parties, as well as the identity of the third party and its available resources and linkage to the conflict. This chapter will examine the efficacy of such strategies employed by third parties in their efforts to manage and settle ethnically generated conflicts in recent years. The primary purpose of conflict management is to slow, or stop, the escalation of violence and to create conditions which are conducive to peaceful reconciliation between the warring parties. Accordingly conflict management is understood as a dynamic social process, in which external and internal actors employ

an array of strategies to reduce the rival parties' economic, political and humanitarian costs and enhance their mutual benefits through cooperation and compromise.

There is much debate, however, not only about which strategies work best and under what conditions, but whether intervention by third parties is desirable in the first place. Attempts by external actors to settle violent ethnic conflicts, some of which are fuelled by 'ancient hatreds', may sometimes compound the problem, rather than solve it, as their priorities and objectives may not necessarily be compatible with those of the warring parties (Lake and Rothchild 1996). In broad terms we can think of three contending views on the desirable role of third parties in the management of ethnic conflicts: realist approaches which emphasise the security of the state; liberal, governance-based approaches which focus on the role of third parties in shaping and developing linkages between state and society; and social-psychological approaches which are concerned with societal or human security (Hampson 2001, 388). Importantly, these approaches are not necessarily mutually exclusive, but rather offer complementary elements which together may offer the best route to the understanding and successful managing of ethnic conflicts.

Realist approaches

While all realist interpretations of the causes of ethnic conflict and the role of third parties in managing it are rooted in similar assumptions about state-centrism and the rationality of the actors involved, they offer different emphasis on power sharing and the use of force as a means to an end. For 'hard' realists, the dynamics of ethnic conflicts are rather similar to the processes which shape interstate rivalries, that is to say, they are motivated by, and act in accordance with the security dilemma (Collins 2007). Accordingly the need to maintain a balance of military power between the warring parties is imperative – for example by supporting the weaker side with arms or withholding resources from the stronger side. In extreme cases, direct intervention on behalf of a third party is necessary to maintain such a balance in military power (Betts 1994; Van Evra 1994). Military intervention may be carried by a single state (the United Kingdom in Sierra Leone in 2000) or by a multilateral effort of international organisations (the United Nations in Mozambique in 1992–94) and regional organisations (NATO in the Balkans in the 1990s). Whether these strategies involve military aid to one party and sanctions on the other, or coercive military intervention for the purpose of ending the fighting, the emphasis here is often placed on creating new geopolitical boundaries, most notably through partition, rather than seeking political accommodation or reconciliation (Kaufman 1996, 2007). However, this approach to the settlement of ethnic conflict is often criticised for assuming that just and mutually acceptable territorial partition is a readily available solution to ethnic rivalries. Examples from Israel/Palestine, Cyprus, Kosovo, and most recently Iraq, suggest that in some cases the competition over territory is a zero-sum game where alternative forms of intervention may be necessary (Downes 2006; Pischedda 2008). Accordingly 'softer' approaches of realism to ethnic conflict management advocate the use of non-coercive forms of third-party intervention such as mediation, the provision of good offices and other confidence-building measures (Bercovitch 2002; Princen 1992; Zartman and Touval 1996). Moreover, these activities are not limited to the great powers, but are being taken by a wide range of states and international organisations, though with various degrees of success in managing such conflicts (Siniver 2006; Touval 1994;

Zartman 1995). Nevertheless, mediation by third parties with different resources and strategies creates opportunities for non-territorial solutions such as power sharing, political accommodation and other sociopolitical mobilisation mechanisms to drive the parties towards the settlement of the conflict. While these strategies offer an attractive, non-coercive alternative to direct military intervention by third parties, they can be effective only as long as the rival ethnic groups accept the identity of the mediator and indeed the strategies employed. Thus, even when mediation is undertaken by great powers, the ultimate power in the mediation process lies with the disputing parties. Furthermore, these attempts by third parties must take place under the most propitious circumstances of timing, or 'ripeness' of conflict to optimise the likelihood of success (Zartman 1985).

Liberal approaches

Governance-based approaches to conflict management have their roots in the Kantian notions of liberalism and just governance. Thus while variants of realism emphasise the use of force and balancing strategic security dilemmas as keys to manage conflicts, liberal approaches stress the importance of creating democratic institutions and mechanisms of governance. Here causes of ethnic conflict are understood as the lack of the authority and legitimacy of pluralist structures, violations of human rights and the breakdown of the rule of law. In addition to the reconstruction of political and security institutions, other reforms may include the establishment of truth and reconciliation tribunals in order to restore faith in the judicial process and to install a new cooperative and peaceful environment, as has been demonstrated in South Africa, East Timor, Haiti and El Salvador (Hayner 2006; Kingston 2006; Mani 2005). Thus in order to achieve these objectives, third parties must engage not only at the state level with local governments but, perhaps more importantly, with grass-roots actors, civil society leaders and the private sector. Like softer versions of realism, here too the role of a third party may be assumed not only by the great powers, but by intergovernmental and non-governmental organisations. These organisations have the advantage of apparent neutrality and the emphasis on elevating the humanitarian suffering; however, they may lack the clout and resources which are often accompanied by the great-power intervention. Particularly with reference to the working of the United Nations in this field, the need to achieve first a wide consensus about the objectives and the contours of the settlement may hinder the effectiveness of the operation (Annan 2005). Still, this approach has a strong normative component in that the intervening outside party must stand by those in the conflict who are committed to the liberal democratic way. This raises obvious problems of neutrality for the mediator and indeed may damage the effectiveness of the entire approach on grounds of hypocrisy and bias. This has been demonstrated recently in the American and European support for the moderate and secular Fatah government in the West Bank, compared to the isolation and sanctioning of the militant Hamas government in Gaza. The most acute result of this policy has been the worsening of the humanitarian situation of Palestinian civilians in the Gaza Strip (Pace 2009). Indeed, this normative crusade in the name of liberal democracy has been criticised repeatedly not only for failing to appreciate the difficulties in introducing democratic practices in unstable and torn societies with no democratic experience, but also in emphasising procedural and institutional priorities while neglecting the importance of an engaged and informed civil society. In extreme cases this may lead to

a return to violence and political instability (Mansfield and Snyder 1995; Tocci 2007). Finally, while the advance of various confidence-building measures such as elections and power sharing are important techniques to reduce violence and increase cooperation, they cannot alter the basic fears and perceptions which are embedded in individuals and ethnic groups.

Social-psychological approaches

The important contribution of social-psychological approaches to the study and practice of ethnic conflict management is the added dimension of image formation of the other. In other words, here the key to understanding the root causes of ethnic conflicts is not in the security dilemma or the breakdown of state authority, but rather in the development and reinforcement of 'enemy images', or 'us versus them' mentality (Stein 2005). These images and identities are formed by individuals and groups, political elites and the general public, and they relate to either tangible experience or certain beliefs about the behaviour of the other group. This basic need to establish individual and societal identity is most commonly achieved by differentiating 'us' from 'them'. Obviously, identity differentiation does not necessarily and invariably lead to violent conflict. The critical components which combine with these social images to cause violence are mostly environmental, namely the domestic and international conditions which may help to facilitate the formation of enemy images (Coleman and Lowe 2007; Lake and Rothchild 1996; Ross 1995). Accordingly any efforts by third parties to successfully manage the conflict must first address the embedded anxieties and identities which inform the rival groups' images of each other. Strategies designed to change these entrenched identities may range from reconciliation processes to special problem-solving workshops, as well as the development of systems which are compatible with the relevant local culture and norms (Kaufman 2006). These efforts are targeted at the local level, rather than the state, and the third party must assume a neutral role with the emphasis on communicating and facilitating strategies. Individuals and non-governmental organisations are best suited to perform these activities, as they often possess the required sensitivity, local expertise and perceived impartiality which are needed to lead the rival parties out of conflict. Successfully managing ethnic conflicts according to this social-psychological framework seems a particularly difficult task given the kind of knowledge and sensitivity which is required of the third party. Since conflict is caused by deep-rooted stereotypes and ethnocentric views of the other, it does not necessarily follow a rational pattern, and instead must be understood as a subjective and context-dependent social process. Third parties therefore need to engage with a cross-section of society on both sides and help change perceptions and attitudes without imposing new ones in the process. These strategies are best carried out in small informal groups which are composed of middle-range elites, such as academics, retired politicians and officials who can still influence policy but are removed from decision-making (Hampson 2001, 396). Nevertheless, third parties may find it difficult to access the local groups and may be prevented from intervening on the grounds of suspected biased or poor credentials. Moreover, even if these activities prove successful, their impact on society at large is not guaranteed. Unless high-level officials are informed and engaged with the process, these programmes will have limited effect, particularly in areas which are inaccessible or dangerous due to ongoing fighting. Most acute, however, is the question of whether these programmes can indeed change for the long run deeply

embedded images and attitudes which have been hardened over a long period of time and through personal experience.

Assessing the efficacy of conflict management strategies

As noted above, the first hurdle to successful outside intervention lies in the imperviousness of some conflicts to external efforts to bring an end to violence. This resistance derives most commonly from the parties' perceptions about the characteristics of the conflict and the associated stakes (Stedman 1996). Humanitarian intervention is perhaps the most visible manifestation of operations designed to address these issues. It can be defined as 'the threat or use of force across state borders by a state (or a group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied' (Holzgrefe 2003, 18). However despite the large number of such missions in recent years, their record of success is mixed. Interventions in northern Iraq, Somalia, Bosnia and Herzegovina, Rwanda, Kosovo, East Timor and Darfur (to name a few) have failed to produce a definite protocol for such missions. Inevitably, the conduct and efficacy of these activities breaks down to the question of the right of the international community to intervene in intrastate conflicts, followed by questioning the desirable characteristics of such interventions if they are indeed necessary. The principle of state sovereignty is embedded in international law, and calls for external intervention, even on humanitarian grounds, invariably raise important legal and ethical questions. Nevertheless, while non-intervention is still the norm in international relations, the post-Cold War period has witnessed a definite rise in the number and range of third-party interventions as the demise of the Soviet Union has removed the strategic constraints which had previously restricted the potential for ethnic clashes. The concern over the increasing failure of governments to protect their people and the rise in conflicting ethnonational claims of neighbouring ethnic groups has led former UN Secretary General Boutros Boutros-Ghali to assert that 'the time of absolute and exclusive sovereignty has passed' (1992, 9). Others have similarly supported the need for more proactive engagement. According to Teson, 'foreign armies are morally entitled to help victims of oppression … provided that the intervention is proportionate to the evil which it is designed to suppress' (1998, 15).

In recent years greater emphasis has been placed on defining the appropriate boundaries for interventions. Hoffman, for example, identifies two categories where intervention may be necessary: first, where there is a threat to international peace by 'dangerous' states, as was demonstrates in the cases of Somalia, Haiti and the plight of the Kurds in northern Iraq. Second, where there are massive violations of human rights, including the forcible expulsion of minorities and ethnic cleansing, such as in cases like Rwanda, Kosovo and East Timor (Hoffman 1998, 161–64). An attempt to establish norms of intervention was manifested in the International Commission on Intervention and State Sovereignty's framework of *The Responsibility to Protect*. This concept is designed to provide a legal and ethical basis for humanitarian interventions, as well as authorise military interventions in cases where the primary objective is to prevent human suffering. Moreover, it is suggested that in order to establish consistency in norms and operations the United Nations must assume a primary role in authorising and coordinating such interventions (Macfarlane et al. 2004). Despite its many

organisational and institutional faults, the UN is the only body in world politics which maintains, albeit not always successfully, the image of communal values and shared responsibility. Nevertheless, there are still some who object to the legitimisation of humanitarian interventions, for several reasons. As noted above, realists argue against humanitarian interventions as they not only challenge the principle of state sovereignty but can harm the national interest, and in some cases can even damage the state's reputation abroad (as in the case of American intervention in Somalia in the early 1990s). Moreover, they argue that states have no moral duty to intervene on behalf of the citizens or ethnic groups in other states, and that inevitably states will apply selective measures in their choices of intervention, which will lead to accusations of hypocrisy and double standards. This was evident when Western states failed to respond quickly and effectively to the genocide in Rwanda, or to the plight of Bosnian Muslims. Finally, pluralists point to the problem of forming an international consensus on what principles should guide these interventions. Described as *rule consequentionalism*, opponents of humanitarian intervention argue that international peace and order are better served by upholding the principle of non-intervention than by authorising humanitarian interventions in the absence of a consensus about the relevant criteria for intervention. Inevitably, these decisions are made by those who possess the power and the will to carry out such missions (Welsh 2006, 52–68).

This brings us back to the importance of multilateral missions, ideally led by the United Nations. Even though individual states are likely to respond more quickly and decisively to an emerging humanitarian crisis, the more an intervention is removed from the narrow interests of the big powers or neighbour states the more likely it is to be perceived as a whole as just and appropriate. This last point is often measured by the proportionality of the mission to the danger it posed in the first place. Proportionality here means that human suffering must be met with humanitarian response; that is, not to do more harm to human rights than the harm the intervention is aimed to prevent. However, assessing the proportionality of the response is a difficult task, as it does not entail ameliorating the level of violence displayed by the warring parties, but rather providing a morally appropriate response. This is problematic, since two similar cases of human rights abuse may necessitate different 'proportional' responses, depending on the relevant sociopolitical and cultural contexts. Similarly the task of assessing the success of humanitarian intervention is a difficult one. When evaluating success we must first ask, 'Success for whom?' There are various parties involved in such operations, each with different sets of objectives and desirable outcomes depending on how they view the conflict. Thus for example the United Nations (or 'the international community') may seek long-lasting peace and order, whereas the rival groups may be less preoccupied with respecting human rights and more with regaining territory; the primary goal of the civilians caught in the middle may be to return to their homes, whereas the third parties who intervene in the conflict may be more concerned about the safety of their personnel. In some cases success for one party to the conflict may come at a loss for another. Accordingly the US mission in Somalia had successfully limited its engagement after the initial setback, but this came at the expense of order and protection for the local population. Moreover, in assessing the success of interventions it is useful to distinguish between the short and long-term outcomes of the mission; indeed, the outcomes of such operations are as significant as the motivations to engage in the first place. Thus while in the short term the immediate suffering of civilians or the fighting between rival groups may be ended successfully, the long-term

and underlying causes of mutual fears and dilemmas must also be addressed. External actors must not withdraw quickly once the alleviation of human rights abuse has been achieved. To prevent the resumption of violent ethnic conflict, there must be a long-term commitment to address the underlying causes of the conflict through a combination of political, social and economic reforms (Walzer 1995).

These two different interpretations of success have their respective benefits, but inevitably they are in tension with each other and implicate different forms of intervention. Broadly, interventions of limited objectives and short duration have a stronger military component, whereas non-armed humanitarian interventions are more likely to engage with long-term objectives in order to address the underlying causes of conflict. Notwithstanding the evident differences between cases of humanitarian intervention, some generic criteria for success are applicable to all cases of intervention. Brown, for example, identifies three criteria for determine success, namely the fulfilment of the mission's mandate as specified by the Security Council resolution; the resolution of the underlying disputes of the conflict; and the contribution to the maintenance of international peace and security. It is important to note, however, that often UN mandates are the result of political bargaining between different actors, the result of which may be overly vague or flexible, which makes the fulfilment of the conditions set in the mandate an unattainable task. Other criteria of success, such as the abatement of conflict or at the very least the discouragement of violence, invariably need to be judged based on their longevity, which opens up the question of how long a time frame should be considered in assessing the outcome (Bratt 1996; Diehl 2008, 118–23).

In addition to humanitarian and military interventions, third parties often assume the role of mediators in their efforts to manage violent ethnic conflicts. While mediation is often overlooked as an integral mechanism of conflict management, compared to the high profile of peacekeeping missions, it has in fact proved to be the most popular form of contemporary conflict management. It was present in nearly 60 per cent of international and intrastate disputes between 1945 and 2003 (Bercovitch and Fretter 2004, 29), while nearly half of all post-Cold War crises were mediated by third parties (Beardsley et al. 2006, 59). While definitions of, and approaches to, mediation vary, it is commonly understood as the intervention of a third party in the dispute of two or more parties for the purpose of improving the nature of interaction between the disputants (Kressel and Pruitt 1989). While it is distinct from other forms of intervention by its voluntary, non-forceful and non-coercive nature, third parties can exercise a significant amount of leverage on the parties in order to draw them closer to reconciliation. Zartman and Touval (1996) suggest that mediators may call upon up to five sources of leverage The first, *persuasion*, is the ability to depict a more favourable alternative to the present conflict. The second, *extraction*, is the ability to produce a favourable position from each party. The third, *termination*, is the ability to withdraw – or threaten to withdraw – from the mediation process. The fourth, *deprivation*, is the ability to deprive resources from one or both disputants. The final source, *gratification*, is the ability to reward the parties for 'good' behaviour. Rather than describing the full range of mediator activities these particular sources of leverage seem consistent with a select mediation strategy, one that is based upon tactics of manipulation (as opposed to pure communication or formulation), where mediation is viewed as a process of 'three-cornered bargaining' (Touval 1982, 16) in which the mediator has a clearly defined stake.

This is not to suggest, however, that third parties who do not possess the necessary resources to conduct such bargaining are powerless and hence less effective as mediators.

Here mediators are depicted as rational third parties who offer their services to disputants upon the basis of self-interest and shrewd cost–benefit calculations (Zartman and Touval 1996, 446). While it is especially apparent in the conduct of individual states (great and small), these rational calculations can also be found in the motivations of international organisations and other non-state actors, who maintain certain norms that they wish to uphold beyond the principle of peaceful settlement (Zartman and Touval 1996, 452). Indeed, mediation is a particularly useful tool to the United Nations and non-governmental organisations' efforts at conflict management. Compared to military and humanitarian interventions it is a cost-effective and flexible strategy which can successfully support other mechanisms of conflict management and resolution. However, here too assessing success is not an easy task. It is possible to identify two broad contending conceptualisations of mediation success. The first approach offers seemingly objective criteria which asses the ultimate consequences of the mediation effort. These criteria are often defined broadly to compensate for the idiosyncratic nature of different conflicts, and accordingly link success with objective and observable signposts, such as cease-fire, peace treaty or other tangible political settlements, as well as the opening of a dialogue and a marked reduction in the level of violence (Kriesberg 1991; Touval 1982). This measurement of success is problematic, as it fails to account for the effectiveness of mediation. The 1993 Oslo Accords between Israelis and Palestinians is one example of an objective mediation success (a binding political agreement), although it cannot be said to have been effective in ending the bloody conflict between two peoples. The second measurement of mediation success attempts to bridge this gap between results and perceptions. While the first approach eschews any discussion of the subjective interpretations of the disputants or the mediator to the bargaining process, this approach explains mediation success by focusing on the process of communication as a means of changing attitudes, largely outside the structures of formal negotiation. Successful mediation is defined here in terms of the (subjective) perceptions of the disputants and the mediator regarding their respective efforts to accomplish their aims as they were outlined at the initiation of the process (Hopmann 1995; Smith 1985).

Despite the real differences between the various strategies of conflict management, evidence suggests that best practice would entail both military and diplomatic components. Third party mediation is more effective when it is backed by actors who possess the will and the power to change the status quo, and conversely military intervention alone is less likely to produce a long-lasting settlement without a viable political process. (This partly explains the failure of US and UN missions in Somalia and Haiti.) Moreover, in their actions third parties must possess staying power and remain fully engaged during negotiations and military operations. History suggests that most modern conflicts do not resolve themselves, and that some type of external intervention is necessary to bring them under control. While the ultimate responsibility for changing modes of behaviour and reforming systems of governance lies with the parties themselves, it is clear that without armed and non-armed interventions by individual states and international organisations many more ethnic conflicts would spiral out of control and bring more suffering.

Further reading

D. Byman, *Keeping the Peace: Lasting Solutions to Ethnic Conflicts* (Baltimore, MD: Johns Hopkins University Press, 2002).

C. Crocker, F. O. Hampson and P. Aall (eds), *Turbulent Peace: The Challenges of Managing International Conflict* (Washington, DC: United States Institute of Peace, 2001).

C. Crocker, F. O. Hampson and P. Aall (eds), *Leashing the Dogs of War: Conflict Management in a Divided World* (Washington, DC: United States Institute of Peace, 2001).

D. A. Lake and D. Rothchild, 'Containing Fear: The Origins and Management of Ethnic Conflict', *International Security*, 21:2 (1996), pp. 41–75.

U. Schneckener and S. Wolff (eds), *Managing and Settling Ethnic Conflicts: Perspectives on Successes and Failures in Europe, Africa, and Asia* (Basingstoke: Palgrave, 2004).

References

Annan, K. 2005. *In Larger Freedom: Towards Development, Security and Human Rights for All: Report of the Secretary General*. New York: United Nations.

Beardsley, K., D. Quinn, B. Biswas, and J. Wilkenfeld. 2006. 'Mediation Style and Crisis Outcomes', *Journal of Conflict Resolution*, 50:1, 58–86.

Bercovitch, J. (ed.) 2002. *Studies in International Mediation*. London: Palgrave Macmillan.

Bercovitch, J. and J. Fretter. 2004. *Regional Guide to International Conflict and Management from 1945 to 2003*. Washington, DC: CQ Press.

Betts, R. 1994. 'The Delusion of Imperial Intervention', *Foreign Affairs*, 73:6, 20–33.

Boutros-Ghali, B. 1992. *An Agenda for Peace*. New York: United Nations.

Bratt, D. 1996. 'Assessing the Success of UN Peacekeeping Operations', *International Peacekeeping*, 3:4, 64–81.

Coleman, P. and J. Lowe. 2007. 'Conflict, Identity, and Resilience: Negotiating Collective Identities within the Israeli and Palestinian Diasporas', *Conflict Resolution Quarterly*, 24:4, 377–412.

Collins, A. 2007. 'Comparing and Contrasting Realist and Constructivist Interpretations of the Ethnic Security Dilemma'. Paper presented at the forty-eighth annual convention of the International Studies Association, Chicago.

Diehl, P. 2008. *Peace Operations*. Cambridge: Polity Press.

Downes, A. 2006. 'More Borders, Less Conflict? Partition as a Solution to Ethnic Civil Wars', *SAIS Review*, 26:1, 49–61.

Gurr, T. R. 2000. *Peoples versus States: Minorities at Risk in the New Century*. Washington, DC: United States Institute of Peace.

Hampson, F. O. 2001. 'Parent, Midwife, or Accidental Executioner? The Role of Third Parties in Ending Violent Conflict', in C. Crocker, F. O. Hampson and P. Aall (eds) *Turbulent Peace: The Challenges of Managing International Conflict*, 387–406. Washington, DC: United States Institute of Peace.

Hayner, P. 2006. 'Truth Commissions: A Schematic Overview', *International Review of the Red Cross*, No. 862, 295–310.

Hoffman, S. 1998. *World Disorders: Troubled Peace in the post-Cold War Era*. Lanham, MD: Rowman & Littlefield.

Holzgrefe, J. L. 2003. 'The Humanitarian Intervention Debate', in J. L. Holzgrefe and R. O. Keohane (eds), *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas*. Cambridge: Cambridge University Press.

Hopmann, P. T. 1995. 'Two Paradigms of Negotiation: Bargaining and Problem Solving', *Annals of the American Academy of Political and Social Science*, No. 542, 24–47.

Kaufman, C. 1996. 'Intervention in Ethnic and Ideological Civil Wars: Why One Can be Done and the Other Can't', *International Security*, 6:1, 62–101.

Kaufman, C. 2006. 'What Have We Learnt About Ethnic Conflict? What Can We Do in Iraq?' *Harvard International Review*, 28:4, 44–50.

Kaufman, S. 2007. 'Escaping the Symbolic Politics Trap: Reconciliation Initiatives and Conflict Resolution in Ethnic Wars', *Journal of Peace Research*, 43:2, 201–18.

Kingston, J. 2006. 'Balancing Justice and Reconciliation in East Timor', *Critical Asian Studies*, 38:3, 271–302.

Kressel, K. and D. Pruitt. 1989. *Mediation Research*. San Francisco: Jossey-Bass.

Kriesberg, L. 1991. 'Formal and Quasi-mediators in International Disputes: An Explanatory Analysis', *Journal of Peace Research*, 28:1, 19–27.

Lake, D. and D. Rothchild. 1996. 'Containing Fear: The Origins and Management of Ethnic Conflict', *International Security*, 21:2, 41–75.

MacFarlane, N., C. Thielking and T. Weiss. 2004. 'The Responsibility to Protect: Is Anyone Interested in Humanitarian Intervention?' *Third World Quarterly*, 25:5, 977–92.

Mani, R. 2005. 'Balancing Peace with Justice in the Aftermath of Violent Conflict', *Development*, 48:3, 25–34.

Mansfield, E. and J. Snyder. 1995. 'Democratization and the Danger of War', *International Security*, 20:1, 5–38.

Pace, M. 2007. 'The Construction of EU Normative Power', *Journal of Common Market Studies*, 45:5, 1039–62.

Pace, M. 2009. 'Paradoxes and Contradictions in EU Democracy Promotion in the Mediterranean: The Limits on EU Normative Power', *Democratization*, 16:1, 39–58.

Pischedda, C. 2008. 'Partition as a Solution to Ethnic Conflict', *International Spectator*, 43:4, 103–22.

Princen, T. 1992. *Intermediaries in International Conflict*. Princeton, NJ: Princeton University Press.

Ross, M. 1995. 'Psychocultural Interpretation Theory and Peacemaking in Ethnic Conflicts', *Political Psychology*, 16:3, 523–44.

Siniver, A. 2006. 'Power, Impartiality and Timing: Three Hypotheses on Third Party Mediation in the Middle East, *Political Studies*, 54:4, 806–26.

Smith, W. P. 1985. 'Effectiveness of the Biased Mediator', *Negotiation Journal*, 1:4, 363–72.

Stedman, S. 1996. 'Negotiation and Mediation in Internal Conflict', in M. Brown (ed.), *The International Dimensions of Internal Conflict*, 341–76. Cambridge, MA: MIT Press.

Stein, J. G. 2005. 'Image, Identity, and the Resolution of Violent Conflict', in M. Evangelista (ed.) *Peace Studies: Critical Concepts in Political Science*, 364–89. New York: Taylor & Francis.

Tanner, F. 2000. 'Conflict Prevention and Conflict Resolution: Limits of Multilateralism', *International Review of the Red Cross*, No. 839, 541–58.

Teson, F. 1998. *Humanitarian Intervention: An Inquiry into Law and Morality*. New York: Transnational Publishers.

Tocci, N. 2007. *The EU and Conflict Resolution: Promoting Peace in the Backyard*. London: Routledge.

Touval, S. 1982. *The Peace Brokers: Mediators in the Arab–Israeli Conflict, 1948–1979*. Princeton, NJ: Princeton University Press.

Touval, S. 1994. 'Why the UN Fails', *Foreign Affairs*, 73:5, 44–57.

Van Evra, S. 1994. 'Hypotheses on Nationalism and War', *International Security*, 18:4, 5–39.

Wallensteen, P. and M. Sollenberg. 1999. 'Armed Conflict, 1989–1998', *Journal of Peace Research*, 36:5, 593–98.

Welsh, J. 2006. *Humanitarian Intervention and International Relations*. London: Oxford University Press.

Walzer, M. 1995. 'The Politics of Rescue', *Social Research*, 62:1, 53–66.

Zartman, I. W. 1985. *Ripe for Resolution: Conflict and Intervention in Africa*. New York: Oxford University Press.

Zartman, I. W. 1995. *Elusive Peace: Negotiating an End to Civil Wars*. Washington DC: Brookings Institution.

Zartman, I. W. and S. Touval. 1996. 'International Mediation in the post-Cold War Era', in C. Crocker, F. O. Hampson and P. Aall (eds.), *Managing Global Chaos*, 445–61.

16 Multilateral frameworks for conflict resolution

Eva Sobotka

This chapter examines the evolution of approaches to international conflict resolution and focuses on the shift in the nature of conflict resolution that emerged with the end of the Cold War and the demise of the accompanying bipolar system. The first section of the chapter outlines developments in conflict resolution from peacekeeping to the emergence of multilateral conflict resolution enforcement frameworks in the United Nations (UN) context. Examining multilateral approaches in the conflict resolution that were applied in El Salvador, Mozambique and Tajikistan, it illustrates peacekeeping, peace-making and conflict prevention/resolution approaches in practice. The second section of the chapter analyses the multidimensional character of conflict resolution, the functions of various actors and their potential impact on conflict resolution within multilateral frameworks. This section discusses examples of conflicts where new approaches to conflict resolution have been implemented, including a role for regional organisations, such as the Organisation for Security and Cooperation in Europe (OSCE), the Organisation of African Unity (OAU) and the European Union (EU). Lastly, acknowledging critiques made following the high-profile failures in peacekeeping in Somalia, Rwanda and Bosnia and Herzegovina, which caused member states to place stringent conditions upon UN operations, the chapter takes a closer look at a case of conflict resolution in Kosovo.

The evolution of conflict resolution frameworks

Following the end of the Cold War, fundamental changes in the nature of the international system have ushered in a new thinking with respect to traditional approaches to conflict resolution (Saunders 1999, p. 7). One cause of the change was identified as the strengthening of the internationalisation of international relations and the recognition of a duty of the international community to maintain international peace and thus secure the elementary security of individuals (Bigo 2003, p. 185). Yet, the promise of world peace in 1989 never materialised. Instead, the number of increasingly internal, violent conflicts around the world soared, where the majority of victims were civilian and where identity conflicts and poverty became a common feature (Gurr 2002; Fleitz Jr 2002, p. 16).

The United Nations is designed to serve as both first and last resort in dealing with threats to peace. Since 1945, peacekeeping has been a method of operation mostly applied by the United Nations in its efforts to resolve conflicts and secure lasting peace. The UN Charter commits states to the maintenance of international peace, justice and human rights, including social progress. These goals are also achieved through

assistance in early intervention in conflict. Article 33(1) of the Charter requires that parties to any dispute seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, and resort to regional agencies or apply any other peaceful means of their own choice. The UN Secretary General is mandated by the General Assembly and the Security Council to undertake and maintain efforts including the appointment of special representatives and envoys, good offices, fact-finding missions, and other peaceable means to assist parties in the resolution of disputes prior to their escalation. Preventive diplomacy is intended to be proactive, although traditionally the international community has taken only a reactive stance to conflict.

Since the UN Charter does not provide an explicit definition of peacekeeping, its meaning was established in an *ad hoc* fashion through specific situations and deployments. Still, Chapter VI and Chapter VII of the UN Charter provide a basis for understanding this term: Chapter VI refers to approaches of peaceful settlement while Chapter VII enables the enforcement of decisions, should the Security Council decide to do so. Chapter VII also sanctions the use of armed force, if necessary. The decision of the Security Council to intervene is dependent on the agreement of the five permanent members, which is not always guided by the normative criteria of human rights protection or humanitarian need (Weiss 1996, p. 62). The provisions for regional organisations under Chapter VIII of the UN Charter were intended to provide an option through which the Security Council could mandate action and thus proceed with collective responsibility for peace and security between the United Nations and the regional organisations. Article 53 of the UN Charter provides for the possibility that disputes are first addressed by regional organisations, as long as the Security Council is informed. However, the unwillingness of states in the Security Council to support action, whether directly or indirectly through authorisation for regional organisations, during the Cold War has limited the ability of the United Nations and other actors to undertake collective action. That said, during the initial phases of conflict, the humanitarian agencies of the United Nations have played more independent roles, working with local and government actors to support initiatives aimed at crisis alleviation, of which assessment missions, diplomatic initiatives, support of civil society initiatives, and emergency aid are just a few examples.

Cold War peacekeeping and conflict resolution

The first UN peacekeeping mission was the Emergency Force (UNEF), which was dispatched to the Sinai peninsula in response to the 1956 Suez crisis. Its role was to observe the cease-fire, and the withdrawal of British, French and Israeli forces. The mission was successful and set a precedent for other UN missions, creating a role for unarmed and neutral forces in keeping sides of the conflict away from each other by creating a buffer zone between them. A set of principles was established to guide future UN missions. Through trial and error during the Cold War, the international community adapted and amended principles of peacekeeping, developed by the UNEF into a set of minimum conditions for the deployment of UN peacekeeping missions (Allen 1996, pp. 137–41; Hansen et al. 2001, p. 3). These principles can be summarised as: acceptance, impartiality and minimum use of force. While acceptance means that parties to a dispute consent to the deployment of a peacekeeping force and agree to co-operate with it. Impartiality refers to the importance of traditional peacekeeping troops being acceptable to the warring parties and having no stake in their dispute. Peacekeepers are

bound to minimum use of force and permitted to use force only in self-defence. In the words of the former UN Secretary General Boutros Boutros-Ghali, 'peacekeeping can rightly be called the invention of the United Nations' (Boutros-Ghali 1992, p. 14).

During the Cold War, peacekeeping missions were deployed to mediate inter-state conflicts and their number rose to a total of fourteen in the period 1945–90. In a number of conflict situations, the United Nations created multinational military forces to supervise a truce or administer arrangements that had been established as part of the conflict's resolution. Such peacekeeping forces were an important part of many efforts at conflict resolution, and by the 1990s they had become an accepted resource for conflict management in global affairs. United Nations peacekeeping forces were sent to the Sinai peninsula following the Suez crisis (1956–67), the Congo (1960–64), West Irian Jaya (1962–63), Cyprus (1964–90s), the Sinai again (1973–79), the Golan Heights in Syria (1974–90s), southern Lebanon (1978–90s), territories in the former Yugoslavia (beginning in 1992), Cambodia (beginning in 1992), Mozambique (beginning in 1992) and Somalia (beginning in 1993). Although traditional peacekeeping missions must be multilateral, they do not have to be conducted by the United Nations. One of the most successful peacekeeping missions deployed, in the period 1945–90, was the Multinational Force Organisation (MFO), a non-UN multilateral operation in the Sinai peninsula to help verify the terms of the 1979 Israel–Egypt Camp David Accords.

The United Nations provided mechanisms for dealing with conflicts, either avoiding war or assisting in bringing it to an end. These mechanisms were less effective, however, with conflicts involving the major powers, who exercise a veto in the Security Council. The United Nations also had only limited jurisdiction to become involved in civil wars and the internal affairs of member states. Nevertheless, within these limits the United Nations performed important services in conflict resolution. At the end of World War II, there were issues that needed resolution based on international agreement. Although the United Nations was active in helping to resolve many conflicts, critics noted that its effectiveness was limited by the ability of the superpowers to restrict UN action (Fleitz

Table 16.1 Selected traditional peacekeeping missions, 1945–1990

Peacekeeping mission	Start–end	Authorised size	Total cost ($ million)
UNMOGIP (India–Pakistan)	1948–	102	163
UNTSO (Palestine)	1948–	572	592
UNEF I (Sinai–Gaza Strip)	1956–67	6,073	214
UNOGIL (Lebanon)	1958	591	4
ONUC (Congo)	1960–64	19,828	400
UNSF (West New Guinea)	1962–63	1,576	26
UNYOM (Yemen)	1963–64	189	2
UNFICYP (Cyprus)	1964	1,257	980
UNIPOM (India–Pakistan)	1965–66	96	2
UNEF II (Sinai–Suez)	1973–79	6,973	446
UNDOF (Golan Heights)	1974–	1,454	732
UNIFIL (Lebanon)	1978–	7,000	3,240
UNIMOG Iran–Iraq)	1988–91	399	190
UNGOMAP (Afghanistan)	1988–90	50	14

Source: UN Department of Peacekeeping Operations, available at http://www.un.org/Depts/dpko.

Jr 2002). Although the International Court of Justice has limited jurisdiction, its rulings and advisory opinions played an important role in resolving some conflicts and further defining the rights and obligations of states under international law.

As the Cold War came to an end, the demand for the United Nations by the international community increased, aiding in the end of the Iran–Iraq War of the 1980s; mediating conflicts in Cambodia, Angola, and the western Sahara in 1988; assisting in the Soviet withdrawal from Afghanistan in 1989; and monitoring the elections that brought an end to the civil war in Nicaragua in 1990. Formal observer groups were among the most important mechanisms created by the United Nations to help monitor agreements. Major UN observation missions played a role in Palestine (1948), India and Pakistan (1949), Lebanon (1958), Yemen (1963), the Dominican Republic (1965), Afghanistan (1988), the Iran–Iraq cease-fire (1988) and Kuwait (1991).

In addition, the United Nations was the organisational framework for two major military mobilisations in response to aggression. This function was limited by the Cold War rivalries, which meant that either the United States or the Soviet Union could prevent the UN response to North Korean attacks. However, in 1950, when North Korea invaded South Korea, the Soviet Union was temporarily boycotting the United Nations. This enabled the Security Council to pass without veto the appropriate resolutions calling on member states to contribute forces for a UN police action to stop the aggression, with the United States providing the major source of military power for the action. The second major UN military response was in 1990, when Iraq invaded Kuwait. In the Persian Gulf War of 1990–91, the United States again provided the major source of military power, and the United Nations provided the international authority for the multinational response to Iraqi aggression. Such multilateral action had become possible by the end of the Cold War.

Post-Cold War peacekeeping and conflict resolution during the 1990s

Assessing the opportunities for UN-led missions, we must first acknowledge how the world of conflict management has changed since the end of the 1980s and beginning of 1990s. As Monty Marshall and Ted Robert Gurr have both noted, international conflict reached its peak during this period (as measured by both the number of international conflicts and the number of fatalities or war-related deaths in those conflicts (Gurr 2002, pp. 41–62; Marshall 2002, p. 66). At the beginning of 1988, as the Cold War was coming to its end, there were only five operations active in the field: three in the Middle East, a small observer mission in Kashmir and UNFYICYP I Cyprus. Between 1996 and 1998, twenty-nine operations were created, compared to the establishment of only thirteen operations undertaken between 1948 and 1987 and none between 1979 and 1988.

In addition, the increase in operations has brought about a diversification in the nature of these operations. In 'An Agenda for Peace' then UN Secretary General Boutros Boutros-Ghali recommended strengthening and making more efficient, within the frameworks and provisions, the capacity of the United Nations for *preventive diplomacy*, for peacemaking and peacekeeping (Boutros-Ghali 1992, p. 1). Traditional state-centric approaches to conflict resolution were no longer suitable. The function of missions has evolved into a multiplicity of tasks, while the composition of missions has become more diverse. Hence the contemporary practice and theory of peacekeeping has become more *multilateral*, *multidimensional*, *multinational* and *multicultural.* The second generation of conflict resolution techniques contributed to the notion of human

security as opposed to state security. This allowed the inclusion of non-state actors and attempted to address the root causes of the conflict, focusing on conflict transformation. The complexity of arrangements concerning multilateral peacekeeping today requires the involvement of various levels of actors in an operation: two or more conflicting parties, peacekeepers, the United Nations, regional and international organisation or institutions, civil society, international financial institutions, corporations and influential private individuals, usually acting under the umbrella of a foundation or peace institute. Similarly, the terms of multilateralism or multiculturalism in conflict resolution require that a peacekeeping force is formed from a diverse range of nations or agencies, each of which will bring its own understanding, resources, political influence in conflict resolution.

The first such multidimensional operation, the United Nations Transition Assistance Group (UNTAG), was deployed in Namibia at the end of the Cold War. Although a detailed assessment of UN-mediated interventions in the 1980s and 1990s is outside the scope of this chapter, and there is an obvious temptation to focus on the United Nations' negotiation failures, we can point to a few cases where the United Nations did succeed through its mediated interventions in promoting a peaceful settlement of major conflicts. The conditions of these successful cases are also instructive about the potential strengths that the United Nations can bring to a negotiating table. As is shown by the three case studies that follow, over the years the United Nations has developed a more nuanced approach to (ethnic) conflict resolution.

El Salvador (1991–1995)

The resolution of this conflict is a good example of the emerging multidimensional and multilateral approach to peacekeeping. The Special Representative of the Secretary General, Alvaro de Soto, played a key role in leading the parties to a negotiated settlement (Hume 1994, p. 45). The fundamentally different political position of parties to the conflict made the political settlement a subject of intensive negotiation, despite the fact that a military stalemate helped to bring the parties to the negotiating table. The government's goal was to end the war, whereas the goal of the Farabundo Marti National Liberati (FMLN) was to change Salvadorian society entirely, starting with intensive demilitarisation. The United Nations was an outside mediator, and was able to replace the diminishing influence of big powers, the United States and the former Soviet Union. Through the United Nations, which was perceived as neutral, both parties turned to the negotiator, who was a trusted source of proposals, reframing the meaning of concessions, creating a sense of urgency, imposing deadlines and resorting to sanctions, if necessary. In maintaining its independence when undertaking these tasks, the Special Representative also enjoyed the support of 'allies' – Colombia, Mexico, Spain and Venezuela – who lent their support when negotiations were running into difficulties.

Mozambique (1992–1994)

The special representative of the UN Secretary General, Aldo Ajello, who was responsible for overseeing the implementation of the General Peace Agreement, played a critical role in mediating when one of the parties threatened not to fulfil their commitments (Ajello 1999). While the peace accords were negotiated between Marxist-led government party

FRELIMO and the opposition guerrilla movement RENAMO, with the assistance of Sant'Egidio, a Catholic organisation, and the direct support of Italian government, implementation of the General Peace Agreement, signed in 1992, was undertaken by the United Nations (Bartoli 1999, p. 256). When the RENAMO candidate, Alfonso Dhlakama, threatened that he would pull out of the UN-supervised general election, because he feared that the process was not fair, the Special Representative intervened and thus helped the general election to maintain its credibility. The special representative convinced all parties that the election would be fair and that the UN supervision and monitoring commission would inquire into all irregularities of the election.

Tajikistan (1991)

The United Nations helped to facilitate negotiations between the government of Tajikistan and Islamic rebel groups in a war that displaced one-sixth of a total population of 6 million, following the break-up of the Soviet Union. In the 1996 Peace Agreement between Tajik President Imomali Rakhmonov and the Islamic leader Said Abdullo Nuri, both parties agreed to power sharing in the Commission for National Reconciliation, prisoners' exchanges, amnesty laws and the integration of the armed forces of both sides into a new army. An important role in this conflict settlement was played by non-governmental organisations, which worked hard in promoting community reconciliation and cohesion (Saunders 1996a, p. 425, 1999, p. 173).

Since the early 1990s a number of terms have been applied and suggested for the extension of international responsibility and administration of war-torn societies. Some scholars have adopted the UN terminology 'interim administration' and 'transitional arrangements', which refers to the temporary assumption of governmental functions by the United Nations over territories and peoples that have been left in a conflict-torn environment, for instance because of civil war, crimes against humanity, territorial disputes and environmental disaster (Caplan 2005, pp. 16–41). Others have referred to comprehensive peace-building efforts, which are derived from former UN Secretary General Boutros Boutros-Ghali's 'Agenda for Peace'. The term signifies the readiness of the United Nations to take on increasing responsibilities in such complicated operations through the 1990s, as is evident from the gradual drift from traditional peacekeeping to wider peace enforcement, humanitarian intervention and, ultimately, the civil, political, social and economic reconstruction of entire societies (Pugh 1997, p. 20).

A crucial development in the post-Cold War era has been the increase in the number of political and non-political actors who deal with conflict and its resolution. In recent years, the impact of international organisations (e.g. UN, NATO), regional organisations (Organisation of American States, OAS; European Union, EU), non-governmental organisations (e.g. Amnesty International, International Crises Group, the Carter Centre) and individuals have all become increasingly involved in various aspects of conflict resolution. There is also a strong tendency to favour multilateral approaches to conflicts, especially with the potential for spill-over effects.

Table 16.2 Non-UN peacekeeping and interventions, 1990–2005

State or regional organisations peacekeeping	Location and intervention
Great Britain	Sierra Leone
France	Central African Republic, Ivory Coast, Lesotho
South Africa	Burundi
French-led coalition	Democratic Republic of the Congo
Italy	Albania
US-led coalition	Haiti
Australian-led coalition	East Timor, Solomon Islands
Africa	
Economic Community of West African States	Liberia, Sierra Leone, Guinea-Bussau, Ivory Coast
Southern African Development Community	Democratic Republic of the Congo, Lesotho,
Economic and Monetary Community of Central African States	Central African Republic
African Union	Burundi, Sudan
Europe	
Commonwealth of Independent States	Moldova, Georgia, Tajikistan
European Union	Bosnia and Herzegovina, Macedonia
NATO	Kosovo
Asia	
NATO	Afghanistan

Source: Bellamy and Williams (2005).

Actors and their function in multilateral frameworks for conflict resolution

The 1990s began with a hopeful phase in which the United Nations set out to implement the expanded conception of peacemaking envisioned in Boutros Boutros-Ghali's 'Agenda for Peace', with notable peace-building operations in areas with recent peace settlements, including Cambodia, Namibia, Angola, Mozambique and El Salvador. A general model for UN peace-building has emerged from these cases. It calls for military measures to secure the demobilisation, disarmament and cantonment of opposing forces; constitutional measures to implement elections and establish a transitional government; governance measures to support civilian government and infrastructure, including training and, if necessary, supervision of local police; human rights measures; the return of refugees; and the restoration of war-damaged infrastructure. At first, this model appeared to have striking successes, and in some cases, such as Namibia and Mozambique, a peaceful transformation from war was indeed achieved. In others, however, such as Angola and Cambodia, violent conflict resumed.

While international interventions have, in these cases, seemed to have halted ethnic wars, the extent of transformation of the underlying conflict remains limited. Ethnonationalist leaderships remain and settlements based on the realities of ethnic divisions in the war have preserved these divisions during peace time. These high-profile cases, of course, involved imposed settlements, achieved after considerable vacillation on the

part of a divided international community. More impressive have been the cases in which conflicts were prevented even before they became violent. Here, real changes in the context of the conflict and in the structure of the societies have resulted in some impressive transformations. In the case of Estonia, for example, a potential ethnic conflict was averted in part through the well-known interventions of the OSCE High Commissioner on National Minorities, supported by the EU and Scandinavian governments. In part, the transformed economic context served to create incentives for the Russian-speaking community. Moreover, an additional key factor was the introduction of an electoral system that created incentives for cross-ethnic voting, thus resulting in a transition from ethnic politics to a politics of economic and regional interest groups. Non-Estonian politicians were included in the party lists of Estonian parties, and the Estonian Centre Party won wide support from Russian-speakers as a vehicle for promoting their interests. This is a particularly striking success for the conflict management and ethnic accommodation approaches, made possible by the transformation of the Estonian context after 1991.

Several problems remain to exist with regard to the United Nations' preventive capacity. Although both the UN Charter and the 1988 *Declaration on the Prevention and Removal of Disputes and Situations and on the Role of the UN in the Field* urged the United Nations to become involved 'early in a dispute of a situation' or 'at any stage of a dispute or a situation', the fact is that most disputes do not reach the Security Council's agenda until they have escalated into armed conflict (Peck 1998, p. 70). Ultimately, the decision for action has rested with member states.

The engagement of human rights and humanitarian agencies has become more visible since the 1980s and 1990s. These agencies were increasingly drawn into the costly business of rebuilding war-torn societies, and were responding to the acute humanitarian need, by targeting development and human rights monitoring programmes specifically towards peace-building. In some cases, their activities supported UN peace-building operations, for example in Mozambique, where donors helped to keep the elections on schedule and supported the transformation of RENAMO into a political party. In other cases, development aid was channelled to directly mitigate conflict, as when donors supported refugees in neglected parts of Somalia with the intention of reducing discontent in a politically unstable area. Programmes to support the reintegration of child soldiers or the rehabilitation of agricultural land are further examples of development tasks that can readily have a peace-building component. Capacity-building and support for indigenous conflict handling capacity are also crucial.

Development aid can, of course, have unintended as well as intended consequences; in some circumstances, aid is captured by the parties to the conflict, and then sustains the fighting. Although development agencies are increasingly important and influential in this field, they generally see their role as principally to support and encourage the work of others, rather than to take prime responsibility for transforming particular conflicts. (That role is still seen as a new and untested function.) Most of the conflict transformation work has therefore been left to NGOs (Collier 2007; Lederach 2001). In addition to NGOs, international financial institutions have begun to incorporate conflict resolution and post-conflict reconstruction departments within their organisations, most importantly the World Bank's Post-conflict Reconstruction Unit. This shift is in part the result of a more holistic approach to peace and conflict resolution that has led various scholars and practitioners to link conflict with issues of human rights and development (Holtzman et al. 1998).

Table 16.3 Functions of multidimensional peacekeeping operations

Military component
- Monitoring and verification of cease-fires
- Cantonment
- Disarmament and demobilisation of combatants
- Overseeing the withdrawal of foreign forces
- Mine awareness education and mine clearance
- Ensuring security for UN and other international personnel
- Activities in support of the peace process

Civilian police component

- Crowd control
- Establishment and maintenance of judicial system
- Law enforcement
- Monitoring, training and advising local law enforcement authorities on organisational, administrative and human rights issues

Civilian component

Political element
- Political guidance on overall peace process
- Assistance in the rehabilitation of existing political institutions
- Promotion of national reconciliation

Electoral element
- Monitoring and verification of all aspects and staged of the electoral process; co-ordination of technical assistance
- Education of the public about electoral processes and provision of help in the development of grass-roots democratic institutions

Human rights element
- Human rights monitoring
- Investigating of specific cases of human rights violation
- Awareness raising of human rights

Humanitarian help element
- Provision of humanitarian aid (food and other emergency relief supplies)
- Implementation of refugee repatriation programmes
- Resettlement of displaced persons
- Reintegration of ex-combatants

Source: Hansen et al. (2001).

Collective threats to security are best met by collective responses, yet strong norms regarding sovereignty and non-interference have limited the ability of states to collectively deal with conflicts, let alone engage in prevention (Brems Knudsen and Bagge Laustsen 2006). Demand for UN interventions, particularly in the form of peacekeeping operations, has strained the resources available to that organisation. Conflicts in the post-Cold War period have tested the United Nations' capabilities to the limit, and the failures in Somalia, Rwanda and Bosnia and Herzegovina have led to critical assessment (Betts 1994, p. 25; Rieff 1994, p. 17; Luttwak 1999). The genocide in

Rwanda, where approximately 800,000 people were killed between April and July of 1994, was described as one of the most 'most abhorrent events of the twentieth century' (United Nations 1999a, b). A year later, in one of the worst war crimes committed in Europe since the end of the Second World War, the Bosnian town of Srebrenića, which had been designated the world's first-ever civilian safe area under Security Council Resolution 819 (16 April 1993), fell to Serb militias. Eight thousand Muslims were killed under the eyes of the UN peacekeeping force deployed in the area.

In light of such failures in peacekeeping, the concept of peace support operations (PSO) has evolved as an expression of states' reluctance to deploy forces and provide resources in conflicts for which they are inadequately prepared and supported. This new way of thinking is best exemplified by Wilkinson, who argues that, in a world marked by civil wars, collapsed states and declining respect for international and humanitarian law, the wider peacekeeping concepts developed in the 1990s are in need of updating (Wilkinson 2000).

During the 1990s, the debate surrounding conflict resolution increasingly advocated a more innovative approach. Today, multilateral conflict resolution frameworks involve a broad range of functions and actors, who make use of a wide repertoire of practices. The operations are multilateral and multidimensional, incorporating military and civilian police and other civilian components. The civilian police component has become an increasingly important player in conflict resolution. Operating under the auspices of the UN Security Council, international police monitors assist in the creation of secure environments and in the maintenance of public order. Finally there is a civilian component, which consists of intergovernmental organisations (IGOs), or agencies, regional organisations and non-governmental organisations, international organisations, foundations, etc. With respect to their mandates, civilian component can be further divided to include subcomponents, such as political, electoral, human rights and humanitarian mandates. Following on from this, it is arguable that the use of Australian forces to lead the peace operations in East Timor in 1999 (see below) and the deployment of British forces in Sierra Leone in 2000 are examples of such multilateral and multidimensional operations.

East Timor

UN involvement in East Timor dates to the UN General Assembly Resolution in 1960, when East Timor was added to the United Nations' list of non-self-governing territories. When Portugal, which administered the territory, decided to establish a provisional government in 1974, civil war broke out between those who sought independence and those who wanted union with Indonesia. Indonesia annexed East Timor in 1976. For years afterwards, the United Nations conducted negotiations with Indonesia and Portugal to resolve the status of East Timor. A set of agreements was reached in 1999, confirming East Timor as holding 'special autonomy status' within the territory of Indonesia. In the same year, a multinational force led by Australia was deployed to protect the United Nations Mission in East Timor (UNAMET). Further to a general election in 2001 and independence in 2002, the United Nations has continued its presence with a successor mission known as the United Nations Mission of Support in East Timor. It is responsible for helping to maintain security in the country and producing core administrative assistance to the new government (Ramesh 2001, p. 118).

Another example of the early application of the multilateral approach to conflict resolution, including peace support operations to conflict resolution is the intervention of the United Nations in the conflict in Kosovo.

Kosovo

Conflict resolution in Kosovo falls under the category of humanitarian intervention and the creation of international trusteeship (Brems Knudsen and Laustsen 2006). Like traditional peacekeeping (Chapter VI of the UN Charter), the Charter's basis for humanitarian intervention is ambiguous, lying somewhere in the grey zone between Chapter VI and Chapter VII. Here we can speak of a third generation of conflict resolution operations, which involves the application of all the principles of traditional peacekeeping (consent, partiality and absence of use of force). In addition, such intervention may involve further tasks, such as capturing criminals, gathering evidence of war crimes and effectively helping to rebuild the country's administrative institutions.

With the adoption of UN Security Council Resolution 1244 of 10 June 1999 and the establishment of UNMIK, the United Nations and its partners, NATO, OSCE and the EU became responsible for the territory, the people and the society of Kosovo. For the first time in recent history, the United Nations administered an entire territory. To facilitate the implementation of the mandate, the operation was divided into four pillars, each managed by a different organisation: Civil Administration (UNMIK), Humanitarian Assistance (UNHCR), Institution Building (OSCE) and Economic Reconstruction (EU). The overall strategy in Resolution 1233 involves five phases. During the first phase, an interim civil administration controlled by UNMIK was to be established. The interim administration was to be strengthened and a gradual transfer to the population of Kosovo was to begin during the second phase, while preparation for election was initiated. The holding of elections was to constitute the third phase, leading to establishment of provisional administration in the fourth phase. In the fifth phase, the conflict in Kosovo has been finally resolved and the overall administration of the territory transferred to a permanent civil administration directed and controlled by the local population. The largest obstacle to the consolidation of democratic peace in Kosovo is inherent in the structure of the UN operation: the unresolved end status of the territory. It is clearly stated in Resolution 1244 that Kosovo is a legal part of Yugoslavia, and Yugoslavia has no intention of allowing Kosovo to leave the Federation. The Kosovo Albanians nevertheless continued to demand the creation of an independent state.

The UN trusteeship operation in Kosovo has had positive effects on the humanitarian and democratic stability in the territory, although certain aspects of the current operation continue to be a cause of conflict. Since the conflict in Kosovo there has been a stimulus given to the policy development in relation to conflict prevention and conflict resolution in the European Union, and the emergence of a new framework of conflict resolution approaches (Hansen, Ramsbotham, Woodhouse 2001: 27).

Conclusion

By the 1990s it was clear that international organisations still could not prevent wars, but that the international conflict resolution mechanisms of the United Nations were more effective than those that had been available to the League of Nations. At the end of the twentieth century, such mechanisms were an accepted part of the structure of

global political power. New impetus to lateral thinking on conflict resolution, going beyond the state-centred approach to a multidimensional approach has taken place. During the Cold War conflict resolution activities of the United Nations operated in permissive environments but, since 1988, peacekeeping has had to adapt to semi-permissive or non-consensual environments, where multilateral and multinational approach in conflict resolution/settlement have become a predominant feature.

As we have seen, there are many examples of an increase in understanding by member states that multilateral approaches to peacekeeping and conflict prevention is, from a long-term perspective, a much more effective solution. The use of multilateral conflict resolution will gain currency with the increasing use of these concepts by the United Nations and regional organisations, such as the EU, OSCE or the Organisation of African Unity or ECOWAS. By their very nature, regional organisations have a more concentrated focus on a specific area, thus allowing the United Nations to focus its limited resources on the emergence of conflicts outside the purview of areas falling under regional systems. In the meantime, the capacity of these collective security arrangements must be increased through the sharing of both resources and experience by the United Nations and regional organisations.

Further reading

Bercovitch, J. and Jackson R. 2009. *Conflict Resolution in the Twenty-first Century.* Ann Arbor MI: University of Michigan Press.
Collier, P. 2007. *The Bottom Billion.* Oxford: Oxford University Press.
Fleitz, F. H., Jr. 2002. *Peacekeeping Fiascos of the 1990s: Causes*, *Solutions and U.S. Interests.* Westport CT: Praeger.
Gurr, T. R. 2002. 'Containing Internal War in the Twenty-first Century*', in *From Reactions to Conflict Prevention: Opportunities in the UN System.* London: International Peace Academy.
Miall, H., Oliver Ramsbotham, and Tom Woodhouse. 1999. *Contemporary Conflict Resolution*, Cambridge: Polity Press.

Bibliography

Ajello, A. 1999. 'Mozambique: Implementation of the 1992 Peace Agreements', in C. A. Crocker, F. O. Hampson and P. Aall (eds) *Herding Cats: Multiparty Mediation in a Complex World*, Washington DC: US Institute of Peace Press.
Allen, J. 1996. *Peacekeeping: Outspoken Observations by a Field Officer.* Westport CT: Praeger.
Azar, E. and Burton, J. W. 1986. *International Conflict Resolution: Theory and Practice*. Boulder CO: Lynne Rienner and Wheatsheaf.
Bartoli, A. 1999. 'Mediating Peace in Mozambique: The Role of the Community of Sant' Egidi', in Chester A. Crocker, Fen Osler Hampson and Pamela Aall (eds) *Herding Cats.* Washington DC: Institute of Peace Press, 245–74.
Bellamy, A. and Williams P., 2005. 'Who's Keeping the Peace? Regionalisation and Contemporary Peace Operations', *International Security* 29 (2): 157–95.
Betts, R. K. 1994. 'The Delusion of Impartial Intervention', *Foreign Affairs* 73 (1): 20–33.
Bigo, D. 2003. 'A Fresh Look at Conflicts', in Marie-Claude Smouts (ed.) *The New International Relations*. Paris: Fondation nationale des sciences politiques, Centre d'études et de recherches internationals, 171–98.
Boutros-Ghali, B. 1992. 'An Agenda for Peace', UN Document A/47/277, June 17.
Brems Knudsen, T., and Bagge Laustsen, C. 2006. *Kosovo between War and Peace: Nationalism, Peacebuilding and International Trusteeship.* New York: Routledge.

Burton, J. 1990. *Conflict: Resolution and Prevention*. New York: St. Martin's Press, 137–46.

Burton, J., and Dukes F. (eds) 1990. *Conflict: Practices in Management*, *Settlement and Resolution*, Vol. 4. London: Macmillan.

Caplan, R. 2005. *International Governance of War-torn Territories: Rule and Reconstruction* Oxford: Oxford University Press.

Collier, P. 2007. *The Bottom Billion.* Oxford: Oxford University Press.

Diez, T. 2003. 'Roots of Conflict, Conflict Transformation and EU Influence'. Summary of initial comment, European Commission workshop. Brussels, 14 February, http://ftp.cordis.europa.eu/pub/improving/docs/g_ser_conflict-security_diez.pdf.

De Reuck, A. 1984. 'The logic of conflict: its origin, development and resolution,' in M. Banks (ed.) *Conflict in World Society*. Brighton: Harvester.

Duffield, M. 1997. 'Evaluating conflict resolution', in G. Serbe, J. Macrae and L. Wohlgemuth (eds) *NGOs in Conflict: An Evaluation of International Alert*. Bergen: Christian Michelsen Institute, 79–112.

Fleitz, F. H., Jr. 2002. *Peacekeeping Fiascos of the 1990s: Causes*, *Solutions and U.S. Interests.* Westport CT: Praeger.

Gurr, T. R. 2002. 'Containing Internal War in the Twenty-first Century', in F. O. Hampson and D. M. Malone (eds) *From Reactions to Conflict Prevention: Opportunities in the UN System.* London: International Peace Academy.

Hansen, W., Ramsbotham, O. and Woodhouse, T. 2001. 'Hawks and Doves: Peacekeeping and Conflict Resolution'*, Berghof Handbook for Conflict Transformation*. Berlin: Berghof Research Centre for Constructive Conflict Management, April.

Holtzman S., Elwan, A. and Scott, C. 1998. *Post-conflict Reconstruction: The Role of the World Bank.* Washington DC: World Bank.

Hume, R. C. 1994. *The United Nations*, *Iran and Iraq: How Peacekeeping Changed*. Bloomington IN: Indiana University Press.

Kriesberg, L. 1998. *Constructive Conflicts: From Escalation to Resolution*. Lanham MD: Rowman & Littlefield.

Lederach, P. 2001. 'Civil Society and Reconciliation', in Chester A. Crocker, Fen Osler Hampson and Pamela Aall (eds) *Turbulent Peace: The Challenges of Managing International Conflict*. Washington DC: United States Institute of Peace, 841–54.

Luttwak, E., 1999 'Give War a Chance', *Foreign Affairs* 78 (4): 36–44.

Marshall, M. G. 2002 'Measuring the Societal Impact of War', in Fen Osler Hampson and David Malone (eds) *From Reaction to Conflict Prevention: Opportunities for the UN System.* Boulder, CO: Lynne Rienner for the International Peace Academy

Miall, H., Ramsbotham, O., and Wodhouse, T. 1999. *Contemporary Conflict Resolution*, Cambridge: Polity Press.

Peck, C. 1998. *Sustainable Peace: the Role of the UN and Regional Organisations.* NewYork. Carnegie Commission the Prevention of Deadly Conflict.

Pugh, M. 1997. *The UN*, *Peace and Force.* London: Frank Cass.

Ramesh, T. 2001. 'Cambodia, East Timor and the Brahimi Report', *International Peacekeeping* 8 (3): 115–24.

Rieff, D. 1994. 'The Illusion of Peacekeeping', *World Policy Journal* 11 (3): 1–18.

Saunders, H. H. 1996a. 'Pre-negotiation and Circumnegotiation: Arenas of the Peace Process' in Chester A. Crocker, Fen Osler Hampson and Pamela Aall (eds) *Managing Global Chaos*. Washington DC: United States Institute of Peace, 419–232.

—1999. *A Public Peace Process.* New York: Palgrave.

Sandole, D. J. D. 2007. *Peace and Security in the Postmodern World: the OSCE and Conflict Resolution.* London: Routledge.

United Nations, 1999a. *Security Council resolution 1259 (1999)*, on the International Tribunal for the Former Yugoslavia and Rwanda, appointment of the Prosecutor.

United Nations, 1999b. *Security Council resolution 1241 (1999)*, International Tribunal for Rwanda.

Weiss, T. G. 1996. 'Collective Spinelessness: UN Actions in the Federal Republic of Yugoslavia', in R. H. Ullman (ed.) *The World and Yugoslavia's Wars.* New York: Council on Foreign Relations.

Wilkinson, P. 2000. 'Peace Support under Fire: Lesson from Sierra Leone'. International Security Information Service, Briefing Papers, 2 June.

17 Post-conflict reconstruction in ethnically divided societies

Monika Heupel

Post-conflict reconstruction first appeared on the agenda of the United Nations and multilateral development agencies in the early and mid-1990s. With the end of the Cold War, many proxy wars in developing countries came to an end and other conflicts in weak and failing states escalated, so that new strategies were needed to create the conditions for self-sustaining peace in post-conflict settings. In this context, the United Nations and other global and regional agencies exploited their new scope of action to devise reconstruction strategies und build up respective capacities. Over the years, commonly accepted principles and a 'standard operating procedure' (Ramsbotham 2000) developed that guided efforts at stabilising peace processes in the aftermath of armed conflict or war.

Two decades after the end of the Cold War, a rich body of research on post-conflict reconstruction has emerged. Earlier work predominantly concentrated on conceptualising the term post-conflict reconstruction and describing and debating what measures were and should be initiated within the scope of reconstruction endeavours (e.g. Kühne 1996). Later studies increasingly centred on exposing the flawed liberal bias of the 'standard operating procedure' of post-conflict reconstruction and suggesting alternative approaches (most notably Paris 2004). Within the research on post-conflict reconstruction, the question of ethnically divided societies holds particular significance. With the number of ethnic conflicts on the rise since the early 1990s (Wolff 2006) and ethnic conflicts being more difficult to settle and durably pacify than non-identity conflicts (Hartzell and Hoddie 2003), a great number of scholars engaged in debating what measures were most suitable to lay the foundations for stable peace in the aftermath of armed conflict or war in ethnically divided societies.

The purpose of this chapter is to provide a brief overview of the state of the art of post-conflict reconstruction in ethnically divided societies. It describes the 'standard operating procedure' of post-conflict reconstruction (next section), reviews the main perspectives on post-conflict reconstruction in ethnically divided societies (second section) and presents the arguments of the critics of the conventional approach to post-conflict reconstruction (third section). The conclusion summarises the key points and marks out avenues for further research.

Post-conflict reconstruction

Post-conflict reconstruction – or post-conflict peace-building – is defined as 'activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the

absence of war' (United Nations 2000: II.A). Reconstruction activities in the aftermath of armed conflict or war are usually divided into four fields of activity that address security-related, political, psychosocial and socioeconomic problems of post-conflict societies respectively. It is commonly assumed that progress in all four fields of activity is required to render post-conflict reconstruction effective (Hamre and Sullivan 2002). Also, progress in each field of activity is assumed to depend on progress in the other fields, with the provision of security frequently being considered the necessary precondition for progress in other fields (Schwarz 2005).[1]

Security-related reconstruction refers to the (re-)transfer of the monopoly of force to the state. The build-up of the state monopoly of force normally involves the disarmament and demobilisation of private and parastatal combat units (Knight 2004; Ball 2001). In many cases, security-related reconstruction also requires security sector reform. A core element of security sector reform in post-conflict states is the integration of members of all relevant warring parties and societal groups into national security institutions. Other elements are the establishment of civilian control of the military and the police as well as the reduction of the military to providing external security (Bryden and Hänggi 2005; Pauwels 2000). Frequently, security-related reconstruction also involves the temporary deployment of multilateral peacekeeping forces that tend to be increasingly endowed with robust mandates. Peacekeeping forces can monitor and enforce cease-fire agreements and provide an environment that is secure enough to carry out other reconstruction efforts. Thus, they are meant to ease the security dilemma that is presumed to prevent or at least complicate peacetime co-operation among formerly opposing parties (Walter 1997, 1999; Feil 2002).

Political reconstruction refers to the promotion of the rule of law and to the (re-) building of democratic institutions in post-conflict societies. Oftentimes, political reconstruction first and foremost requires the composition of a constitution that embodies basic principles and norms as well as actionable rights (Samuels 2005). Rule of law promotion involves the establishment of a judicial system that is open to every citizen and shielded against political influence (Mani 1998; Carothers 1998). Democracy promotion is based on the assumption that stable democracies are less likely to become embroiled in internal armed conflict or war (Ellingsen and Gleditsch 1997). Democracy promotion usually draws upon a procedural and a substantive understanding of democracy. Thus, it aims to create formal democratic institutions and hold free and fair elections, as well as strengthen civil society organisations and foster acceptance of the values that underpin democratic orders (Barnes 2001; Ottaway 2003).

Psychosocial reconstruction refers to reconciliation both between civilians and former combatants and between different social groups. Given the high number of civilian casualties in many of today's armed conflicts and wars, psychological reconstruction is believed by many to be both highly relevant and particularly difficult (see Schnabel 2002; Bigombe et al. 2000). Truth commissions that provide a forum for perpetrators to acknowledge their wrongdoings and for victims to recount their stories and possibly forgive the perpetrators are believed to have the potential to facilitate reconciliation in the aftermath of armed conflict or war (Hayner 2002; Rotberg and Thompson 2000). Furthermore, tribunals such as the international tribunals for the former Yugoslavia and Rwanda and the hybrid tribunals for Sierra Leone and Cambodia are assumed to make reconciliation possible through a decollectivisation of guilt (Meron 1999; Bassiouni 2002). More recent studies, however, increasingly question whether truth-telling mechanisms and war crimes tribunals really contribute to

reconciliation and point to counterproductive side effects (Mendeloff 2004; Graybill 2004).

Socioeconomic reconstruction, finally, refers to the improvement of the socioeconomic well-being of civilians and former combatants in post-conflict societies. In the immediate aftermath of armed conflict or war, the provision of humanitarian assistance often takes centre stage. It is also frequently necessary to clear land mines and (re-)build infrastructure to enable refugees and internally displaced persons to return to their homes and resume agricultural production or other economic activities (Black and Gent 2006; Chimni 2002). Assisting former combatants to (re-)integrate into civilian life and take up work that enables them to support themselves and their dependants is considered to be particularly important. That way, former combatants are assumed to have fewer incentives to take up arms again and more incentives to support the peace process (see Humphreys and Weinstein 2007). In the mid and long run, socioeconomic reconstruction aims at the creation of sustainable economic growth and the reduction of social inequality, acknowledging that low levels of development (Collier and Hoeffler 2004) and high levels of social inequality (Boyce 1996; Nafziger and Auvinen 2002) can be important sources of armed conflict and war. The 'standard operating procedure' in this regard is the introduction of a free market economy, normally with the help of macroeconomic structural adjustment programmes (Mendelson Forman 2002; Collier et al. 2008).

Post-conflict reconstruction in ethnically divided societies

Research on post-conflict reconstruction in ethnically divided societies forms part of the broader research on post-conflict reconstruction. It draws heavily on the insights of the long-standing research on the causes and dynamics of conflict in pluralistic societies as well as on broader theoretical insights of several disciplines. The growing interest in post-conflict reconstruction in ethnically divided societies after the end of the Cold War has been inspired by the rising number of ethnic conflicts and by a growing perception among scholars and policymakers that ethnic divisions replaced the ideological fault lines of the Cold War as the dominant factor of conflict.[2] Moreover, post-conflict reconstruction turned out to be more difficult after ethnic wars than after non-identity wars (Hartzell and Hoddie 2003; Doyle and Sambanis 2000), thus making research on the preconditions for successful reconstruction in ethnically divided societies all the more imperative. One can discern three main perspectives on post-conflict reconstruction in ethnically divided societies that each relate to a specific field of the above specified reconstruction activities: a (neo-)realist perspective underlines the importance of security-related measures; an institutionalist perspective points to the value of balanced political institutions; and a constructivist perspective highlights the significance of reducing the political salience of ethnic divisions.

Scholars in the *(neo-)realist* tradition argue that the concept of the security dilemma can be used to explain the behaviour of non-state actors in anarchical environments. Traditionally, the security dilemma concept describes a situation in which two states that do not wish to harm each other end up going to war against each other. The dilemma arises because the anarchical structure of the international system compels states to make worst case assumptions and rely on self-help strategies to increase their security, which in turn decreases the security of other states (Herz 1951). The same dilemma, the argument goes, occurs before the outbreak or in the aftermath of ethnic

conflicts if a state fails to provide security throughout its territory. Hence, ethnic groups can equally be caught up in a situation in which they cannot trust one another and thus feel compelled to introduce measures that decrease the security not only of other parties but eventually also their own security (Posen 1993; Roe 1999; Snyder and Jervis 1999).

The application of the security dilemma concept to ethnic conflicts prompts scholars in the neorealist tradition to make rather grim predictions for the success of many of the post-conflict reconstruction measures summarised above. However, they come to different conclusions on how to surmount the challenges posed by the security dilemma in post-conflict settings. Some argue that warring factions might sign a ceasefire or peace agreement but are unlikely to disarm and agree to power-sharing formulas if there are no credible guarantees that all factions will abide by the terms of the agreement. A necessary precondition for the success of post-conflict reconstruction is therefore the presence of peacekeeping forces that are prepared to enforce the agreement and can thus provide such guarantees (Walter 1997, 1999; Doyle and Sambanis 2000; Hampson 1996). By contrast, other scholars call for the geographic separation of ethnic groups. They claim that, due to the security dilemma, cross-ethnic political appeals are unlikely to resonate in the aftermath of armed conflict or war. Accordingly, they consider the creation of ethnic enclaves, with or without independent sovereignty, to be a suitable way to reduce both incentives and opportunities for armed conflict or war (Kaufmann 1996, 1998; Mearsheimer and Van Evera 1995).

Many scholars who draw on *institutionalist* insights assert that the establishment of consociational democracy facilitates post-conflict reconstruction of ethnically divided societies (Hartzell and Hoddie 2003). This is based on the assumption that the needs and interests of all relevant groups must be accommodated to prevent the recurrence of armed conflict or war in pluralistic societies. Therefore, it is crucial to develop power-sharing mechanisms and/or agree upon group autonomy rights to give all relevant groups the opportunity to participate in rule-making (see Lijphart 1977, 2004; Gurr 1993). Power sharing typically refers to centralised joint rule and consensus-based decision-making of all relevant (ethnic) groups in divided societies. A narrow conception corresponds to power-sharing provisions in the executive and legislative branch, such as all-party governments or the right of all parliamentary factions to veto decisions. A broader power-sharing conception refers to proportional representation of all relevant groups, not only in the executive and the legislature but also in the public administration, the judiciary and the security institutions (Lijphart 1977, 2004; Sisk 1996; Schneckener 2002; Hartzell and Hoddie 2003; Reynal-Querol 2002). Territorial group autonomy provisions imply the introduction of federal structures in divided societies with geographically concentrated (ethnic) groups. Non-territorial group autonomy provisions relate to the granting of minority rights, for instance related to religion, education and language, to (ethnic) groups that are not geographically concentrated (Coakley 1993; Ghai 2000).

Horowitz and Reilly also draw on institutionalist insights but arrive at different conclusions on how voting systems ought to be designed in ethnically divided societies to contribute to the prevention or re-escalation of violent conflict. According to them, power-sharing provisions that guarantee proportional representation of all relevant ethnic groups in decision-making are counterproductive in that they reinforce ethnic divisions and reward radical parties. Instead, they recommend alternative vote systems that require voters to rank candidates according to their preferences, thus encouraging parties to bid for support from different constituencies. Alternative vote systems

consequently reward moderate parties and facilitate coalition-building across ethnic divides (Horowitz 1993, 1991; Reilly 2001, 1997).[3]

Finally, scholars that draw on *constructivist* theory point to the social construction of ethnic identities and maintain that it is of particular importance to address the symbolic and emotional roots of ethnic conflicts to cultivate stable peace in post-conflict settings. Rational approaches, they argue, err in assuming that ethnic identities are fixed and cannot be transformed. Proposals such as the geographical separation of ethnically defined groups or the institutionalisation of power-sharing mechanisms and group autonomy rights are therefore flawed because they build on the faulty assumption of unchangeable ethnic identities. Moreover, such proposals hold risks in that they institutionalise ethnic cleavages in post-conflict societies (Kaufman 2006; Simonsen 2005). Consequently, rather than institutionalising ethnic divisions in post-conflict societies, steps should be taken to reduce the salience of such divisions and facilitate a redefinition of identities and attitudes (Long and Brecke 2003).

There are several propositions on how to facilitate identity-related and attitudinal changes in ethnically divided societies that emerge from armed conflict or war. Some scholars underline the potential of problem-solving workshops that bring together representatives of conflicting groups and social scientists to engage in informal communication (Kelman and Cohen 1976). Others consider truth and reconciliation commissions to be a promising tool to make identity-related and attitudinal changes possible (Kaufman 2006; Hayner 2002). Again others suggest promoting societal cleavages that cut across ethnic divisions in order to de-ethnicise politics and lay the foundation for multicultural democracy in post-conflict settings. According to this view, members of ethnic groups are supposed to become aware of the fact that they share interests with members of other ethnic groups if they define their identity and interests not only along ethnic but also along regional, gender, class and other lines. The long-term objective, eventually, is not the suppression of ethnic identities but the creation of an overarching national identity (Simonsen 2005; Kymlicka 1995).

'Liberal internationalism' and its critics

Throughout much of the 1990s, research on post-conflict reconstruction was primarily concerned with mapping out how specific reconstruction strategies could be designed to be effective and thus widely took a problem-solving approach. In the late 1990s, however, when more and more efforts at post-conflict reconstruction in homogeneous and ethnically divided societies alike faltered and failed (Tschirgi 2004), scholars increasingly challenged the appropriateness of the normative underpinnings of 'liberal internationalism' or the 'liberal peace', which are generally used to denote the 'standard operating procedure' of post-conflict reconstruction. In their view, post-conflict reconstruction was based on the assumption that the introduction of a Western-style democracy and a free-market economy would help states emerging from armed conflict or war to lay the groundwork for self-sustaining peace. Yet, while democracy and a free-market economy were indeed correlated with a low risk of violent conflict, political and economic liberalisation engendered competition and were therefore not qualified to stabilise countries that lacked reliable institutions for the peaceful management of conflicts in the immediate aftermath of violence. The disillusioning success rate of post-conflict reconstruction since the end of the Cold War can consequently, at least in part, be attributed to untimely liberalisation (Paris 2004, 2002, 1997; Richmond 2006; David 1999).

Some scholars endeavoured to flesh out why *premature democratisation* in post-conflict situations was risky. They showed that states undergoing a transformation from autocracy to democracy are more susceptible to armed conflict or war than stable autocracies or mature democracies. States in limbo between autocracy and democracy are considered to be particularly at risk because the process of democratisation enables societal groups to gather and voice their demands while the governing regime is frequently not yet in a position or willing to accommodate such demands (Ellingsen and Gleditsch 1997; Mousseau 2001; Paris 2004, 1997). The heightened vulnerability of democratising states to violent conflict also applies to states with ethnically divided societies. What is more, there are indications that the pacifying effect of maturing democracies is less pronounced in ethnically divided societies than in homogeneous societies (Mousseau 2001). The introduction of democracy in multi-ethnic societies, it is argued, is likely to stimulate political competition along ethnic lines, facilitate ethnic mobilisation and thus foment ethnic conflict. Especially premature elections are a gamble, given that ethnic groups often perceive elections as a zero-sum game and may resort to violent means if elections produce undesirable results (Snyder 2000; Horowitz 1994; Diamond et al. 1995; Huntington 1997; Zakaria 1997).[4]

Other scholars claim that the *hasty introduction of free market economies* in post-conflict societies is likewise risky. They assert that states that are about to introduce a free-market economy (and are at middle levels of development) are exposed to a higher risk of armed conflict or war than states that are less open to the world economy (or less developed) or that are already well integrated into the world economy (or highly developed). The causal explanation of this relation is that the introduction of a free-market economy, often guided by externally imposed neo-liberal structural adjustment programmes, and integration into the global economy, give rise to social inequality in war-shattered societies and create losers that may resort to violent means to assert themselves (Bussmann and Schneider 2007; Mousseau 2001; Cooper 2005; Paris 1997). As in the relation between the degree of democratisation and the risk of violent conflict, the relation between economic openness (and development) and the risk of violent conflict equally applies to ethnically divided societies. Processes of economic development create more issues that societal groups can compete for and thus heighten the risk of group conflicts (Horowitz 1985; Mousseau 2001), especially as long as post-conflict states have yet to institutionalise social safety nets. Moreover, horizontal inequality between ethnic groups renders societies more prone to armed conflict or war, as it produces grievances that can be used by 'ethnic entrepreneurs' to mobilise followers along ethnic lines (Humphreys 2003; Stewart 2002; Gurr and Moore 1997; Chua 2003).

In light of the negative side effects of precipitate political and economic liberalisation, many critics of the conventional approach to post-conflict reconstruction call for what has become known as 'strategic liberalisation' (Paris 1997). Proponents of 'strategic liberalisation' share the normative underpinnings of 'liberal internationalism' but argue for a gradual and controlled implementation of its ambitious agenda and, as a consequence, long-term commitment by external actors. Instead of focusing on holding (premature) elections, they emphasise constitution-building and recommend delaying elections until disarmament and demobilisation efforts have made progress, civil society organisations whose agendas cut across dominant cleavage lines have developed, and electoral systems have been crafted with mechanisms that reward moderate parties (Paris 1997, 2004; Zakaria 1997). To absorb the negative side effects of economic

liberalisation in fragile post-conflict situations, proponents of 'strategic liberalisation' suggest adjustment policies that avoid economic shocks and allocate resources to those who are negatively affected by adjustment programmes (Paris 1997, 2004). Other critics of the 'liberal internationalist' approach to post-conflict reconstruction question whether external actors have the right and the ability to engage in far-reaching social engineering in post-conflict societies (Chandler 2006). Rather, they demand that local actors have a greater stake in deciding the constitutional foundations of the political system and the parameters of the approach to peace-building (Chandler 2006; Richmond and Franks 2007).

Conclusion

The body of research on post-conflict reconstruction in general and on reconstruction in ethnically divided societies has grown substantially during the past two decades. Until the late 1990s, most studies followed a 'problem-solving' approach and concentrated on spelling out what specific reconstruction strategies proved effective. Over the years, more and more scholars focused on the normative underpinnings of the 'standard operating procedure' of post-conflict reconstruction and the flaws of their execution. At the same time, a field of research that specifically dealt with post-conflict reconstruction in ethnically divided societies developed and generated insights that enriched the broader debate on post-conflict reconstruction in general.

To further enhance our understanding of the determinants of effective post-conflict reconstruction in ethnically divided societies, future research should first and foremost strive to overcome some of the divides that separate the different perspectives on reconstruction from each other. First, proponents of the conventional 'liberal internationalist' approach to post-conflict reconstruction and proponents of 'strategic liberalisation' should engage more seriously with each other and spell out more clearly under which conditions individual approaches prove most promising. Second, scholars that draw on different theoretical insights to account for the effectiveness of post-conflict reconstruction in ethnically divided societies should likewise make greater efforts to pool their findings. While it is true that some of the measures put forward by the different approaches countervail one another, it is worthwhile to examine more closely which measures can be combined under particular circumstances. Research on post-conflict reconstruction in ethnically divided societies has come a long way and has produced theoretically interesting and practically relevant insights. Yet, bringing together insights from different normative and theoretical perspectives will certainly expand our understanding of what makes post-conflict reconstruction in ethnically divided societies work.

Acknowledgement

Notes

1   For comprehensive overviews of the fields of activity of post-conflict reconstruction see Jeong (2005), Junne and Verkoren (2005) and Cousens and Kumar (2000).
2   Since the late 1990s, however, research commissioned by the World Bank and the debate on the emergence of so-called 'new wars' has shifted the attention to 'greed' and 'opportunity' as

factors giving rise to armed conflict and war rather than grievances related to ethnic divisions (e.g. Collier and Hoeffler, 2004).

3 For a criticism of the alternative vote system see Fraenkel and Grofman (2006).

4 For an opposing view see Saideman et al. (2002), who maintain that younger democracies are less vulnerable to ethnic conflict than is commonly assumed.

Further reading

Hartzell, C. and Hoddie, M. (2003) 'Institutionalizing peace: power sharing and post-civil war conflict management', *American Journal of Political Science*, 47(2): 318–32.

Kaufman, S.J. (2006) 'Escaping the symbolic politics trap: reconciliation initiatives and conflict resolution in ethnic wars', *Journal of Peace Research*, 43(2): 201–18.

Paris, R. (1997) 'Peacebuilding and the limits of liberal internationalism', *International Security*, 22(2): 54–89.

Simonsen, S.G. (2005) 'Addressing ethnic divisions in post-conflict institution-building: lessons from recent cases', *Security Dialogue*, 36(3): 297–318.

Walter, B. (1997) 'The critical barrier to civil war settlement', *International Organization*, 51(3): 335–64.

References

Ball, N. (2001) 'The challenge of rebuilding war-torn societies', in C. A. Crocker, F. O. Hampson and P. Aall (eds) *Turbulent peace: the challenges of managing international conflict*, Washington DC: United States Institute of Peace Press.

Bassiouni, M. C. (2002) 'Accountability for violations of international humanitarian law and other serious violations of human rights', in M. C. Bassiouni (ed.) *Post-conflict justice*, Ardsley: Transnational Publishers.

Barnes, S. H. (2001) 'The contribution of democracy to rebuilding postconflict societies', *American Journal of International Law*, 95 (86): 86–101.

Bigombe, B., Collier, P. and Sambanis, N. (2000) 'Policies for building post-conflict peace', *Journal of African Economies*, 9 (3): 323–48.

Black, R. and Gent, S. (2006) 'Sustainable return in post-conflict contexts', *International Migration*, 44 (3): 15–38.

Boyce, J. (ed.) (1996) *Economic policy for building peace: the lessons of El Salvador*, Boulder CO and London: Lynne Rienner.

Bryden, A. and Hänggi, H. (eds) (2005) *Security governance in post-conflict peacebuilding*, Münster: LIT Verlag.

Bussmann, M. and Schneider, G. (2007) 'When globalization discontent turns violent: foreign economic liberalization and internal war', *International Studies Quarterly*, 51: 79–97.

Carothers, T. (1998) 'The rule of law revival', *Foreign Affairs*, 77 (2): 95–106.

Chandler, D. (2006) 'Back to future? The limits of neo-Wilsonian ideals of exporting democracy', *Review of International Studies*, 32: 475–94.

Chimni, B. S. (2002) 'Refugees and post-conflict reconstruction: a critical perspective', *International Peacekeeping*, 9 (2): 163–80.

Chua, A. (2003) *World on fire: how exporting free market democracy breeds ethnic hatred and global instability*, New York: Doubleday.

Coakley, J. (ed.) (1993) *The territorial management of ethnic conflict*, London: Frank Cass.

Collier, P. and Hoeffler, A. (2004) 'Greed and grievance in civil war', *Oxford Economic Papers*, 56: 563–95.

Collier, P., Hoeffler, A. and Söderbom, M. (2008) 'Post-conflict risks', *Journal of Peace Research*, 45 (4): 461–78.

Cooper, N. (2005) 'Picking out the pieces of the liberal peaces: representations of conflict economies and the implications for policy', *Security Dialogue*, 36(4): 463–78.

Cousens, E. M., Chetan, K., with Wermester, K. (eds) (2000) *Peacebuilding as politics: cultivating peace in fragile societies*, Boulder CO: Lynne Rienner.

David, C. (1999) 'Does peacebuilding build peace? Liberal (mis)steps in the peace process', *Security Dialogue*, 30 (1): 25–41.

Diamond, L., Linz, J. J. and Lipset, S. M. (1995) *Politics in developing countries: comparing experiences with democracy*, Boulder CO: Lynne Rienner.

Doyle, M. W. and Sambanis, N. (2000) 'International peacebuilding: a theoretical and quantitative analysis' *American Political Science Review*, 94 (4): 779–801.

Ellingsen, T. and Gleditsch, N. P. (1997) 'Democracy and armed conflict in the Third World', in K. Volden and D. Smith (eds) *Causes of conflict in the Third World*, Oslo: North South Coalition and PRIO.

Feil, S. (2002) 'Building better foundations: security in post-conflict reconstruction', *Washington Quarterly*, 25 (4): 97–109.

Fraenkel, J. and Grofman, B. (2006) 'Does the alternative vote foster moderation in ethnically divided societies? The case of Fiji', *Comparative Political Studies*, 39 (5): 623–51.

Ghai, Y. P. (ed.) (2000) *Autonomy and ethnicity: negotiating competing claims in multi-ethnic states*, Cambridge: Cambridge University Press.

Graybill, L. S. (2004) 'Pardon, punishment, and amnesia: three African post-conflict methods', *Third World Quarterly*, 25 (6): 1117–30.

Gurr, T. R. (1993) *Minorities at risk: a global view of ethnopolitical conflicts*, Washington DC: United States Institute of Peace Press.

Gurr, T. R. and Moore, W. H. (1997) 'Ethnopolitical rebellion: a cross-sectional analysis of the 1980s with risk assessment for the 1990s', *American Journal of Political Science*, 41 (4): 1079–103.

Hampson, F. O. (1996) *Nurturing peace: why peace settlements succeed or fail*, Washington DC: United States Institute of Peace Press.

Hamre, J. J. and Sullivan, G. R. (2002) 'Toward postconflict reconstruction', *Washington Quarterly*, 25 (4): 85–96.

Hartzell, C. and Hoddie, M. (2003) 'Institutionalizing peace: power sharing and post-civil war conflict management', *American Journal of Political Science*, 47 (2): 318–32.

Hayner, P. B. (2002) *Unspeakable truths: facing the challenge of truth commissions*, New York: Routledge.

Herz, J. H. (1951) *Political realism and political idealism*, Chicago: University of Chicago Press.

Horowitz, D. L. (1985) *Ethnic groups in conflict*, Berkeley CA: University of California Press.

——(1991) *A democratic South Africa? Constitutional engineering in a divided society*, Berkeley CA: University of California Press.

——(1993) 'Democracy in divided societies', *Journal of Democracy*, 4 (4): 18–38.

——(1994) 'Democracy in divided societies', in L. Diamond and M. F. Plattner (eds) *Nationalism, ethnic conflict, and democracy*, Baltimore MD: Johns Hopkins University Press.

Humphreys, M. (2003) *Economics and violent conflict*, Cambridge MA: Harvard University. Online. Available HTTP: http://www.idrc.ca/uploads/user-S/10588054981Humphreys_Essay.pdf (accessed 12 March 2009).

Humphreys, M. and Weinstein, J. M. (2007) 'Demobilization and reintegration', *Journal of Conflict Resolution*, 51 (4): 531–67.

Huntington, S. P. (1997) 'Democracy for the long haul', in L. Diamond, M. F. Plattner, Y. Chu and H. Tien (eds) *Consolidating the third wave democracies*, London: Johns Hopkins University Press.

Jeong, H. (2005) *Peacebuilding in postconflict societies: strategy and process*, Boulder CO: Lynne Rienner.

Junne, G. and Verkoren, W. (eds) (2005) *Postconflict development: meeting new challenges*, Boulder CO: Lynne Rienner.

Kaufman, S. J. (2006) 'Escaping the symbolic politics trap: reconciliation initiatives and conflict resolution in ethnic wars', *Journal of Peace Research*, 43 (2): 201–18.

Kaufmann, C. (1996) 'Possible and impossible solutions to ethnic wars', *International Security*, 20 (4): 136–75.

—(1998) 'When all else fails: ethnic population transfers and partitions in the twentieth century', *International Security*, 23 (2): 120–56.

Kelman, H. C. and Cohen, S. P. (1976) 'The problem-solving workshop: a social-psychological contribution to the resolution of international conflicts', *Journal of Peace Research*, 2 (13): 79–90.

Knight, M. (2004) 'Guns, camps and cash: disarmament, demobilization and reinsertion of former combatants in transitions from war to peace', *Journal of Peace Research*, 41 (4): 499–516.

Kühne, W. (1996) *Winning the peace: concept and lessons learned of post-conflict peacebuilding*, Ebenhausen: Stiftung Wissenschaft und Politik.

Kymlicka, W. (1995) *Multicultural citizenship*, Oxford: Clarendon Press.

Lijphart, A. (2004) 'Constitutional design for divided societies', *Journal of Democracy*, 15 (2): 96–109.

—(1977) *Democracy in plural societies: a comparative exploration*, New Haven CT: Yale University Press.

Long, W. J. and Brecke, P. (2003) *War and reconciliation: reason and emotion in conflict resolution*, Cambridge MA: MIT Press.

Mani, R. (1998) 'Conflict resolution, justice and law: rebuilding the rule of law in the aftermath of complex political emergencies', *International Peacekeeping*, 5 (3): 1–25.

Mearsheimer, J. J. and Van Evera, S. (1995) 'When peace means war', *New Republic*, 18: 16–21.

Mendelson Forman, J. (2002) 'Achieving socioeconomic well-being in postconflict settings', *Washington Quarterly*, 25 (4): 125–38.

Mendeloff, D. (2004) 'Truth-seeking, truth-telling, and postconflict peacebuilding: curb the enthusiasm?' *International Studies Review*, 6: 355–80.

Meron, T. (1999) *War crime law comes of age*, Oxford: Oxford University Press.

Mousseau, D. Y. (2001) 'Democratizing with ethnic divisions: a source of conflict?' *Journal of Peace Research*, 38 (5): 547–67.

Nafziger, E. W. and Auvinen, J. (2002) 'Economic development, inequality, war, and state violence', *World Development*, 30 (2): 153–63.

Ottaway, M. (2003) 'Promoting democracy after conflict: the difficult choice', *International Studies Perspectives*, 4 (3): 314–22.

Paris, R. (1997) 'Peacebuilding and the limits of liberal internationalism', *International Security*, 22 (2): 54–89.

—(2002) 'International peacebuilding and the "mission civilisatrice"', *Review of International Studies*, 28 (4): 637–56.

—(2004) *At war's end: building peace after civil conflict*, Cambridge: Cambridge University Press.

Pauwels, N. (ed.) (2000) *War force to work force: global perspectives on demobilization and reintegration*, Baden-Baden: Nomos.

Posen, B. R. (1993) 'The security dilemma and ethnic conflict', *Survival*, 35 (1): 27–47.

Ramsbotham, O. (2000) 'Reflections on UN post-settlement peacebuilding', *International Peacekeeping*, 7 (1): 169–89.

Reilly, B. (1997) 'Preferential voting and political engineering: a comparative study', *Journal of Commonwealth and Comparative Politics*, 35 (1): 1–19.

—(2001) *Democracy in divided societies: electoral engineering for conflict management*. New York: Cambridge University Press.

Reynal-Querol, M. (2002) 'Ethnicity, political systems, and civil wars', *Journal of Conflict Resolution*, 46 (1): 29–54.

Richmond, O. P. (2006) *The transformation of peace*, London: Palgrave.

Richmond, O. P. and Franks, J. (2007) 'Liberal hubris? Virtual peace in Cambodia', *Security Dialogue*, 38 (1): 27–48.

Roe, P. (1999) 'The intrastate security dilemma: ethnic conflict as a tragedy', *Journal of Peace Research*, 36 (2): 183–202.

Rotberg, R. I. and Thompson, D. (eds) (2000) *Truth v. justice: the morality of truth commissions*, Princeton NJ: Princeton University Press.

Saideman, S. M., Lanoue, D. J., Campenni, M. and Stanton, S. (2002) 'Democratization, political institutions, and ethnic conflict', *Comparative Political Studies*, 35 (1): 103–29.

Samuels, K. (2005) 'Post-conflict peace-building and constitution-making', *Chicago Journal of International Law*, 6 (2): 1–20.

Schnabel, A. (2002) 'Post-conflict peacebuilding and second-generation preventive action', *International Peacekeeping*, 9 (2): 7–30.

Schneckener, U. (2002) 'Making power-sharing work: lessons from successes and failures in ethnic conflict regulation', *Journal of Peace Research*, 39 (2): 203–28.

Schwarz, R. (2005) 'Post-conflict peacebuilding: the challenges of security, welfare and representation', *Security Dialogue*, 36 (4): 429–46.

Simonsen, S. G. (2005) 'Addressing ethnic divisions in post-conflict institution-building: lessons from recent cases', *Security Dialogue*, 36 (3): 297–318.

Sisk, T. (1996) *Power sharing and international mediation in ethnic conflicts*, Washington DC: United States Institute of Peace Press.

Snyder, J. (2000) *From voting to violence: democratization and nationist conflict*, New York: Norton.

Snyder, J. and Jervis, R. (1999) 'Civil war and the security dilemma', in B. Walter and J. Snyder (eds) *Civil wars*, *insecurity and intervention*, New York: Columbia University Press.

Stewart, F. (2002) 'Horizontal inequalities as a source of conflict', in F. O. Hampson and D. M. Malone (eds) *From reaction to conflict prevention: opportunities for the UN system*, Boulder CO and London: Lynne Rienner.

Tschirgi, N. (2004) 'Post-conflict peacebuilding revisited: achievements, limitations, challenges', paper prepared for the WSP International/IPA Peacebuilding Forum conference, New York, 7 October. Online. Available HTTP: http://www.ipacademy.org/pdfs/POST_CONFLICT_PEACEBUILDING.pdf (accessed 11 March 2009).

United Nations (2000) 'Report of the Panel on United Nations Peace Operations' (Brahimi Report), A/55/305-S/2000/809, 21 August 2000. Online. Available HTTP: http://www.un.org/peace/reports/peace_operations/ (accessed 4 March 2009).

Walter, B. (1997) 'The critical barrier to civil war settlement', *International Organization* 51 (3): 335–64.

——(1999) 'Designing transitions from civil war: demobilization, democratization, and commitments to peace', *International Security*, 24 (1): 127–55.

Wolff, S. (2006) *Ethnic conflict: a global perspective*, Oxford: Oxford University Press.

Zakaria, F. (1997) 'The rise of illiberal democracy', *Foreign Affairs*, 76 (6): 22–43.

Part III

18 Deepening democracy

The role of civil society

Ian O'Flynn and David Russell

Democracy and civil society

There is more to democracy than the responsibilities and decisions of elected representatives. This is as true for societies deeply divided along ethnic lines as for any other kind of society. Democracy means rule by the people, which, in turn, assumes that ordinary people can hold representatives to account and make them responsive to their preferences and opinions. Yet according to one reading of democracy, representatives need only be held accountable for the positions and policies they adopt at election time. If voters are dissatisfied with the way in which their interests have been served, they can use their franchise to register that dissatisfaction in the hope of bringing about a change of government (Schumpeter 1942; Riker 1982).

Critics argue that this is an overly reductive understanding of democracy – ordinary people ought, they argue, to be more involved in political life. They should not be merely passive recipients of decisions made in their name, who patiently (or frustratedly) wait for the periodic opportunity to pass judgment on the performance of the government of the day. On the contrary, a flourishing democracy must strive, on this alternative view, towards achieving greater levels of public participation enabling ordinary people to engage in meaningful deliberation that can inform decision making on an ongoing basis (Barber 1984; cf. Warren 2001). In this vein, John Stuart Mill famously argued that when an ordinary person participates in political life, he is:

> called upon, while so engaged, to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities; to apply, at every turn, principles and maxims which have for their reason of existence the common good: and he usually finds associated with him in the same work minds more familiarised than his own with these ideas and operations, whose study it will be to supply reasons to his understanding, and stimulation to his feeling for the general interest. He is made to feel himself one of the public, and whatever is for their benefit to be for his benefit.
>
> (Mill 1991, p. 255)

One might agree with Mill that political participation raises the moral character by obliging people to take a broader and more encompassing view of public issues than merely that of their own special interests. However, if participation is to be effective or constructive, it must be organised. The various associations that make up civil society (e.g., Churches, universities, trade unions, employers' associations, environmental groups, etc.) provide ordinary people with multiple formal and informal channels that

enable them to build affinities and mobilise for common purposes, to coordinate their actions through discussion and to reach for new ideas and practices. But, in principle, the associations of civil society can do much more than enable people to engage with and learn from one another. They can also enable them to talk to government, either directly through their own efforts or through channels and institutions established specifically for that purpose. In doing so, they can exercise greater control over the conditions under which they live and act – in effect, to be self-determining – and hence increase the quality of their democracy (Young 1999, pp. 149–50).

The implications for societies deeply divided along ethnic lines are encouraging. If the members of conflicting ethnic groups really could engage within civil society, they might come to see that others can have reasons to hold their views as firmly as they hold theirs, and perhaps even realise that they share many interests in common (e.g., housing, employment, social security, education, economic development etc.). The pursuit of those interests may sit uneasily with their ethnic commitments. But they might still lead people to realise that life is a complex affair and that their political representatives should be responsive to that complexity. In short, it might lead them to realise that public opinion, or indeed their own interest, need not necessarily break down along ethnic lines. Accordingly, as Larry Diamond argues, a rich and pluralistic civil society 'tends to generate a wide range of interests that may cross-cut, and so mitigate, the principal polarities of political conflict' (Diamond 1999, p. 245). This not only encourages tolerance and a healthy respect for difference, but, in principle, allows representatives much more room to build the sort of composite compromises that are necessary to address difficult political questions.

This, of course, is the theory. In practice, however, the ability of ordinary people to engage in deliberation with one another through civil society associations may be limited. Where ethnic groups are concentrated in different parts of a country, they may have little or no meaningful contact with each other. But even in cases where groups are intermingled, ordinary people may still find themselves leading parallel lives or living within parallel social spheres – for example, people may typically marry within their own community, send their children to separate schools, engage in different cultural activities, speak a different language and so forth. In this kind of situation, it may seem meaningless to speak of 'civil society' in the singular (O'Leary 2005, p. 10). Each group may contain a plethora of civil society associations. Yet there may be little communication between organisations from different sides of the ethnic divide or little attempt to combine resources, even when they are concerned with the same issues and with achieving similar outcomes. Instead, they may operate within discrete social spheres, advocate on behalf of discrete publics, and even lobby separate government institutions.

The seriousness of this worry cannot be gainsaid. The experience of physical, social or political separation may indeed mean that, even if ordinary people do participate in associational life, they may still fail to think beyond the boundaries of their own ethnic group or enlarge their sympathies so as to take a broader or more inclusive view of public issues. If this were always to hold true, then we might rightly despair of the prospects for strengthening democracy in deeply divided societies. In this chapter, we argue to the contrary. It may not be possible to create civil society associations where none exists. But weak civil society associations can sometimes be strengthened through sensitive and appropriate forms of strategic intervention. But this is not all. Just as it is possible to create institutions that facilitate power sharing between the representatives of different ethnic groups, it is possible to create institutions that facilitate participation and

deliberation between ordinary people, both within and across different ethnic groups, and that enable them to effectively channel their views and opinions to government.

Civil society defined

People participate in civil society organisations for all sorts of reason and to all sorts of end (Galston 2000, p. 67). One useful way of exploring the phenomenon of civil society, and how people participate within it, is by analysing the component parts of the definition put forward by Larry Diamond. According to Diamond, civil society 'is the realm of organised social life that is open, voluntary, self-generating, at least partially self-supporting, autonomous from the state, and bound by a legal order or set of shared rules' (Diamond 1999, p. 221). While Diamond is primarily concerned with the role that civil associations can play in transitions from authoritarian rule to democracy, his definition can be put to good use with respect to understanding the particular challenges that deeply divided societies present.

To begin with, Diamond claims that civil society is *the realm of organised social life*. Naturally, social life can take many different forms and may be more or less organised. It may also have nothing at all to do with politics. Yet if civil associations are to have any real political influence, they must be effectively organised. There are at least three obvious reasons that explain why this is so. Civil associations must be effectively organised so that their members can successfully (1) exchange information and evaluate alternative perspectives, (2) formulate a coherent political outlook or perspective on public issues, (3) mobilise sufficient numbers to influence political decisions (cf. Young 1999, p. 149). Of course, this still leaves us wondering what might distinguish civil associations from other forms of organised social life such as the family on the one hand or political parties on the other (Galston 2000).

According to Diamond, what marks civil associations out as distinctive is *their open and voluntary character*. The underlying ideal here is quintessentially liberal, and may be stated thus. Individuals should be free to move between associations, as and when they please. This freedom leads to the creation of an ever larger number of associations, which in turn advances the cause of democracy – the more that people are free to move, and the more associations there are for them to move to, the more space there is for the expression of diverse interests (Walzer 2004, p. 75). Of course, the difficulty with this liberal ideal is that, in practice, many civil associations cannot plausibly be described as 'open'. Some religious groups provide a good example, since they may exclude people not born into the religion (cf. Warren 2001, pp. 96–103). However, even religious groups of this sort can plausibly be described as voluntary, since it is always possible to leave the group. This may be extremely difficult (Green 1999, p. 266). But saying that something is difficult is not the same as saying that it is impossible.

A further defining feature is that, although they aim to influence political decisions, civil associations do not seek to take control of government (Schmitter 1997, p. 240). Admittedly, the line between influence and control can be hard to draw. But at least as far as democracy is concerned, one way in which we might seek to draw that line is by asking whether, or to what extent, an association sees itself as *autonomous from the state*. Civil associations do not seek to represent the complete set of interests of their members or of society at large. In other words, civil associations are not hegemonic, but instead seek to represent particular interests at particular times. Again, as Diamond points out, this 'partiality is crucial to generating one of the most important consequences

of a truly civil society: the profusion of different organisations and, for individuals, multiple organisational ties that cut across and complicate existing cleavages and generate moderating cross-pressures on individual preferences, attitudes and beliefs' (Diamond 1999, p. 223).

At the same time, the relation between state and civil society remains highly complex. Civil associations must be *at least partially self-supporting* because otherwise they may become overly dependent on governmental support which, in turn, may compromise their independence. When this happens, civil associations may lose the freedom to advance their own interests in their own way. Perhaps more worryingly still, they may lose the ability to stand as a critical check on the behaviour of elected representatives. This risks undermining one of the principal arguments for civil society, namely the purported benefits of a more participatory model of democracy. The worry here may not be such a problem with respect to powerful associations that have significant resources of their own. But for weaker groups, who often speak for the most vulnerable or marginalised members of society, the threat to freedom is very real.

None of this is to ignore or deny the fact that civil society will often contain illiberal and intolerant groups whose members refuse to be *bound by a legal order or set of shared rules*. Groups of this sort have no place within a modern democratic order, since they are not willing to respect the institutions of state, work within the rules and procedures by which politics operates or be bound by the decisions of elected representatives. Fundamentally, a *civil* association is one which respects the equal standing of other people within a democratic order. It may disagree with them, or have conflicting interests, but it nevertheless accepts that, as far as democracy is concerned, no one is automatically entitled to get his or her way but must instead seek to convince or persuade rather than merely outmanoeuvre or defeat (O'Flynn 2007, pp. 740–43; cf. Przeworski 1993, p. 62).

Difficulties with civil society

So what should we make of this general definition when set within the context of a society deeply divided along ethnic lines? For some, the idea that civil associations might have an important role to play in deepening democracy in such contexts is at best questionable, since, as Brendan O'Leary puts it, 'there is more than one society and their relations may be far from civil' (O'Leary 2005, p. 10). In this section, we analyse this basic criticism along two interlinking dimensions: the 'positional dimension' concerns how associations are constituted and operate, and how they see themselves in relation to other civil associations and the state; the 'dispositional dimension' concerns how they formulate and articulate their interests, and how they interact with other civil associations and the state.

The positional dimension

In one sense, O'Leary is wrong to claim that 'there is more than one society'. There is only ever one civil society, albeit made up of different and sometimes conflicting associations. But in another sense, what marks a deeply divided society out as distinct is the degree to which associations are exclusive rather than inclusive: in the main, membership tends to be drawn from discrete ethnic groups rather than from across society as a whole. Consequently, the deliberations that go on within those associations will tend to conform to what Cass Sunstein calls 'the law of group polarisation'

(Sunstein 2003). That law refers to a statistical regularity which allows us to predict that when people from the same background meet to discuss an issue of importance to them, they will move toward a more extreme point in the direction indicated by the median point of their prior views and opinions (Sunstein 2003, p. 176). Of course, the mere fact of moving in a more extreme direction is neither good nor bad in itself. But if people only engage in discussion and debate with members of their own ethnic group, they may view every issue as an ethnic issue and hence fail to recognise the importance to democracy of exposing themselves to alternative views.

Under such conditions, civil associations may differ little in their constitution from political parties; after all, the usual mode of party organisation in deeply divided societies is ethnicity. Indeed, they may explicitly attach themselves to such parties and consciously view themselves as part of a larger political project. Thus, for example, John McGarry and Brendan O'Leary argue in this vein that the political preferences of civil society in Northern Ireland do not:

> significantly differ from those of its political parties. The most popular civil society organisations in Northern Ireland, the Orange Order and Gaelic Athletic Association, are solidly unionist and nationalist, respectively. True, several, and sometimes admirable, smaller, peace and conflict-resolution organisations reach across the national divide and seek to promote a transcendent identity, but just as many … are nationalist or unionist groups that want an honorable bi-national compromise.
>
> (McGarry and O'Leary 2009, pp. 67–68)

When this occurs, civil associations, however 'honourable' they may be, fail to generate networks that cross ethnic divides or, in the worst case, to provide an antidote to violence (cf. Kaldor 1999, p. 61). Instead, they become part of an hegemonic programme that seeks to take control of government and hence lose a key defining feature of a truly civil association, namely its autonomy from the state. Naturally, this may do little or nothing to foster mutual understanding or respect between groups or across society as a whole, or to bridge the gaps of political conflict and thereby deepen democracy (but see Keane 2003, pp. 160–61).

If civil associations are constituted and positioned in such a way that, as a realm of organised social life, ordinary people only ever get to talk to others like themselves, participation may be of little practical benefit (Varshney 2002, pp. 46–51). They will not be informed enough to arrive at reasonable opinions or to make constructive representations to government. On the contrary, there may even be a case for saying that civil associations should be expressly positioned and constrained so that their members' deliberations are shepherded into within-bloc channels where they can do little damage (Lijphart 1977, pp. 41–44; O'Leary 2005, p. 10; but see Dryzek 2005, pp. 222 ff.). In these circumstances, critics would, of course, be right to argue that our primary concern should be with the creation of democratic institutions that enable elected representatives to deliberate away from the glare of public scrutiny and to arrive at compromises that they can then go on to sell to their constituents (Barry 1975, p. 486).

The dispositional dimension

As the term suggests, civil associations are partly defined by their civility. Here, 'civility' may plausibly be understood as the willingness to explain our political views on terms

that are accessible to everybody and could in principle be accepted by anyone. This disposition is often lacking in deeply divided societies, however. Many groups are extremely uncivil in their dealings with others from across the ethnic divide and may even be uncivil in their dealings with government when decisions do not go their way (O'Leary 2005, p. 10). For example, Ashutosh Varshney describes how so-called 'peace committees' in the Indian city of Aligarh seek not to build bridges but to protect co-religionists from the possibility of violent attack by other communities. 'They don't facilitate communication with the other communities; they simply raise the perception of risk and harden those who participate in them' (Varshney 2002, p. 124). Groups of this sort do not see themselves as bound by a legal order or set of shared rules, but instead act outside the rule of law and show little or no respect for social morality.

It is important to understand what is *not* being said here. Some scholars argue that civil associations are defined by their ability to transcend traditional ties, including ethnicity. This argument has been most forcefully put by Ernest Gellner, who claimed that civil society is a distinctly modern phenomenon, based strictly upon open and voluntary associations. On this reading, the concept of civil society therefore excludes associations that are explicitly ethnic, particularly those that are closed to outsiders (Gellner 1995). Yet Gellner's treatment of the concept of civil society seems unduly narrow. For example, it would be odd to think that the Catholic Church, which is clearly a traditional association, is not part of civil society. After all, it is autonomous from the state, it enables ordinary people to gather together and deliberate about public issues, it calls on government to account for its decisions and so forth. More generally, it would be odd to think that taking pride in one's ethnic group and working for the group made one, ipso facto, 'uncivil' (Varshney 2002, p. 43).

What makes a civil association 'civil' is not how it is constituted or the interests that it serves, but how it seeks to engage with other civil associations and government. As Diamond points out, civil associations do not aim to represent the complete set of interests of any particular group of people or of society as a whole. Rather, different associations represent different aspects of the same interest – for example, the Catholic Church will have one view on the issue of abortion, a women's organisation will have another, and a professional medical association will have another still (Diamond 1999, p. 223). At some level, an association may claim to offer an encompassing perspective or world view. However, as long as that association is willing to recognise that there are other valid perspectives, and that democracy demands that those perspectives deserve a hearing, the association can be legitimately classed as 'civil'. This is as true for ethnic associations as it is for any other kind of civil association.

Ethnic associations need not be uncivil in their dealings with other associations and government. Yet, as far as deeply divided societies are concerned, the fact of the matter is that many associations are not so disposed. They tend to make maximalist or uncompromising demands, are often inward-looking and insular in their thinking, and may even align themselves with powerful militant interests. Hence, the problem is not so much that they speak in 'ethnically toned voices', but that they do not speak to people with a different point of view or countenance what they have to say (cf. O'Leary 2005, p. 10). This incivility serves to reinforce exclusive identities and reify narrow interests, and does nothing to generate new ideas or encourage people to take the broader view. Otherwise put, in so far as there is little willingness to communicate across ethnic lines, ordinary people have no way of testing and verifying whether those who think differently from them can be trusted (Putnam 2000, pp. 134–47). Obviously,

under such conditions, the capacity of civil society to promote meaningful deliberation and deepen democracy is severely impaired.

Potential solutions

Addressing the positional and dispositional difficulties attaching to civil associations in societies deeply divided along ethnic lines is no easy matter. Yet given the important role that those associations stand to play in deepening democracy, every effort should be made to develop and implement appropriate solutions. The comparative politics literature stresses the importance to democracy of designing political institutions that can enable politicians from different ethnic groups to share power with one another. But there is also an important body of research that points to the benefits of creating institutions that can enable ordinary people to talk to and learn from one another, thereby encouraging them to formulate views and opinions that bridge ethnic divisions, and that in principle make it easier for politicians at the governmental level to make the compromises upon which stable democracy inevitably depends. Underpinning this latter body of research is one basic, but nonetheless profound, observation: politicians can negotiate binding agreements and even enforce them, but only ordinary people can change human relationships (Saunders 2001; Lederach 1998). Of course, one should not exaggerate: macro political institutions are vitally important and can also assist in shaping attitudes and behaviour. Nevertheless, the fact remains that deepening democracy is the responsibility of everyone in society, not simply the responsibility of politicians (Walzer 2004, p. 83).

One would not expect negotiations between politicians from different ethnic groups to occur in the absence of facilitating conditions – for example, the presence of external parties who are willing to act as impartial mediators, or agreed institutions and procedures that structure the negotiation process itself (Zartman 1995; du Toit 2003). By the same token, one should not expect meaningful deliberation to occur across civil associations, or between civil associations and government, in the absence of appropriate support. That support should involve a dual-track process. First, it should involve strengthening *inclusive* associations whose members come from different sides of the ethnic divide; second, it should involve conduits that enable *exclusive* associations whose members are drawn from discrete ethnic groups to talk to one another. In both cases, financial or material support may come from the state or from the international community, although matters must be handled carefully (Lederach 1998, pp. 94–95).

The state or the international community may actively seek to support civil associations whose memberships are cross-cutting. They may legitimately see such associations as 'schools for democracy' which offer ordinary people the opportunity to talk to those who are different from themselves and to learn to couch their views in terms that those others can in principle accept. In other words, in seeking to offer such support, they can try to overcome the positional and dispositional difficulties discussed above. However, there is a risk that the state or the international community will make funding conditional upon pursuing an agenda that transforms civil associations into quasi regulatory agencies. This need not be a deliberate strategy, but its effect is to compromise the autonomy of those associations it chooses to support (Belloni 2001, p. 176). Moreover, in choosing to support such associations, the state or international community may end up alienating ordinary people by supporting associations that do not seem immediately relevant to them. Thus, in his discussion of the case of Bosnia

and Herzegovina, Roberto Belloni argues that 'Bosnians are often uneasy about and confused by the term "civil society" and its frequent equation to civilised society'. As he goes on to point out, most Bosnians 'rightly think of themselves as intelligent and educated people', not least of all because 'there already exists a long history of Bosnian multi-ethnicity, inherited from the Ottoman and Yugoslav periods, that differs from the liberal version of "civility" and makes the "civilising" mission of the international community suspicious' (Belloni 2001, p. 169).

Thus, on the one hand, is vitally important to support civil associations whose members come from different sides of the ethnic divide, since those associations can have a vital role to play in building bridges and in deepening democracy. But, on the other hand, it is vitally important not to promote or impose a model of 'civil association' that is at odds with the way in which ordinary people generally tend to understand the term. Consequently, it is also necessary to foster dialogue between civil associations whose memberships are exclusive. In a deeply divided society, levels of social integration will be low. As we noted in our introductory remarks, the members of different ethnic groups often have little or no meaningful contact with one other and often live their lives within parallel social spheres. This not only affects who joins which civil associations, but also delimits the opportunities they will have to engage with those who think differently to them. In other words, it affects how associations are positioned in relation to one another and how they are positioned in relation to the state, as well as the types of dispositions their members are likely to display.

A second track, then, involves the creation of institutions that serve as conduits which enable civil associations whose members are exclusively drawn from one or other side of the ethnic divide to become better informed about the views of others in society and hence to arrive at greater levels of mutual understanding and respect. In so doing, the hope is that ordinary people from different ethnic groups will have the space and opportunity to develop their own sense of what 'civil society' ought to mean, given the circumstances in which they actually find themselves. The role that the state or the international community can play here carries less risk than along the first track, since support is not provided directly to civil associations but is instead channelled indirectly though facilitating institutions. A good example of the kind of institution that is at issue here is the Community Relations Council in Northern Ireland, which was created by the British government to promote better relations between members of the two conflicting ethnic groups, Irish nationalists and British unionists. More specifically, its purpose is to promote reconciliation and mutual trust, to develop opportunities for social learning across division, to facilitate constructive debate throughout society, and to encourage greater acceptance and respect for cultural diversity (Interim Strategic Plan 2007).

Thus, the point of this two-track approach is to change how the members of ethnic groups are positioned in relation to one another and, correspondingly, the dispositions that they are likely to develop or display. However, as we have already indicated, it is also important to consider how civil associations are positioned in relation to the state. Just as it is possible to create conduits that enable the members of different ethnic groups to talk to one another, it is also possible to create conduits that enable associations to talk to government and hence to have their views and opinions factored into the decision-making process. The creation and maintenance of such conduits enables a more consultative and inclusive form of political engagement to develop – one that enables civil associations to take part in deliberation with, and inform the thinking

of, politicians at the governmental level (Russell 2008, p. 226). A good example of the sort of conduit that is at issue here is the Office of the Status of Women in South Africa, the major objective of which is 'to influence and shape government policy in order to ensure that gender issues are integrated into the overall policies of government' (Harris and Reilly 1998, p. 326).

The vital point to note about this latter sort of conduit is that it helps to maintain a sense of distance between state and society. It allows civil associations to talk to government, but without getting caught up in the actual business of making decisions. This 'decoupling of the deliberative and decisional moments' not only enables civil associations to preserve their autonomy, but also allows their members to discuss political issues without constantly having to worry about what any final decision might mean for the future of their particular ethnic group (Dryzek 2005, p. 220). This sense of increased distance can take some of the heat out democratic politics by enabling ordinary people to realise that every issue does not have to be framed as an ethnic issue or treated as a potential site of ethnic conflict.

Taking the heat out of the deliberations that go on within civil society also opens up the space for exploratory interchange across difference (Dryzek 2005, p. 220; cf. Foley and Edwards 1996, p. 39). Over time, it may therefore foster a greater sense of trust among ordinary people, a greater willingness to defend their views and opinions on terms that others might in principle accept, and hence a greater capacity to work together for the sake of a common future. Crucially, this civilising potential of civil society may not only serve to shape the dispositions of ordinary people in more positive directions, but also to reinforce democratic institutions by making it easier for politicians to compromise across ethnic lines. As such, civil associations may have a vital role to play in deepening democracy – not as an alternative to political engagement at the governmental level, but as a vital supplement to it.

Conclusion

As we have argued in this chapter, civil associations can have a vital role to play in deepening democracy in deeply divided societies. Yet that role is heavily contingent upon whether ordinary people from different sides of the ethnic divide have the opportunity to deliberate together within appropriate institutional structures. In so far as those structures can be fostered and sustained, ordinary people can come to learn more about one another and perhaps also develop a greater sense of respect for the views of those with whom they fundamentally disagree. This can give politicians from different ethnic groups the confidence – and indeed the mandate – to compromise with one another and hence, in the longer run, to work for the good of society as a whole. In sum, civil associations can help foster those very things that are in shortest supply in deeply divided societies but which are critical for peace and stability.

Further reading

Belloni, R. (2008) 'Civil Society in War-to-Democracy Transitions' in A. Jarstad and T. Sisk (eds), *From War to Democracy*. Cambridge: Cambridge University Press, pp. 182–210.

Cox, M. (ed.) (2008) *Social Capital and Peace-building: Creating and Resolving Conflict with Trust and Social Networks* (Routledge Studies in Peace and Conflict Resolution). London: Routledge.

Cinalli, M. (2005) 'Below and Beyond Power Sharing: Relational Structures across Institutions and Civil Society' in I. O'Flynn and D. Russell (eds), *Power Sharing: New Challenges for Divided Societies*. London: Pluto, pp. 172–87.

Devic, A. (2006) 'Transnationalization of Civil Society in Kosovo: International and Local Limits of Peace and Multiculturalism', *Ethnopolitics*, 5 (3), 257–73.

Edwards, M. (2004) *Civil Society*. Cambridge: Polity Press.

Orjuela, C. (2003) 'Building Peace in Sri Lanka: A Role for Civil Society?' *Journal of Peace Research*, 40 (2), 195–212.

References

Barber, B. (1984) *Strong Democracy: Participatory Politics for a New Age*. Berkeley CA: University of California Press.

Barry, B. (1975) 'Review Article. Political Accommodation and Consociational Democracy', *British Journal of Political Science*, 5 (4), 477–505.

Belloni, R. (2001) 'Civil Society and Peacebuilding in Bosnia and Herzegovina', *Journal of Peace Research*, 38 (2), 163–80.

Diamond, L. (1999) *Developing Democracy: Toward Consolidation*. Baltimore MD: Johns Hopkins University Press.

Dryzek, J. (2005) 'Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia', *Political Theory*, 33 (2), 218–42.

Du Toit, P. (2003) 'Rules and Procedures for Negotiated Peacemaking' in J. Darby and R. MacGinty (eds) *Contemporary Peace Making: Conflict*, *Violence and Peace Processes*. Basingstoke: Palgrave Macmillan, pp. 65–76.

Foley, M. and B. Edwards (1996) 'The Paradox of Civil Society', *Journal of Democracy*, 7 (3), 38–52.

Galston, W. (2000) 'Civil Society and the "Art of Association"', *Journal of Democracy*, 11 (1), 64–70.

Gellner, A. (1995) *Conditions of Liberty: Civil Society and its Rivals*. Harmondsworth: Penguin.

Green, L. (1999) 'Internal Minorities and their Rights', in W. Kymlicka (ed.), *The Rights of Minority Cultures*. Oxford: Oxford University Press.

Harris, P. and B. Reilly (eds) (1998) *Democracy and Deep-rooted Conflict: Options for Negotiators*. Stockholm: International Institute for Democracy and Electoral Assistance.

Interim Strategic Plan (2007) Belfast: Northern Ireland Community Relations Council. Available at http://www.community-relations.org.uk/filestore/documents/IntSP0710.doc (accessed 14 April 2009).

Kaldor, M. (1999) *New and Old Wars: Organised Violence in a Global Era*. Cambridge: Polity Press.

Keane, J. (2003) *Global Civil Society?* Cambridge: Cambridge University Press.

Lederach, J. (1998) *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington DC: United States Institute of Peace.

Lijphart, A. (1977) *Democracy in Plural Societies: A Comparative Exploration*. New Haven CT: Yale University Press.

McGarry, J. and B. O'Leary (2009) 'Power Shared after the Deaths of Thousands' in R. Taylor (ed.), *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*. London: Routledge, pp. 15–84.

Mill, J. S. (1991) 'Considerations on Representative Government' in J. Gray (ed.), *John Stuart Mill: On Liberty and other Essays*. Oxford: Oxford University Press, pp. 203–467.

O'Flynn, I. (2007) Review article 'Divided Societies and Deliberative Democracy', *British Journal of Political Science*, 37 (4), 731–51.

O'Leary, B. (2005) 'Debating Consociational Politics: Normative and Explanatory Arguments' in S. Noel (ed.), *From Power Sharing to Democracy: Post-conflict Institutions in Ethnically*

Divided Societies. Montreal, Que. and Kingston, Ont.: McGill-Queen's University Press, pp. 3–43.

Przeworski, A. (1993) 'Democracy as a Contingent Outcome of Conflicts' in J. Elster and R. Slagstad (eds), *Constitutionalism and Democracy*. Cambridge: Cambridge University Press, pp. 59–80.

Putnam, R. (2000) *Bowling Alone: The Collapse and Revival of American Community*. New York: Simon & Schuster.

Riker, W. (1982) *Liberalism against Populism*. San Francisco: Freeman.

Russell, D. (2008) 'Power Sharing and Civic Leadership in Lebanon and Northern Ireland', in C. Farrington (ed.), *Global Change, Civil Society and the Northern Ireland Peace Process: Implementing the Political Settlement*. Basingstoke: Palgrave, pp. 214–33.

Saunders, H. (2001) *A Public Peace Process: Sustained Dialogue to Transform Racial and Ethnic Conflicts*. Basingstoke: Palgrave Macmillan.

Schmitter, P. (1997) 'Civil Society East and West' in L. Diamond, M. Plattner and Y. Chu (eds), *Consolidating the Third Wave Democracies: Themes and Perspectives*. Baltimore MD: Johns Hopkins University Press, pp. 240–62.

Schumpeter, J. (1942) *Capitalism, Socialism and Democracy*. New York: Harper & Row.

Saunders, H. (2001) *A Public Peace Process: Sustained Dialogue to Transform Racial and Ethnic Conflicts*. Basingstoke: Palgrave Macmillan.

Sunstein, C. (2003) 'The Law of Group Polarisation', *Journal of Political Philosophy*, 10 (2), 175–95.

Varshney, A. (2002) *Ethnic Conflict and Civil Life: Hindus and Muslims in India*. New Haven CT: Yale University Press.

Warren, M. (2001) *Democracy and Association*. Princeton NJ: Princeton University Press.

Young, I. (1999) 'State, Civil Society, and Social Justice' in I. Shapiro and C. Hacker Cordón (eds), *Democracy's Value*. Cambridge: Cambridge University Press, pp. 141–62.

Walzer, M. (2004) *Politics and Passion: Towards a More Egalitarian Liberalism*. New Haven CT: Yale University Press.

Zartman, W. (1995) 'Dynamics and Constraints in Negotiations in Internal Conflicts' in W. Zartman (ed.), *Elusive Peace: Negotiating and End to Civil Wars*. Washington DC: Brookings Institution, pp. 3–29.

19 Human rights and ethnopolitics

Josef Marko

How to reconcile political unity, legal equality with cultural diversity?

Any overview on the intricate relationship between human rights and ethnopolitics first has to give an exposition of the epistemological problems and ideological underpinnings in understanding the 'meaning' of these concepts.

It goes without saying that the claim of universal human rights raised by the American Declaration of Independence in 1776 never mirrored social and political 'reality'. To put it in a nutshell, the European history of state formation and nation-building can be summarised in theory by two 'ideal types' of the relationship of the concepts of 'state' and 'nation' – namely, the 'French' model of a 'state-nation' based on 'cultural indifference' and the 'German' model of the 'nation-state' by constructing 'ethnic difference' and ascribing political and legal significance to it.

The French, or rather the 'Jacobin', model of a state-nation is firmly based on the notion of popular sovereignty exercised by 'abstract' citizens, who are equal before the law irrespective of their diversity due to gender, economic or social status or 'ethnic' or 'national' origin, and a complementary doctrine of 'national' sovereignty, based on the original concept of 'territorial indivisibility' stemming from monarchic inheritance law. In conclusion, the 'imagination' of an 'other' people within the French nation is inconceivable with the consequence that cultural and political pluralism of groups, formed on an ethnic basis and claiming rights as such, is prohibited[1] and social upward mobility is possible only through assimilation into 'la civilisation française'.

The model of the 'ethnicised' nation-state is normatively based on the so-called 'nationality principle' with an 'ethnically' conceived nation based on the ideal of cultural/ethnic homogeneity in contrast to the 'civic' nation based on ethnic indifference. Hence, the individual person is no longer conceived of as an 'abstract' citizen, but defined by its membership in a certain ethnic group. However, nowhere can we find a state whose population is culturally homogeneous in terms of religion or language as cultural markers. The fact of cultural diversity is thus translated by the nationality principle into an 'ethnic difference' of groups and their power relations based on the categorical distinction of majority/minority. In effect, this model has lead to suppression, expulsion from the territory and genocide as the history of the twentieth century amply demonstrates.

Is the lesson provided by history thus, that ethnic conflict with these effects can only be avoided either through assimilation, i.e. by giving up one's cultural identity, or institutional segregation and/or territorial separation since ethnic diversity as such seems to be, the major root cause of ethnic conflict? All 'primordialist' social and political theories following this assumption are based on the epistemological trap of a

'naturalisation of difference'. The twin ideologies of racism and ethno-nationalism make use of this strategy for their policy prescriptions by legitimising segregation or partition as the 'natural' consequence of the allegedly biologically or culturally predetermined, i.e. 'natural', trait of ethnicity.[2] Hence, as long as ethnicity is 'seen' as a 'primordial "given" of human existence' (Smith 1991, pp. 39 and 20) which stands in dichotomical opposition to political unity and legal equality, ethnic diversity must be tamed or at least tempered by a strong state, and 'muddling through' is indeed the best that can be achieved for reconstruction or reconciliation after a violent ethnic conflict (Canovan 1996, pp. 83–100; Levy 2007).

In contrast to primordial theories, however, it has to be stressed that we 'construct' social, political and legal categories such as 'people' or 'nation' through three analytically distinct, though, in practice, intimately linked steps:

- On the epistemological level, we have to make a choice based on the binary code of identity/difference.
- On the normative level, we again have to make a choice based on the binary code of equality/inequality.
- On the empirical level, we make a choice based on the binary code of inclusion/exclusion.

Hence, all forms of racism and ethno-nationalism are based on the same structural code, which is characterised by the unilinear equation of identity = equality = inclusion, or, the other way round, difference = inequality = exclusion. Only if the ideologically constructed and in no way 'natural' antagonism of equality and difference is transformed into a triadic structure of identity, equality and diversity without the alleged predetermination for conflict or co-operation, does institutional diversity management become possible in order to reconcile political unity, legal equality and cultural diversity within one social and political system.

Legal developments in human rights and minority protection

The problem of definition and the 'right to self-determination of peoples'

With regard to the function of law, i.e. to regulate and limit the exercise of power, conventional juridical wisdom will tell us that one must first define what or who should later be protected by law. However, all efforts to establish a 'general' definition of the term 'minority' as the 'object' of protection, which would universally be recognised under public international law have so far failed. The defining element simply cannot be an 'objective' criterion, the subjective will of persons or the number of the members of a group, but has always to do with power relations. Consequently the first OSCE High Commissioner on National Minorities, Max van der Stoel, declared, 'Even though I may not have a definition of what constitutes a minority, I would dare to say that I know a minority when I see one.'

Moreover, when looking back into the history of the twentieth century, the critical question arises, what else distinguishes a 'people' with a right to self-determination from an 'ethnic or national minority' but the (re-)drawing of territorial boundaries by the victorious parties of a war? Moreover, is it even theoretically possible to reconcile the prima facie mutually excluding principles of state sovereignty and self-determination of peoples?

A first important test case came to the fore already after World War I with the dispute between Finland and Sweden concerning the legal status of the Åland Islands, inhabited by Swedish-speakers. In 1920 the dispute was brought before the League of Nations Council, which appointed a Commission of Rapporteurs, concluding that the Åsland Islanders were not a 'people' but simply a 'minority' without a right to self-determination. However, at the same time, the Commission also addressed the question of oppression through a government and concluded that oppression would indeed be a factor allowing a minority to secede, but only as a 'last resort when the state lacks either the will or the power to enact and apply just and effective guarantees' (Report 1921) for religious, linguistic and social freedom. Thereby the Commission, through a functional interpretation, opened the way to reconcile the seemingly antagonistic principles of state sovereignty and self-determination of peoples by reference to the human rights aspect of democratic governance and thereby deconstructing the alleged dichotomy through a transformation of the problem into a triadic structure.

The principle of self-determination of peoples, explicitly enshrined in the UN Charter, became legally entrenched by the UN General Assembly Resolution 1514 in 1960 'Granting of Independence to Colonial Countries and Peoples' and the respective Article 1 of the United Nations' International Covenant on Civil and Political Rights (ICPPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1966. The same triadic structure of state sovereignty–self-determination of peoples–human rights as element of democratic governance can then be found in the provisions concerning the principle of equal rights and self-determination of peoples of the 'Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations', annexed to UN General Assembly Resolution 2625 of 1970. But, due to the political premises of the Cold War, the mainstream of public international law scholars was of the opinion that the right to self-determination and the principle of uti possidetis juris for the establishment of frontiers of newly independent states were only applicable within the colonial 'context', not in Europe.

With the disintegration of the Socialist Federal Republic of Yugoslavia (SFRY) in the course of 1991, the problem of self-determination returned to the European continent. In November 1991 Lord Carrington asked the meanwhile established EC arbitration commission, the so-called Badinter Commission, to deliberate on the questions of whether the Serb population in Croatia and Bosnia and Herzegovina had the right to self-determination and whether the internal boundaries between Croatia, Serbia and Bosnia and Herzegovina could be regarded as frontiers in terms of public international law. In Opinions No. 2 and No. 3 of 11 January 1992 the Commission responded that Serbs in Croatia had a right only to minority protection and confirmed the principle of uti possidetis juris as a 'general principle' of public international law. Despite strong criticism of these legal opinions (Ratner 1998; Stokes 2009), they contribute in a substantive way to the further legal development by making clear that self-determination and uti possidetis are no longer restricted to a 'colonial context' and that the prohibition of the use of force does not apply to international borders only, but also to internal boundaries and thus invokes the uti possidetis principle and its functional logic: 'territorial adjustments' by use of force shall never be recognised.

Also Security Council Resolution 1244 in 1999 did not, initially, reward the use of force by Serb authorities and the insurgent UÇK by referring to the right of territorial integrity of the Federal Republic of Yugoslavia (FRY) and promising only 'substantial

autonomy' to Kosovo until a 'final settlement' of the conflict could be reached. The unilateral declaration of independence by the Kosovo Assembly in February 2008 and the recognition of Kosovo as a new state can hardly be justified except for the illegal obstruction of the UNMIK administration in northern Kosovo by all Serb governments since 1999 in upholding parallel institutions and thereby trying to prepare the ground for a territorial separation of Kosovo as well as the exclusion of Kosovo Albanians from the right to vote and to participate in the referendum of the Serb constitution of 2006 (Muharremi 2008; Marko 2008b).

In conclusion, the use of force in international relations (Grey 2000; Gazzini 2005, Hofmann 2003) is combined with two legal-dogmatic problems, which go hand in hand in practice: unilateral and/or violent secession and humanitarian intervention by third parties. With regard to the legality of secession and humanitarian intervention there are two conflicting approaches: lawyers of public international law, methodically anchored in strict legal positivism, simply deny the legality with reference to the text of the principles and rules of the UN Charter and their interpretation in light of the 'original intent'. Lawyers preferring a method of contextual/functional interpretation will also deny the legality, except for certain exceptions as 'ultima ratio'. It is then a matter of hotly disputed facts what will be recognised as 'ultima ratio'. It is beyond doubt for proponents of this approach that (attempted) genocide will be a situation which allows the use of force by external intervention. It is, however, less clear and disputed whether also ethnic cleansing allows the use of force and where the empirical and legal borderline between genocide and ethnic cleansing can be drawn. The interpretation of genocide by international criminal courts (Schabas 2000; ICJ 2007) is rather narrow and requires specific intent which can hardly ever be proven, thus scholarly literature vehemently argues to 'criminalise' also ethnic cleansing as a separate criminal offence (Mulaj 2008, pp. 163–70; Hofmann 2003, p. 146).

It goes hand in hand with these developments that a new doctrine is also emerging in international law. After the illegal NATO intervention in Kosovo 1999, the Canadian government established an independent International Commission on Intervention and State Sovereignty with the task to reconcile intervention for humanitarian purposes and sovereignty. This commission produced a report with the programmatic title 'The Responsibility to Protect' (ICISS 2001).

Hence, sovereignty does not only include a right of states to territorial integrity and non-intervention, but also a responsibility to protect their own populations. Only if the state concerned is unable or unwilling or itself the perpetrator, it becomes the responsibility of the international community to act in its place. This new principle was then adopted by the UN General Assembly at its World Summit in 2005. Under the heading 'Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity', paragraphs 138 and 139 summarise the new obligations following from this doctrine through measures of prevention, reaction and rebuilding (UN GA 2005). However, it remains to be seen how this new doctrine will be transformed into 'hard' public international law.

Legal standard setting: from minority protection to human rights protection and back?

After World War II, there was a dramatic shift of the paradigm from the protection of the 'special' rights of minorities as ethnic groups to the notion that it is 'essential' and appropriate to protect individuals and their 'general' human rights, as can be seen in

the developments in the legal standard setting processes within the United Nations as well as the Council of Europe (Thornberry 1991; Pentassuglia 2002). The ethnic issue was not totally neglected, but it was expected that the protection of human rights in combination with the principle of non-discrimination on grounds such as, inter alia, 'race, sex, language, religion, or national origin' in the language of Article 14 of the European Convention on Human Rights (ECHR) of 1950 would be much more functional instead of a special and group rights approach. Due to the experience with both totalitarian ideologies of Nazism and Bolshevism, for Western-style democracies individual human rights and their effective protection against violation by public authorities through judicial enforcement remained the 'essence' of liberalism and democratic governance until the end of the Cold War.

At the European level the breakdown of communist regimes in Central, Eastern and South-eastern Europe in 1989 brought again a swing of the pendulum back to the minority protection paradigm, as can be seen from various international documents.[3] The chapter on national minorities of the CSCE Copenhagen meeting 1990 sets the tone by referring in the preamble to '…cultural diversity and the resolution of questions relating to national minorities' through 'respect for the rights of persons belonging to national minorities as part of the universally recognized human rights' as 'an essential factor for peace, justice, stability and democracy…'. Hence, no longer is assimilation into an ethnically homogeneous or indifferent nation-state the underlying premise of minority protection, but cultural diversity as such is recognised as a basic value for democratic governance. From this perspective, human and minority rights are no longer opposite approaches, but minority rights are seen as part of an all-embracing human rights regime and human and minority rights are seen not only as an essential element of liberal democracy but also as a necessary precondition for peace and stability. And finally, the provisions require states to take affirmative action measures to protect and promote the (different) 'ethnic, cultural, linguistic and religious identity' of minorities, i.e. the groups as such, and not only to abstain from discrimination. Following this declaration, the CSCE/OSCE member states established a High Commissioner on National Minorities (HCNM) as an 'early warning' and conflict prevention mechanism at their Helsinki meeting in 1992. Within the Council of Europe, the Parliamentary Assembly took the lead and adopted Recommendation 1201 on an additional protocol on the rights of minorities to the ECHR, which included in Article 1 not only a definition of 'national minority', but would have rendered also a judicial enforcement mechanism through the European Court of Human Rights.

However, a backlash followed. Due to the political and ideological resistance of many unitary states within the Council of Europe, such an additional protocol was not adopted by the CoE Committee of Ministers (CoM). Instead, the European Charter for Regional and Minority Languages and the Framework Convention for the Protection of National Minorities were adopted as a 'substitute'. Despite early criticism with regard to vague language, weak obligations and only political supervision by these instruments (Benoît-Rohmer 1996, pp. 40–4), any assessment of the activities of the HCNM and the monitoring mechanism of the FCNM after more than a decade must come to the conclusion that they have established a rather effective 'pan-European'[4] minority protection regime. All of the opinions of the expert committees and the conclusions and recommendations of the CoM offer a massive corpus of text, which is already characterised as 'soft jurisprudence' (Marko and Lantschner 2008), consisting of legally binding 'minimum standards', 'emerging standards' and 'best practices'. In

conclusion, the political monitoring mechanism can be seen as an advantage today, which has helped to overcome the political deadlocks in legal standard setting. In addition, the permanent dialogue between the organs of the CoE and governments and minority organisations and the political pressure following from the publication of all documents must be seen as a long-term benefit which could also lead to a change of attitude of majority populations in terms of the acceptance of cultural diversity.

However, despite this rather optimistic assessment, in particular if compared to other regions of the world, there are some left-overs. So far the European Union has not incorporated a specific minority protection provision into its primary law due to strong resistance from the above-mentioned states. Article 13 of the EC Treaty and the corresponding EC Directives[5] are still an expression of the anti-discrimination approach, and the burning banlieus in French cities as well as the electoral success of right-wing populist or even extremist parties all over Europe prove the constantly pressing problem of the integration of new minorities. Nevertheless, 'effective participation, full and effective equality and promotion of national minorities' identity and culture' as the 'three corners of a triangle which together form the main foundations of the Framework Convention'[6] are fundamental values. They reflect a shift of the paradigm from 'national minority' protection as means of conflict 'resolution' in the context of state sovereignty and the European nation-state models to the 'management' of ethnic diversity, where 'old' and 'new' minorities can also serve as a bridge for peaceful co-operation based on the functional prerequisites of (internal) 'autonomy', in order to preserve and promote cultural diversity and 'integration', which would enhance social cohesion and stabilise political unity within, between and beyond states.[7]

Human and minority rights in the life cycle of ethnic conflict

The pre-conflict phase: ethno-mobilisation and prevention

Against all forms of primordial theories it follows from the epistemological analysis of the preceding section as well as from a careful comparative analysis of empirical case studies of ethnic conflict around the globe[8] that cultural diversity as one of the possible 'structural' causes does not automatically have to lead to tensions or even violent conflict. In addition to political, socioeconomic or perceptual underlying causes, there have to be internal or external 'proximate' causes which enable the outbreak of conflict: Internal causes are 'bad leaders' or 'predatory' elites who control their own community for their own, individual political and/or economic interest, are ready to spoil legitimate government also by use of force and are not willing to compromise. External causes are usually 'bad' neighbours either by diffusion, when conflicts spill over, or by escalation through direct military intervention or (in)direct support of insurgent parties and their militias.

Why do leaders then choose war over peace and how do fears and threats translate into violence? The general hypothesis of the constructivist-instrumentalist approach goes that 'ethnic entrepreneurs' in a 'fear-producing environment', such as a government breakdown, shifts in political power balances between groups and/or changes in control over economic resources and accompanying shifts in the balance of rival external patrons, (mis)use the 'feeling' that only my own group can protect me against the 'others' for triggering a political process of ethno-national mobilisation. Hence in a situation of regime change or weak or failed states, they create or make recourses to the 'we' feeling of their group and transform economic, political or cultural tensions into

an ethnic conflict over identity and/or territory, in short they create a political or even physical 'security dilemma'.[9] Hence, the creation of we–they antagonisms and enemy stereotyping through political or religious leaders, intellectuals and in the media has to serve as an 'early warning' indicator that such perceived or already real security dilemmas are engineered. Political and legal disputes over the 'justification' of claims and counter-claims concerning basic human and minority rights such as freedom of expression and association and more special identity rights with regard to the use of the minority languages and scripts for names, topographical indications, and/or as 'second', additional, but equal official language in education, administration and before courts are the next serious indicators that the process of ethno-mobilisation by transforming competing rights and interests into ethnically perceived, antagonistic identity conflicts is in full swing. The more one group challenges the status quo and the less another is prepared to allow changes, the more likely is it that conflict will rapidly escalate into violence. Finally, recourse to 'extraconstitutional' means such as 'illegal' referenda on establishing territorial autonomies or the abolition of existing autonomy regimes and the formation of paramilitary formations[10] already require the question whether it is high time for external mediation, arbitration or even intervention.

Conflict and conflict settlement

It goes without saying that ethnic conflicts over territory and identity, when they indeed have become 'primordial' so that the physical existence of members of groups, because of their group characteristics, is endangered in reality, may lead to gross violations of human and minority rights, in the worst case to ethnic cleansing and genocide.[11] Mass killings, raping, torture in detention camps and expulsion from the territory are part of the agenda of ethnic entrepreneurs in pursuing their ethno-nationalist policies.[12] The central question then is, how to stop violence? Through external mediation, sanctions or, in the final analysis, military intervention? The legal-dogmatic problem of 'humanitarian intervention' and the use of force by external actors in 'civil' wars has been discussed above. What is of concern here is the perspective of conflict management and resolution.

As we have experienced in the wars in Croatia and Bosnia and Herzegovina (BiH) in the 1990s, mediation in the framework of the UN- and EU-led Yugoslavia conference was a total failure. The international community, being ill prepared, ill equipped and lacking political will, did always 'too little, too late' in order to prevent the outbreak of violence or to stop violence. But even after military intervention the question arises, how is it possible to negotiate for sustainable peace and not only a cease-fire? In other words, what encourages ethnic entrepreneurs to give up their rational choice for a politics of violence and how is it possible to deal with the legacy of violent conflict not only in terms of security guarantees and institutional arrangements, but also concerning the damages for the political culture, i.e. the mix of fear, hate and ensuing distrust[13] and thus the lack of societal solidarity and loyalty vis-á-vis state institutions following violent conflict? But why should 'radical' claims for secession or partition be given up, since there is no military solution possible for self-determination conflicts in terms of long-term peace? Why should there be a 'rational' interest in stability, if a 'frozen conflict' based on permanent international crisis management allows predatory elites to enrich themselves and their clientele through state-controlled 'privatisation' and organised crime, which might even be supported by an external strong patron?

Moreover, an ethic of self-restraint of political leaders and tolerance of the people as a precondition for peace-building is exactly the problem after violent conflict. The absence of tolerance and mutual trust is exactly the definitional essence of 'severe ethnic divide'. In addition the theoretical battles between accommodationists and integrationists do not really help (McGarry et al. 2008).

Nevertheless, there are some general lessons to be learned from negotiations on the terms of peace settlements and the effects of the structure of their provisions, based on the assumption that tolerance and trust must and can be created by institutional design and law-enforcement.[14]

First, to denounce one of the parties of ethnic conflict as 'terrorists', as was the case on the eve of the fully fledged war between Serb authorities and the Kosovo Liberation Army (UÇK) in Kosovo, simply pours oil on to the flames. The same is true, on the other hand, if the 'international community' shies away from simply calling ethnic cleansing and attempted genocide by state authorities or agents controlled by them what it is, namely an international crime. Hence, there is a dialectic of necessary impartiality and taking sides which can only be resolved if the dichotomy between 'realists' and 'idealists' in international relations theory and diplomacy is overcome by a firm commitment to international legal standards and their implied value judgements. It goes without saying that this needs also more legal clarity through a better international criminal law regime as argued above.

Any attempt to exclude 'radicals' and their positions from the framework for negotiation, and to accommodate only the interests of moderate parties in the settlement agreement, is bound to fail. As can be seen from case studies on Northern Ireland (McGarry and O'Leary 2008) and Bosnia and Herzegovina (Marko forthcoming), the former will always try to spoil the peace-building process by continuing ethno-national mobilisation and recourse to illegal means or even violence. Post-conflict reconstruction efforts will then resemble permanent crisis management rather than stable peace-building.

Wolff also argues (Wolff 2007, pp. 149–51) that the 'velvet divorce' of the Czech Republic and Slovakia, the dissolution of the Soviet Union and the Israel–Palestinian conflict demonstrate that separation and independent statehood are (potentially) viable solutions provided that they are consensual and well managed. There are, of course, the general moral and legal implications with this view that partition after violent conflict would reward and legitimise ethnic entrepreneurs' politics of violence in the end and, at least in the European context, forced population transfer is prohibited by Article 3 of Protocol No. 4, ECHR. However, it is also contestable that partition is a viable solution in terms of political stability. First, new states created by partition are not automatically homogeneous so that 'new' minorities are created which will be, in the logic of ethno-nationalism as basis for territorial partition, be dominated and suppressed, thereby creating new conflicts. Hence, partition makes sense in the ethno-nationalist logic only if it goes hand in hand with population transfer, which has been termed the 'Lausanne principle' after the international agreement concluded between Greece and Turkey in 1923. However, studies on the partition between India and Pakistan, Cyprus, etc., reveal that population transfer is never voluntary but always forced and does not lead, either in the short or the long run, to the acclaimed security for peoples in their new country and regional stability between states (Kumar 1999, Clark 2007).

All post-conflict activities for political unity have to address the 'Four Rs', recognition, restitution, reconciliation and remembrance, and thereby to address old and new root

and proximate causes in order to prevent a relapse into a conflict cycle. Hence, in order to be able to reconcile peace *and* justice from the very beginning, any interim settlement agreement should reflect a 'creative ambiguity' along the following lines:

- The content of a settlement agreement must contain rules on immediate security guarantees and a new institutional framework where conflicting interests can be accommodated so that the incentives for non-violence and compromise outweigh benefits expected from a further politics of violence.
- At the same time, it is necessary to entrench and enforce rules on human and minority rights protection and transitional justice, in case of previous ethnic cleansing, in particular through the right to return to the home of origin and the restitution of property in conjunction with an obligation of authorities to take affirmative action to reverse the effects of ethnic cleansing.
- Moreover, rules are needed to stop ongoing ethno-mobilisation by the respective agents in government, political parties, media, and education to break the danger of 'intergenerational vengeance' and a conflict cycle.
- As far as procedure and timelines are concerned, the rules should enable flexibility for the renegotiation of institutional arrangements in order to be able to 'temper' the saliency of ethnicity for the entire political system in progressing from corporate to liberal power sharing and, finally, to integration under an impartial internal umpire as the case law of the Constitutional Court of Bosnia and Herzegovina can demonstrate (Marko-Stöckl 2010).

Finally, the IC must be ready for a long-term commitment. Any public exit strategy with the announcement of deadlines will only invite the warring parties to compromise on the surface, but to spoil in reality any implementation of the settlement in the expectation that they have only to wait and see the withdrawal of the international military and/or civilian presence.

The post-conflict phase: reconstruction and reconciliation

In the immediate aftermath of conflict, reconstruction efforts by implementation of the peace settlement have to take priority. However, as can particularly be seen from the 'democratisation' efforts of the OSCE in Bosnia and Herzegovina, early and repeated elections every second year, which have been free, but not fair, only legitimise the 'radical' ethno-nationalist parties and their leaders, thereby enabling them, on the basis of the corporate power-sharing arrangements of the Dayton constitution, to form a cartel of power and to hinder or even block reforms to overcome the institutional weaknesses and to strengthen the rule of law. The general lesson for reconstruction is that effectiveness of institutions and the rule of law must be given priority over democratisation. Moreover, as the riots in Kosovo in March 2004 against Serb and Roma communities demonstrated, vigilance with regard to security issues cannot be given up, so that an international military presence with a robust and extended mandate including police tasks and civil–military co-operation will be necessary also for long-term peace-building.

   The second important task is economic reconstruction in order to get rid of aid dependence and to trigger sustainable economic development. More often than not economic aid does not reach the people who are in need immediately after the conflict,

because the control over economic aid and its distribution by the warring parties becomes a proximate cause for ongoing conflict. Moreover, what happens when partition and a politics of divide and rule are not effectively tackled can be observed again in Bosnia and Herzegovina, where the power to legislate in economic affairs rests almost exclusively with the Entities. Thus it was so far impossible to create a common economic legal system as a precondition for a functioning common market even within the country, let alone to integrate into the European Union.

As far as reconciliation is concerned, the climate of revenge, fear and hatred must be overcome to create the preconditions for mutual trust and co-operation not only on the elite level but also in the minds and attitudes of people. However, as we can see in particular in the Balkans, instruments of transitional justice such as international and national criminal courts in order to sanction individual guilt for genocide, crimes against humanity and war crimes as well as truth commissions face the problem that victims and perpetrators proclaim a different 'truth' with regard to past events. Knowledge of facts and events, even if established by independent courts, does not necessarily translate into moral or political acknowledgement (Marko-Stöckl forthcoming). As long as there is either my truth against your truth, as one of the ICTY indictees stated in his defence,[15] there will be ongoing and 'competing narratives of resentment and blame.'[16] The same phenomenon can be observed in education. A moratorium on history teaching for ten years as it was foreseen in the Erdut Agreement in 1995 for the peaceful reintegration of eastern Slavonia will thus not help to overcome the we–they dichotomy which has been characterised as an important indicator for ethno-mobilisation in the pre-conflict phase. Hence, as long as ethno-national stereotypes, myths of victimhood and hate can be spread, the vicious circle of 'intergenerational vengeance' cannot be broken. The new approach of 'positive history'[17] and 'multiperspectivity' of history textbooks is a first step in order to deconstruct the we–they dichotomy and to prepare the ground for the insight that it is necessary to find a consensus on the past, not in terms of collective guilt, but as collective responsibility for reconciliation and peacefully living together in the future.

When is it possible to renegotiate the (interim peace) settlement and its institutional design of corporate power sharing in order to democratise the entire political system without opening Pandora's box for a new round of conflict? And when is an exit for ending international territorial administration possible? These two problems are again intimately linked. Until the very day, intransigent, obstructionist and predatory political elites are in power in both Bosnia and Herzegovina and Kosovo, which hinder reforms to make institutions and public services more effective. 'Representativeness', however, cannot be decreed by international supervisory mechanisms, but needs a reform of the entire system of intermediary organisations, in particular of political parties based on the acceptance of both leaders and electorate. In conclusion, only when the party system is transformed so that governmental institutions are representative of and accountable for the economic prosperity and well-being of the 'entire population without discrimination according to ethnic or national origin', to paraphrase the UN General Assembly's Friendly Relations Declaration, will the relapse into ethnic conflict become unlikely and endogenous cultural diversity management possible. This would be the perfect point in time to end international territorial administration and to hand over the exercise of sovereign power to the people and their leaders.

Notes

1 For a detailed analysis see in particular Pierre-Caps (2008), pp. 12–13, and Marko (2008a), pp. 256–7.
2 I have analysed these ideological underpinnings in detail in Marko (2008a).
3 All documents quoted in the following are reprinted in Benoît-Rohmer (1996).
4 In order to take over the book title of Verstichel et al. (2008). Since the activities of the HCNM are not made public, it is much harder to assess them. But see Kemp (2001), Parzymies (2007) and Verstichel (2008).
5 Council Directive 2000/42/EC of 29 June 200 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ L180, pp. 22–6, Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L303, p. 16, and Council Directive 2004/113/EC concerning equal treatment between men and women in access to and supply of goods and services, OJ L373, p. 37. See also Meenan (2007).
6 At § 13, available at www.coe.int/minorities.
7 See the preambular provisions of the FCNM referring to 'stability, security and peace in this continent', 'cultural diversity … a factor, not of division, but of enrichment of each society' and the necessity of 'transfrontier co-operation between regional and local authorities' in addition to co-operation between states.
8 See instead of all Wolff (2007).
9 See, above all, Mulaj (2008), in particular chapter 4.
10 See, for all these elements of the process of ethno-mobilisation ending up in a spiral of violence in the wars in the Balkans in the 1990s, Ingrao and Emmert (2009).
11 See Bell-Fialkoff (1996) and, for the need to distinguish conceptually and legally ethnic cleansing from genocide, Calic (2009), p. 120, and Mulaj (2008), pp. 128–31 and 163.
12 See in particular the Rapport of the Special UN Rapporteur, the former Polish Prime Minister Mazowiecki, E/CN/4/1992/S-1/10, stating already on 27 October 1992, at § 6, '…the principle objective of the military conflict in Bosnia and Herzegovina is the establishment of ethnically homogeneous regions. Ethnic cleansing does not appear to be a consequence of the war but rather its goal.'
13 See in particular Kaufman (2001).
14 See the case study on South Tyrol with the, in so far, programmatic title by Woelk et.al. (2008).
15 The indicted Simo Drljaca stated to the judges, 'You have your facts. We have our facts. You have a complete right to choose between the two versions,' available at www.cla.purdue.edu/aacademic/history/facstaff/Ingrao/si/prospectus.pdf.
16 I borrow this phrase from Ramet (2007).
17 I.e. to identify also narratives of cooperation and tolerance that cut across ethnic lines, stressing the commonalities of peoples despite ethnic conflict and war. See in general McDonald (2009).

Further reading

Bell-Fialkoff, A. (1996), *Ethnic Cleansing*, St. Martin's Press, New York.
Clark, B. (2007), *Twice a Stranger: How Mass Expulsion forged Modern Greece and Turkey*, Granta Books, London.
Grey, C. (2000), *International Law and the Use of Force*, Oxford University Press, Oxford.
International Commission on Intervention and State Sovereignty (2001), *The Responsibility to Protect*, viewed 16 September 2009, http://www.iciss.ca/pdf/Commission-Report.pdf.
Kaufman, S. (2001), *Modern Hatreds. The Symbolic Politics of Ethnic War*, Cornell University Press, Ithaca NY and London.

Mulaj, K. (2008), *Politics of Ethnic Cleansing: Nation-state Building and Provision of In/Security in Twentieth Century Balkans*, Lexington Books, Plymouth

Bibliography

Bell-Fialkoff, A. (1996), *Ethnic Cleansing*, St. Martin's Press, New York.

Benoît-Rohmer, F. (1996), *The Minority Question in Europe. Texts and commentary*, Council of Europe Publishing, Strasbourg.

Calic, M. (2009), 'Ethnic Cleansing and War Crimes, 1991–1995', in *Confronting the Yugoslav Controversies: A Scholars' Initiative*, ed. C. Ingrao and T. A. Emmert, Purdue University Press, West Lafayette IN.

Canovan, M. (1996), *Nationhood and Political Theory*, Edward Elgar, Cheltenham.

Clark, B. (2007), *Twice a Stranger: How Mass Expulsion forged Modern Greece and Turkey*, Granta Books, London.

Gazzini, T. (2005), *The Changing Rules on the Use of Force in International Law*, Manchester University Press, Manchester.

Grey, C. (2000), *International Law and the Use of Force*, Oxford University Press, Oxford.

Hofmann, R. (2003), 'The Use of Force in Minority–Majority Relations: An International Law Perspective', in *Radical Ethnic Movements in Contemporary Europe*, ed. F. Daftary and S. Troebst, Berghahn Books, New York and Oxford, pp. 133–49.

Ingrao, C. and Emmert, T. A. (eds) (2009), *Confronting the Yugoslav Controversies. A Scholars' Initiative*, Purdue University Press, West Lafayette IN.

International Commission on Intervention and State Sovereignty (2001), *The Responsibility to Protect*, viewed 16 September 2009, http://www.iciss.ca/pdf/Commission-Report.pdf.

International Court of Justice, Bosnia and Herzegovina v. Serbia and Montenegro, *Judgement of 26 February 2007*, at www.icj-cij.org.

Kaufman, S. (2001), *Modern Hatreds. The Symbolic Politics of Ethnic War*, Cornell University Press, Ithaca NY and London.

Kemp, W. (ed.) (2001), *Quiet Diplomacy in Action: The OSCE High Commissioner on National Minorities*, Kluwer, The Hague.

Kumar, R. (1999), *Divide and Fall? Bosnia in the Annals of Partition*, Verso, London.

Lantschner, E. (in print), *Soft Jurisprudence im Minderheitenrecht. Standardsetzung und Konfliktbearbeitung durch Kontrollmechanismen bi- und multilateraler Instrumente*, Nomos, Baden-Baden.

Levy, J. (2007), 'Contextualism, Constitutionalism, and Modus Vivendi Approaches', in *Multiculturalism and Political Theory*, ed. A. S. Laden and D. Owen, Cambridge University Press, Cambridge, pp. 173–97.

Marko, J. (2008a), 'The Law and Politics of Diversity Management: A Neo-institutional Approach', *European Yearbook of Minority Issues*, Vol. 6, *2006/2007*, Njihoff, Leiden and Boston MA, pp. 251–79.

Marko, J. (2008b), 'The New Kosovo Constitution in a Regional Comparative Perspective', *Review of Central and East European Law*, Vol. 33/2008, pp. 437–50.

Marko, J. (forthcoming), 'Politics and Constitutional Reform in Bosnia and Herzegovina', in *Civic and Uncivic Values in Bosnia: The Record since Dayton*, ed. Sabrina Ramet.

Marko, J. and Lantschner, E. (2008) 'Conclusions. European integration and its effects on minority protection in south-eastern Europe', in *European Integration and its Effects on Minority Protection in South Eastern Europe*, ed. E. Lantschner, J. Marko and A. Petricusic, Nomos, Baden-Baden, pp. 359–79.

Marko-Stöckl, E. (2010), 'My Truth, Your Truth – Our Truth? The Role of History Teaching and Truth Commissions for Reconciliation in Former Yugoslavia', *European Yearbook of Minority Issues*, Vol. 7.

McDonald, D. (2009), 'Living Together or Hating Each Other', in *Confronting the Yugoslav Controversies: A Scholars' Initiative*, ed. Ingrao, C. and Emmert, T. A., Purdue University Press, West Lafayette IN, pp. 391–424.

McGarry, J., O'Leary, B. and Simeon, R. (2008), 'Integration or accommodation? The enduring debate in conflict regulation', in *Constitutional Design for Divided Societies. Integration or Accommodation?*, ed. S. Choudhry, Oxford University Press, Oxford, pp. 41–88.

McGarry, J. and O'Leary, B. (2008), 'Consociation and its critics: Northern Ireland after the Belfast Agreement', in in *Constitutional Design for Divided Societies. Integration or Accommodation?*, ed. S. Choudhry, Oxford University Press, Oxford, pp. 369–408.

Meenan, H. (ed.) (2007), *Equality Law in an Enlarged European Union. Understanding Article 13 Directives*, Cambridge University Press, Cambridge.

Muharremi, R. (2008), 'Kosovo's Declaration of Independence: Self-determination and Sovereignty Revisited', *Review of Central and East European Law*, Vol. 33/2008, pp. 401–55.

Mulaj, K. (2008), *Politics of Ethnic Cleansing. Nation-state Building and Provision of In/security in Twentieth Century Balkans*, Lexington Books, Lanham MD.

Parzymies, S. (ed.) (2007), *OSCE and Minorities. Assessment and Prospects*, Wydawnictwo Naukowe Scholar, Warsaw.

Pentassuglia, G. (2002), *Minorities in International Law*, Council of Europe Publishing, Strasbourg.

Pierre-Caps, S. (2008), 'Constitutional Non-recognition of Minorities in the Context of Unitary States: An Insurmountable Obstacle?' in *The Participation of Minorities in Public Life*, ed. Venice Commission, Council of Europe Publishing, Strasbourg.

Ramet, S. (2007), 'The Dissolution of Yugoslavia: Competing Narratives of Blame and Resentment', *Südost Europa 2007*, pp. 26–70.

Ratner, S. (1998), 'Ethnic Conflict and Territorial Claims: Where do we Draw a Line?' in *International Law and Ethnic Conflict*, ed. D. Wippmann, Cornell University Press, Ithaca NJ and London, pp. 112–12.

Report submitted to the Council of the League of Nations by the Commission of Rapporteurs (1921), *The Aaland Island Question*, League Doc. B7.21/68/106, 28.

Schabas, W. A. (2000), *Genocide in International Law*, Cambridge University Press, Cambridge.

Smith, A. (1991), *National Identities*, Penguin, London.

Stokes, G. (2009), 'Independence and the Fate of Minorities, 1991–92', in *Confronting the Yugoslav Controversies: A Scholars' Initiative*, eds. C. Ingrao and T. A. Emmert, Purdue University Press, West Lafayette IN, pp. 103–7.

Thornberry, P. (1991), *International Law and the Rights of Minorities*, Clarendon Press, Oxford.

United Nations General Assembly Resolution A/60/1 of 20 September 2005.

Verstichel, A. (2008), 'Special Measures to Promote Minority Representation in Elected Bodies: The Experience of the OSCE High Commissioner on National Minorities', in *The Participation of Minorities in Public Life*, ed. Venice Commission, Council of Europe Publishing, Strasbourg.

Verstichel, A., Alen, A., De Witte, B. and Lemmens, P. (eds) (2008), *The Framework Convention for the Protection of National Minorities: a Useful Pan-European Instrument?* Intersentia, Antwerp, pp. 45–61.

Woelk, J., Palermo, F. and Marko, J. (eds) (2008), *Tolerance through Law: Self-governance and Group Rights in South Tyrol*, Brill, Leiden.

Wolff, S. (2007), *Ethnic Conflict: A Global Perspective*, Oxford University Press, Oxford.

20 Territorial approaches to ethnic conflict settlement

John McGarry and Brendan O'Leary

Governments that seek to accommodate mobilised national, ethnic, linguistic or religious communities have a range of institutional strategies at their disposal if they do not wish to permit secession.[1] They may promote *consociation*, which accommodates plural communities through power sharing, or *centripetalism*, which incentivises majority politicians to take minority preferences into account. They may promote group-based self-government, sometimes termed *corporate* or *cultural autonomy*. They may also seek accommodation through territorially based autonomy, that may be described as '*territorial pluralism*' (McGarry et al. 2008; O'Leary and McGarry 2010). The latter entails four distinct institutional arrangements: *pluralist federation*, *decentralisation within a union or unitary state*, *federacy*, and *cross-border territorial arrangements*, the last of which can be combined with any of the first three. Territorial pluralism assists geographically concentrated national, ethnic, linguistic, or religious communities. It is not relevant for small, dispersed communities, including immigrant communities, for whom self-government is infeasible or undesirable. Territorial pluralism should be distinguished not just from group-based (non-territorial) autonomy, but also from territorial self-government based on 'administrative', or 'geographic' criteria, including regional components of the state's majority community.[2]

Contemporary territorial pluralism originated as a conflict-regulating strategy in the mid-nineteenth century with the creation of pluralist federations in Switzerland and Canada. It has become particularly fashionable, at least in liberal democracies, in recent decades (Gurr 1993a, b; Hannum 1989, 1990, 1993, 1996; Lapidoth 1997; Weller and Wolff 2005). Within the past quarter-century, several democratic states, including Belgium, the United Kingdom, Italy, and Spain, formerly either unitary or union states, have transformed themselves into states in which some nationalities enjoy some territorial autonomy. Even France, the home of the Jacobin model of centralised government, has established a regional assembly for the Corsicans, though the extent of its autonomy is minimal (Daftary 2001). Elsewhere, territorial pluralism has been implemented in response to nationalist disputes in Bosnia and Herzegovina, Indonesia (Aceh and Irian Jaya), Iraq (Kurdistan), and Sudan (South Sudan). It is frequently mooted to resolve ongoing conflicts in Azerbaijan (Nagorno Karabakh), Cyprus, Georgia (Abkhazia, South Ossetia), Moldova (Transnistria), and Nepal (the Terai and other regions). Territorial pluralism allows nationalities, big or small, some autonomy within existing states. It has significant support in the academy, and among political elites from minority communities. International organisations, including the United Nations, the OSCE, and the European Union, have seen it as a possible solution to the tension between the desire of nationalities for autonomy and the desire of states to maintain their territorial integrity.

Mapping the varieties of territorial pluralism

Devolution/decentralisation in a union or unitary state

The central authorities of a unitary or union state can devolve or decentralise power to one or more regions, and can give different or asymmetric degrees of autonomy to each region (McGarry 2010; O'Leary 2010). The amount of self-government devolved can be substantial, and the devolved powers may sometimes exceed the powers of states within some federations, or of some federacies. A fundamental, and defining, feature of decentralisation and devolution is that within the relevant political systems there is a monistic conception of sovereignty, in which the central authorities retain the right to alter unilaterally the grant of autonomy or rescind it altogether. The central authorities are also able to change the boundaries of the autonomous region, and may retain the right to continue legislating for it, even within those jurisdictional responsibilities that have been devolved.

For example, in 1998, the United Kingdom's Westminster parliament established a parliament in Scotland, and assemblies in Northern Ireland and Wales, after referendums in the respective entities. Scotland and Northern Ireland were given extensive powers of primary legislation, while the National Assembly of Wales's powers were restricted to secondary legislation. In the Scotland Act Westminster clearly retains sovereignty,[3] though some British academics believe it would be difficult for Westminster to act unilaterally within the Scottish parliament's sphere of responsibility, or to reduce or rescind its autonomy (Bogdanor 2003: 225–28). Northern Ireland's Agreement went further, creating, as we argue below, a federacy, but did not prevent the UK government (at least within its legal interpretations) from unilaterally suspending Northern Ireland's political institutions four times between 2000 and 2007, the fourth suspension lasting for over four years. It did so in response to a perceived political impasse between unionist and Irish republican politicians. Its actions were a breach of the Agreement in Ireland's readings of the relevant treaties, but reflected the continuing strength of the view within Westminster that parliament's sovereignty cannot be restricted (O'Leary 2001a, c, 2008b).

While India is usually considered a federation, it does not describe itself as such but rather as a 'union state', and its constitution has a number of important features akin to those of devolution in a unitary state. Article 249 of the Indian constitution allows the Union parliament, by a two-thirds vote in the upper House (Rajva Sabha), to make laws in the national interest with respect to any matter enumerated in the 'States List', while Article 250 allows the federal parliament to make laws on any item included in the States List during an 'emergency', the existence of which is determined by the federal government under Article 352. These provisions mean that there are, constitutionally, no exclusive state jurisdictions in India. Article 250 has been used by parliament on several occasions to shift powers from the states to the concurrent list and to the 'Union' list. Article 356, 'President's Rule', allows Delhi to take over the government of a state, a provision that has been used 100 times since 1950 (Mathew 2005: 169). The Indian Union authorities are able, after a consultative process, to redraw state boundaries and to establish new states, a power that has been used on numerous occasions.

From the perspective of pluralist accommodation and political stability, devolution is said to have certain advantages. It gives the state's central authorities the flexibility to correct experiments that have gone wrong, and to intervene to protect regional minorities or to take measures to restore order. The United Kingdom's belated decision

to abolish Northern Ireland's autonomy in 1972 was taken after clear evidence that this had failed spectacularly, giving rise to sustained ethnocratic government by the Ulster Unionist Party and, by 1969, pogroms by the majority amid a quasi-insurrection by Northern Ireland's Irish nationalist minority. Later, after the restoration of a Northern Ireland Assembly, the United Kingdom's suspension of Northern Ireland's institutions between 2000 and 2007 was seen as necessary to address a political stalemate, and to protect moderate politicians against radicals. Canada has used its unilateralist powers to accommodate newly mobilised regional nationalities who demanded regional autonomy, while the use of President's rule in India has usually been justified as necessary to restore quiet.

These advantages, however, are deeply ambiguous. Devolution leaves ultimate power in the hands of the state's central authorities, which often means its dominant nationality, religion or linguistic community. India's federal authorities have used their power not just to protect minorities within states but to control (larger) minorities that possess their own states, including the Sikhs of Punjab and Muslims of Kashmir (Singh 1993, 1995, 2001). Even interventions that are aimed ostensibly at promoting the rights of small minorities within regions may be motivated by a desire to rein in the larger minorities who control the regions in question.

Devolution also suggests a hierarchy of authority within the state, with the relevant regional institutions firmly subordinate to the centre, a status unlikely to sit well with nationalities that seek a plurinational partnership of equals. Thus, Canada's indigenous nations have long insisted that they possess an 'inherent' right to self-government, one that cannot be bestowed by anyone. It is also not difficult to imagine nationalities, particularly after armed conflicts, being wary of an autonomy settlement that can be unilaterally altered or rescinded by the state's central authorities. In such contexts, the most popular choice for non-dominant nationalities is not devolution but plural federation, federacy, or independence. In Cyprus, even moderate Turkish Cypriots insist on a 'bi-zonal, bi-communal federation' to give them both a share in Cyprus's sovereignty and guaranteed autonomy. Irish republicans rejected the Government of Ireland Act of 1920, in part because it maintained Westminster's 'undiminished' sovereignty, and accepted the 1998 Agreement only because they believed it had qualified UK sovereignty, rendering the new institutions an act of Irish self-determination.

There are ways to protect regional minorities who might be abused by nationalities who control autonomous territorial governments, short of granting overriding powers to the state's central authorities. Constitutionalised agreements can provide for regional-level power-sharing; or for a regional-level Bill of Rights which includes protection for minorities and individuals; and for cantonisation within regions, which results in some level of autonomy for smaller nationalities. Northern Ireland's 1998 Agreement sought to prevent a recurrence of the abuses that occurred between 1921 and 1972, not by relying on Westminster, which had not intervened to protect the nationalist minority until 1969, but by extending autonomy with consociational guarantees, other equality provisions within Northern Ireland, and a bi-governmental oversight role for the United Kingdom and Republic of Ireland.

Plural federation

In a federation, sovereignty is divided between a federal (not central) government and the federation's constituent units (provinces, states, Länder, cantons, republics,

entities). Each unit of government has exclusive responsibility for certain functions, and the division of powers is entrenched in a written constitution. Neither the federal government nor the constituent units can change the constitution unilaterally – there is an amending formula that involves the assent of both. It is for this reason that India cannot be constitutionally regarded as a formal federation. The Indian constitution permits the Union parliament to make laws with respect to any matter under the jurisdiction of the states, and the Union government to take over the government of a state. In federations, an impartial judicial tribunal decides constitutional disputes.

Federations standardly imply bicameral federal legislatures. In the chamber of the states (provinces, entities, etc.) the smallest component units are usually disproportionately represented, i.e., overrepresented. In addition to entrenching regional self-government, therefore, federations normally provide for a regional role in the decisions of the federal governmental institutions. In federations, autonomous units usually cover the entire state's territory, with exceptions sometimes made for capital city regions. The degree of self-government enjoyed by minorities in federations varies: some are less 'non-centralised' than others. While federations offer more secure autonomy than devolved polities, they do not necessarily offer more autonomy. Northern Ireland, a devolved government of the United Kingdom between 1921 and 1972, had many powers, including policing powers that were at least as wide-ranging as those enjoyed by the states of the United States.

Federations can be formed from previously independent states (including from a confederation of independent states) or through separate ex-colonies deciding to 'come together' (Stepan 1999). This route was followed in Switzerland and the United States. It is the route that some hope (and more fear) that the European Union is embarked upon. But a federation can also develop out of a unitary state, in an effort to 'hold together', as has happened in the case of Belgium, and may happen in the United Kingdom and Spain. It is currently thought that new federations are more likely to be of the 'holding together' rather than of the 'coming together' variety, an observation that should please Eurosceptics (Linz 1997). Stepan has noted a third type of federation, one 'put together' by force. He cites the Soviet Union, established by Red Army troops (Stepan 1999). More recently, while many Bosniaks (Bosnian Muslims) consider their federation as springing from a unitary state, many Bosnian Serbs and Croats (as well as outsiders) see it as forced together by the international community. The prospects for such federations, under conditions of democracy, are not good (McGarry and O'Leary 2005).

Not all federations are pluralist. A minimal criterion for a plural federation is that it has some internal boundaries that respect nationality, ethnicity, language or religion. By this standard, Canada, Belgium and Switzerland are pluralist federations. While India has the formal characteristics of a union state, in other respects, primarily its move towards more linguistically homogeneous states, it resembles a pluralist federation. Beyond this minimalist conception, pluralist federations vary. Full pluralist federations entail three complementary arrangements. First, they involve not just a constitutionally entrenched division of powers, which cannot be rescinded unilaterally by the federal authorities, but also substantive autonomy, and a reasonable allocation of fiscal resources. Second, a full pluralist federation has consensual, indeed consociational, rather than majoritarian decision-making rules within the federal government, i.e. inclusive executive power sharing and representative arrangements in the federal government, and proportional principles of representation and allocation of public posts and resources (O'Leary 2005b). Consensual federations create strong

second chambers representing the constituent regions and have strong regional judiciaries and a regional role in the selection of federal judges. They do not create strong single-person presidencies, or senates that are mirror images of the house of representatives. Third, full pluralist federations are plurinational. They recognise a pluralist rather than a monist conception of sovereignty. The plurinational character of the federation may be recognised in the state's constitution, or through its flag and symbols, or through official bilingualism or multilingualism that treats the federation as a multi-homeland, a partnership between or among distinct peoples. Iraq's 2005 constitution stipulates in Article 3 that it is a 'country of many nationalities'. Article 4 makes Arabic and Kurdish the country's two official languages, while Article 12(1) stipulates that 'the flag, national anthem, and emblem of Iraq shall be fixed by law in a way that represents the components of the Iraqi people'. A plurinational federation involves collective territorial autonomy for the partner nations. Nations, by definition, seek to be collectively self-determining, and a plurinational federation is incompatible with the partition of a national community's territory across several federative units, as happened in Nigeria, and as some integrationists wanted for Iraq.

There are few examples of federal constitutions that are fully pluralist in design. Iraq is an uncompleted example, and its future is uncertain (McGarry and O'Leary 2007; O'Leary 2007b). Any viable federation of the European Union will have to be fully pluralist. Pluralist federation enjoys some advocacy among contemporary academics. A federation or pluralist federation is distinct from a confederation, though the two are sometimes confused. The former is a state with shared citizenship and a single international personality, while the latter is a union or alliance of (independent) states, established usually for a limited set of purposes, such as defence or economic cooperation. The (federal) governments of federations have a direct role in the lives of their citizens, while confederal authorities normally interact with the citizens of their member states indirectly – through the governments and bureaucracies of these states. As confederations are generally much looser unions than federations, they are more likely to have decision-making rules based on unanimity. It is also (formally) easier to leave a confederation.

The distinction between a pluralist federation and confederation, however, is not as clear as it once was. Some pluralist federations allow their constituent units a role in international relations. Both Canada and Belgium permit constituent units with French-speaking populations to sit in 'La Francophonie', the league of French-speaking states (Leonardy 2000). Canada's Supreme Court, has, in effect, ruled that each of its provinces now has a constitutional right to secede, providing certain procedures are followed. From the other direction, the European Union, which originated as a confederation, has developed some federal characteristics. Since the Maastricht Treaty, there has been EU citizenship, and the 'eurocracy' in Brussels is increasingly having an impact, though not clearly a 'direct' impact, on the lives of these citizens. The European Union's dominant decision-making rule has also been shifting from unanimity to qualified majority rule within the con/federal institutions.

Federacy

When a nationality seeks guaranteed autonomy, but there is no general desire among the dominant nationality for a federation, the state can establish a federacy, that is, it can enter into a bilateral arrangement in which secured autonomy is offered to a part of the state only (Rezvani 2003). The primary difference between federacy and devolution

is that the grant of self-government is constitutionally guaranteed and cannot be revoked by the centre unilaterally. The primary difference between federacy and federation is that a federacy normally applies to a part of the state's territory, and normally a small part (in population), whereas federation involves state-wide autonomy arrangements. Where part of a federation's territory enjoys a special guaranteed status and a distinct type of autonomy, as in Puerto Rico's relationship with the United States, federation and federacy coexist.

The full and proper implementation of Northern Ireland's 1998 Agreement will create a federacy. While the Agreement's institutions are the subject of ordinary Westminster legislation, like those in Scotland and Wales, they are also entrenched in an international treaty between the United Kingdom and Ireland. Moreover, the UK government, as part of the Agreement, repealed the Government of Ireland Act, 1920, including Section 75, which asserted the 'supreme authority' of the Westminster parliament, and explicitly recognised the people of the island of Ireland's 'right of self-determination', including their right, voting separately, North and South, to bring about a united Ireland. The reasonable reading of the Agreement is that the UK government and parliament cannot exercise power in Northern Ireland in a way that is inconsistent with the Agreement, without breaking their treaty obligations and without denying Irish national self-determination. This fact was obscured by the actions of the UK government between 2000 and 2002, when it unilaterally suspended Northern Ireland's political institutions. The Irish government chose not to challenge these breaches of the Agreement because of the need to maintain good working relations with Britain and to avoid dangerously polarising politics within Northern Ireland. Nonetheless, since 1998, the United Kingdom has been composed of two unions, the Union of Great Britain and the Union of Great Britain and Northern Ireland, each of which has a different constitutional basis (O'Leary 1999a, b).

Cross-border territorial links

The three types of territorial pluralism discussed thus far grant self-government to a nationality within the borders of a particular state. They are suited toward nationalities, such as the Scots or Welsh, who mostly live within a single state's territory. In some cases, however, nationalities are separated from their national kin by international borders. Their kin may be the dominant community in the neighbouring state, or a minority. Such minorities exist all over Europe and elsewhere too. They are part and parcel of the 'Macedonian syndrome' (Weiner 1971). They include the Basques of France and Spain, Northern Ireland's Irish nationalist minority, the Hungarian minorities of Serbia, Slovakia, and Romania, the Croats and Serbs of Bosnia and Herzegovina, as well as the Serbs of now independent Kosovo, the Albanians of Macedonia, and the German-speaking (Austrian) community in South Tyrol. In these cases, devolution, pluralist federation or federacy are necessary but insufficient to establish 'collective' national autonomy. What may be sought in addition are cross-border political institutions that allow co-operation between the different parts of the national community. Within these areas of co-operation, the nation can be said to be collectively self-governing.

There are few examples of such institutions. Most states remain wedded to the traditional 'Westphalian' system of discrete sovereign states, and are reluctant to consider cross-border institutions. The fear is that such institutions will promote

irredentism. Indeed, states are very often opposed to giving even autonomy within state boundaries to minorities that have national kin on the other side of a frontier, and particularly when these kin control a neighbouring state, i.e. the fear of irredentism usually blocks even devolution, pluralist federation, or federacy, never mind cross-border institutional links.

However, at least within the European Union, where relations between states are friendly, irredentism is weak, and traditional notions of state sovereignty may be weakening, such cross-border institutions are becoming possible, though they are not uniformly accepted. The most far-reaching example stems from Northern Ireland's Good Friday Agreement of 1998. In addition to creating a federacy, the Agreement provides for political institutions linking Northern Ireland (part of the United Kingdom) with the Republic of Ireland (O'Leary 1999a, b). The most important is a North–South Ministerial Council (NSMC), a body composed of Ireland's government and the Northern Ireland Executive. In addition, the Agreement led to the establishment of six all-Ireland 'implementation' bodies, which were given the task of co-operating to develop joint policies over inland waterways, food safety, trade and business development, special EU programmes, the Irish and Ulster Scots languages, and aquaculture and marine matters. The driving force behind Ireland's trans-border institutions was the fact that autonomy for Northern Ireland alone would not have satisfied the aspiration of even moderate Irish nationalists. All of their elected politicians insisted on such cross-border links.

Distinguishing territorial pluralism from other forms of autonomy.

Territorial pluralism should be distinguished from non-territorial forms of autonomy, such as personal autonomy, and what is called, variously, corporate, segmental, cultural, and national cultural autonomy, and from forms of territorial self-government that do not accommodate nationalities or minorities.

From personal and corporate (non-territorial) autonomy

Conventional liberal individual or human rights, such as freedom of religion, expression or association, protect personal autonomy. These rights extend to individuals but permit minorities the freedom to practice their community's culture in the private sphere. Thus freedom of religion allows religious minorities to worship together; freedom of expression allows minorities to establish media in their own language; and freedom of association facilitates minority civic associations and political parties. Corporate autonomy, by contrast, involves minority-based public self-government. While personal autonomy can facilitate the formation of minority-based political parties, which can then demand public accommodation, corporate autonomy entails representative public institutions, which may be permitted to tax their members and to exercise public authority with respect to cultural matters.

Corporate autonomy was used by the Ottomans originally to manage religious diversity (Braude and Lewis 1982; Coakley 1994: 299). From the fifteenth century, Greek Orthodox, Armenian Catholic, Jewish and Muslim communities administered their own affairs in religion, education, and family law. With the growth of national sentiment, these religious millets later split into linguistically based units (Laponce 1993). An equivalent of the millet, the *kahal*, was introduced in the old Polish-Lithuanian

Commonwealth, where it was used to give autonomy to the Jewish community. The millet system has contributed to the current legal systems in India, Israel and Lebanon, where different religious communities have autonomy over family law.

Corporate autonomy was proposed by the Austro-Marxists, Karl Renner and Otto Bauer, as a solution to the nationalities question in the disintegrating Austro-Hungarian Empire (Bauer 2000; McGarry and Moore 2005; Stouurzh 1991). Although their proposals were not widely implemented in Austria-Hungary, there were limited attempts to apply them in Moravia, Galicia and Bukovina (Coakley 1994: 300). A much more significant application of corporate autonomy occurred in inter-war Estonia, where a Cultural Autonomy Law was passed in 1925, which enabled ethnic groups numbering at least 3,000 to establish cultural councils capable of taxing group members, and exercising jurisdiction over a wide range of cultural activities, including education, culture, libraries, theatres, museums and sport (ibid.: 307). Other consociational systems – in Belgium, the Netherlands and Lebanon – have allowed degrees of corporate autonomy to various religious and secular communities (Lijphart 1977: 41–44). More recently, Belgium has sought to manage its ethno-linguistic communities through a mixture of consociational power sharing, territorial pluralism, and corporate autonomy. The French and Flemish-language communities have non-territorial jurisdiction over French and Flemish-speakers in Brussels (ibid.: 184–85). In New Zealand, the Maori Council supervises matters of interest to Maoris throughout the country (Coakley 1994: 309). Corporate autonomy has been proposed as a way of accommodating the significant proportion of Canada's indigenous population that lives in urban regions (Royal Commission 1996).

The demise of Marxism-Leninism in Eastern Europe led to a partial resurgence in the popularity of corporate autonomy. Unlike Lenin, who railed against the idea of corporate autonomy, the new rulers of the region appear to see it as preferable to territorial pluralism, which they see as dangerous and destabilising. In 1993, Estonia reintroduced its inter-war arrangements for corporate autonomy. In the same year, Hungary passed an Act 'On the Rights of National and Ethnic Minorities' (Krizsan 2000: 248). In 1996, the Russian parliament adopted the National Cultural Autonomy Act, which allows individuals to form National Cultural Associations, with rights over culture, language, education and the media, as well as the right to represent the interests of minorities to state (federal, republic and local) institutions. By mid-1999, 227 National Cultural Associations (NCAs) had been registered (160 local, sixty regional and seven federal) (Codagnone and Fillipov 2000: 280).

The arguments for corporate autonomy institutions most frequently used by public authorities in Eastern Europe are of the peace-and-stability sort. They fear the secessionist dangers of territorial pluralism, but recognise the need to accommodate the linguistic, religious or cultural diversity of their populations. In Russia, where territorial pluralism was more vibrant in the early 1990s than it is now, corporate autonomy has been promoted as an alternative or at least as a countervailing force. The first politician to recommend it in the post-communist era, Gavril Popov, linked it with a proposal for scrapping Russia's system of territorial pluralism, and restoring the Tsarist system of ethnically neutral administrative regions (Codagnone and Fillipov 2000: 275). Some have speculated that the country's adoption of 'national cultural autonomy' is aimed at replacing territorial pluralism over the long run (Goble 2000). Certainly Presidents Putin and Medvedev have combined corporate autonomy with the undermining of Russia's system of territorial pluralism.

The idea that corporate autonomy will suffice as a way to manage the concerns of nationalities has become, apparently, a 'veritable mantra' among East European intellectuals (Kymlicka 2002: 365). It is an argument that has some support among Western states and international organisations. Since the Copenhagen Document of 1990 suggested territorial autonomy as an option for the accommodation of minorities there has been a steady retreat in support for it in international documents, in part as a result of conflicts arising from the break-up of Yugoslavia and the Soviet Union. These documents are now more likely to stress corporate rather than territorial methods of accommodation.

Corporate autonomy has some advantages over territorial pluralism. As Karl Renner observed, membership in a corporately defined autonomous community can be voluntary, which means that only those who identify with the group are governed by it. It offers one way, therefore, to prevent territorially based governance discriminating against minorities, or generating a government that lacks widespread allegiance. Corporate autonomy is clearly useful for nationalities that are too dispersed or few in number to exercise, or to aspire to, territorial autonomy. There is some evidence that Estonia's inter-war arrangements for corporate autonomy improved the position of its dispersed minorities: it 'did much to reconcile the Germans to life within the Estonian state' (Coakley 1994: 307), and Jews appear to have been happy with Estonia's autonomy arrangements. Dispersed groups, like the Roma of Hungary and Russia, stand to benefit from those countries' arrangements for corporate autonomy, as these will provide institutions and resources that they currently lack. In Canada, corporate autonomy has enabled francophones outside Quebec to maintain some control over their own schools. The natives who live in Canada's cities would also benefit from it, as it is difficult to see how plans for giving self-government to native reserves address their situation. However, for dispersed nationalities which do not have the demographic basis to reproduce their culture and identity, such schemes may just make assimilation gentler rather than stop it.

Even large territorially concentrated nationalities may find corporate autonomy, or personal autonomy, better than the alternatives on offer. The Kurds in Turkey would benefit significantly from genuine freedom of association and expression, as well as from controlling publicly funded schools in the Kurdish language. This would represent a considerable advance over the Kemalist regime of coercive assimilation to which they have been subjected (Gunter 1990; Romano 2006). However, it is highly unlikely that large and territorially concentrated nationalities will be satisfied with personal or corporate autonomy, particularly if they have enjoyed territorial autonomy in the past. Many of the public powers such nationalities seek, including over the economy, policing, population influxes, and language planning, require control over territory.

Corporate autonomy fails, just as significantly, to consider the vital relationship that most mobilised nationalities have with their homeland or 'national territory'. For many groups, there is a conception of a 'homeland', a geographical area with symbolic and emotional significance, which is not captured simply by provisions for cultural self-government over members. This relationship to the land is evident in the discourse of the indigenous peoples, but is found among all mobilised nationalities, including Scots, Catalans, or Uighurs (Connor 1986). Nationalists seek not just self-government, but self-government over their national homeland.

While a minority religious community may survive without controlling territory, particularly if the state is neutral on religion, there are reasons for doubting that a linguistic community can do so. A language will prosper best if it has a territorial basis

in which that language is the primary medium of social and economic exchange, and a principal language of work, business, and social interaction. Corporate autonomy, usually limited to control over schools, even when combined with some kind of official status for the minority language within state-wide public institutions, arguably does not suffice. Territorial autonomy may be required, in which the minority can promote its language as the public language, including in the work force, as the Québécois have done in Quebec. The contrasting fortunes of linguistic minorities with territorial autonomy and non-territorial autonomy can be observed by looking at the Swedes of Finland. The Åland Islanders, who enjoy territorial autonomy, including control over demographic influxes, and who have promoted their language in the public sphere, have been able to reproduce their culture and their identity. By contrast, Swedish-speakers on the Finnish mainland, territorially concentrated and beneficiaries of language rights but not territorial autonomy, have not fared nearly as well (Alcock 1991: 13).

Territorial self-government regimes that do not accommodate nationalities and minorities

There are two kinds of federation that are consistent with policies of integrating, assimilating, or controlling minorities, rather than accommodating them. The first are what we have described as 'national federations', to distinguish them from the pluralist variety (McGarry and O'Leary 2005). National federations are usually relatively centralised, as it is their federal governments that are normally seen as representing the 'national' will. An unambiguous national federation exists where the federation-wide majority is a majority in every federal unit, as in the United States, Germany, Australia, or the Latin American federations of Mexico, Brazil, and Venezuela. In each of these cases, the decision to establish federations had nothing to do with the accommodation of minorities but was taken for other reasons, such as to provide for accessible (regional) government in a large country (Brazil, Australia, and the United States), to coax previously independent units into joining a union without extinguishing their identity/ existence (the United States and English Canada), or to protect against the concentration and abuse of power (Germany, the United States). Indeed, the establishment of national federations has often been accompanied by purposive steps, where necessary, to prevent minorities from becoming self-governing. As the United States, to take the most prominent case, expanded southwestward from its original homogeneous (except for black slaves) thirteen colonies, it was decided that no territory would receive statehood unless minorities were outnumbered by White Anglo-Saxon Protestants (WASPs). Sometimes, the technique employed was to gerrymander state boundaries to ensure that Indians or Hispanics were outnumbered, as in Florida. At other times, as in Hawaii and the south-west, statehood was delayed until the region's long-standing residents could be swamped with enough WASP settlers. The American authorities were even sceptical of immigrant groups concentrating in particular locations lest this lead to ethnically based demands for self-government, and grants of public land were denied to ethnic groups in order to promote their dispersal (Gordon 1964). In line with nation-building aims, minorities were required to conform to the culture and identity of the Anglo-Saxon core. In the case of blacks in the southern states for a century after slavery was abolished, American federalism facilitated control rather than assimilation: African Americans would have been better served by centralised political structures than they

were by the restoration of federalism after the failure of reconstruction. Control was largely dismantled as a result of the combined intervention, starting in the 1950s, of the federal judicial, executive, and legislative branches of government.

A more ambiguous national federation exists where ethnic, religious, linguistic, or national minorities are spread out across a number of federal units, in some of which they may be majorities. National federations of the unambiguous kind may be impractical in some cases – where the minority in question is so large that it is difficult to construct the federation's internal boundaries to deny them majority status in any federal unit. In these cases, a second-best 'national federal' strategy draws internal boundaries across minority communities rather than between or among them, i.e. preventing the minority from exercising *collective* self-government within its own single unit. Integrationists argue that the advantage of this strategy is that it breaks up the minority's national or 'ethnic' solidarity, promotes intra-group divisions, and inter- or trans-group alliances, thus promoting a single overarching national identity coterminous with the state (Roeder 2007). This thinking appears to have inspired the Nigerian military nation-builders who divided Nigeria's original three republics, dominated by the Ibo, Yoruba, and Hausa–Fulani, respectively, into nine, twelve, and, eventually, thirty-six republics. Similar thinking is also popular among Sinhalese nation-builders in Sri Lanka, though they tend to shy away from any use of the term 'federation', preferring the language of decentralisation and devolution. Such national federations, in which minorities are divided across several units without their consent, and as a result of purposive 'nation-building' by military dictators, external interventionists, or majority elites, need to be carefully distinguished from federations in which such patterns emerge organically. In Switzerland, the German and French linguistic communities are divided across several cantons, but this is a result of Switzerland's history and the unwillingness of cantons with the same language to merge. This makes Switzerland an example of a plural federation, but a plurilingual rather than a plurinational federation.

The second type of federation, which is not pluralist, is the 'sham' or pseudo-pluralist variant. A sham pluralist federation exists where the state is organised ostensibly as a federation, and nationalities are majorities within federal units, but there is no genuine self-government. Such federations exist when federal units are either not autonomous, i.e. the formal constitutional division of powers/rule of law is ignored in practice, or there is no democracy (freedom of expression, freedom of association, regular competitive elections and other attributes necessary to produce self-government).

The United States is the paradigmatic example of a national federation, while the Soviet Union was the most prominent sham pluralist federation. Though its state structure was federated from early on, real power lay in the tightly centralised Communist Party (the CPSU), which operated according to the principle of 'democratic centralism'. The Union Republics were therefore not autonomous. Their legislatures (the Soviets), though in theory elected by local populations, were rubber-stamp bodies nominated by the CPSU. Key institutions, including the army and police, were controlled by Moscow. No effective judicial review existed to decide on the division of rights and functional spheres between the centre and the republics (Lieven and McGarry 1993). Communism has no monopoly on sham federations. Nigeria and Pakistan during their long bouts of military dictatorship have been sham federations, and Putin's Russia, in which governors are appointed by the centre, and regional parties banned from competing in Russian elections, has moved substantially in that direction.

Under what conditions is territorial pluralism likely to offer sustainable conflict settlements?

Given the mixed record of territorial pluralism the proper question for political scientists is not whether it is bound to fail or succeed, but under what conditions is it likely to succeed or fail. At least some of the following conditions matter, although further rigorous empirical testing is required to assess the explanatory validity of these propositions.

First, history matters, even if it is not destiny. Past coercion and conquest, totalitarian or authoritarian governments, and the historical maltreatment of nationalities render free political accommodation more difficult. Democratisation may lead to the springtime of the oppressed nations – as they break free, rejecting the uncertainties of territorial pluralism for the potential security of independence. Territorial pluralism therefore stands a better chance if it emerges from past voluntary alliances, and in conjunction with democratisation. Historically dominant nationalities, with poor track records of accommodation, find it difficult to persuade other nationalities that they can make credible commitments.

Second, and relatedly, the long-term survival of territorial pluralism is more likely when there are 'nested' or 'complementary' identities among the territorially concentrated nationalities, i.e. where there is some sense of allegiance to the whole state as well as to the national homeland. This in turn is facilitated by the acceptance of plurinationalism by the state's central or federal authorities and, where relevant, its dominant community. Nested identities are unlikely to exist where the relevant regional nationality has been harshly treated by the state, or where violent wars have raged. Critics of territorial pluralism, such as Roeder, may be correct to argue that secession, what he incorrectly terms 'partition', is one of the most sensible options after many civil wars (Roeder 2007). Equally, complementary identities may be less likely to exist, or more difficult to nurture, if a region was forcibly incorporated, or reincorporated, into the state, rather than voluntarily acceding. The Baltic republics were the most eager secessionists in the former Soviet Union, and the Serbs of Republika Srspka are no champions of Bosnia and Herzegovina. The importance of complementary identities suggests that states should react early to popular demands for territorial pluralism, before relations between nationalities deteriorate. One problem here is what Tim Sisk calls the 'timing paradox'. While early accommodation is more likely to work, state authorities may not be likely to recognise the need for concessions until relations have polarised and it is too late (Sisk 1996). But the adoption of territorial pluralism in the United Kingdom, Spain, Canada, Belgium, India, and Switzerland indicates central authorities are sometimes capable of engaging in self-denying prophecies.

Third, some successful cases of territorial pluralism suggest that, at least with sizable nationalities, autonomy should be accompanied by consociational power sharing within central or federal institutions. Such arrangements prevent majoritarianism by the dominant nationality, and make it more likely that minorities have a stake in the state. It is a mistake to consider autonomy a simple substitute for inclusive state institutions. Power sharing may be entrenched in laws or constitutional documents, or, less attractively from the minority's perspective, it may be the result of political conventions or of general election results (that leave minorities holding the balance of power in central legislatures). Inclusive federal governmental institutions and conventions have helped keep the Canadian, Swiss, Indian, and Belgian federations together. Spain's autonomy regime has been at its most cordial when minority nationalities have enjoyed influence in Madrid. Conversely, there is evidence that the

absence, or collapse, of inclusive federal or central institutions has contributed to breakdown and secession. Nigeria's breakdown into civil war and attempted secession in 1966–67 followed a coup which led to the centre becoming the preserve of Ibo officers and a counter-coup in which these officers were overthrown (Suberu 2001). Much of Nigeria's post-1970 conflict, including sectarian warfare between Muslims and Christians and the rise of violent separatism in the oil-rich Delta area, has also been traced to the lack of inclusiveness at the level of the centre (Suberu and Diamond 2002).

Fourth, the success of territorial pluralism appears to be linked to the nature of the state's diversity. Federations with a strong dominant nationality, or a *Staatsvolk*, are less likely to break apart than those without (O'Leary 2001b). This is partly because such dominant communities can deter or prevent secession, and yet may be secure enough, as the English have shown, to implement territorial pluralism. The Russian Federation is more likely to stay together than the former Soviet Union, as the Chechens have discovered, in part because it has more Russians: Russians constitute 80 per cent of the Russian Federation's population, but were only 50 per cent of the Soviet Union's population. Other prominent cases of states that fell apart, like Yugoslavia, or collapsed into civil war and military dictatorship, like Nigeria, lacked a *Staatsvolk*, or even a majority community. But what the *Staatsvolk* does with its dominance may be as importance as its mere existence. When it coerces, supports a totalitarian party or religion, maltreats minority nationalities, or supports centralist coups and putsches it will generate antagonistic rather than complementary identities. When it is liberal, democratic, rights-respecting, and open toward accommodation, then territorial pluralism has a better prospect of finding co-operative partners.

Fifth, the number of autonomous units matters, though not in obvious ways. Two-unit, or dyadic, pluralist federations have an abysmal track record (Vile 1982), with Serbia and Montenegro merely the latest casualty. This may be because divisions in dyadic federations always take place along the same axis, with floating coalitions rendered very difficult. Belgium's continuing survival may owe something to the fact that it is not a dyadic federation of Flanders and Wallonia. Brussels' existence as a separate unit may have prevented the secession of Flanders. Canada's stability may be helped by the fact that it is not a two-unit federation of Quebec and English Canada. Pointing to the advantage of a multiple balance of power is not, however, an argument for imposing it through a Machiavellian strategy of subdividing regional units belonging to distinct national communities. But if a multiple balance of power develops organically, as has happened in Canada, it is helpful. Some dominant communities may accept the division of their territory into several regions, provided their aspiration to collective self-government can be expressed within the union, or federal-level, institutions. Minority nationalities, however, are likely to resist any imposed partition of their autonomous region, as Iraq's Kurds would surely have done had the United States or Baghdad sought to partition Kurdistan (O'Leary et al. 2005).

Sixth, economic prosperity, appropriately dispersed, enhances the prospects of territorial pluralism. It may allow redistribution from wealthy regions to the less wealthy, binding the latter to the state without incurring the rancour of the former. The counter-example of India, until recently not an example of deepening prosperity, suggests that material – or shared prosperity – is a facilitative, not a necessary, condition for stable territorial pluralism. The converse hypothesis is that severe distributive conflicts – over natural resources or fiscal or tariff or subsidy policies – especially if they coincide with national, ethnic, linguistic, or religious allegiances – may overload territorial pluralist states.

Seventh, the prospects for the success of territorial pluralism are enhanced, even in otherwise unfavourable circumstances, where international agents, including nearby powerful states, have a strong interest in holding the relevant state together. Bosnia and Herzegovina is not destined to fail as long as NATO and the European Union are determined that it should not. If Iraq's federation survives, in spite of the complete absence of a warm Iraqi identity among Kurds and their genocidal treatment by Saddam's regime, it will partly be because the United States, Turkey, and Iran are strongly opposed to an independent Kurdistan. The only scenario in which an independent Kurdistan looks feasible is if the rest of Iraq collapses – i.e. if it becomes clear that Iraq has no Arab or Shia *Staatsvolk* capable of holding it together. Kurdistan's political leadership is at present intending to make Iraq work, as a pluralist federation, because autonomy under the 2005 constitution offers a better and more certain future than a bid for formal independence (O'Leary 2008c).

This analysis has made an effort to provide a detached treatment of territorial pluralist arrangements. Such arrangements offer no panacea; politics never ends; and territorially pluralist arrangements have their pathologies or sore spots. But territorial pluralism has strong, frequently more important, benefits. It offers some prospects of accommodating multiple nationalities, religions, languages, and ethnicities, with consent and justice. It rejects coercive assimilation and control (repression). It involves, more controversially, the rejection of integration, i.e. the idea that mobilised nationalities can be satisfied with individual (personal autonomy) rights and that they do not require public institutional accommodation of their nationality, culture, and identity. Integration is, arguably, the West's dominant method of conflict regulation, but there is little evidence that it can work in plurinational places. Support for territorial pluralism involves rejecting the view that sizable mobilised nationalities will, given a free choice of options, be satisfied with corporate forms of autonomy. We also believe that there is no a priori reason why territorial pluralism should be any more discriminatory than other territorially based institutions, including those of formally integrationist states. We do not suggest that territorial pluralism guarantees stability or unity, but think that it is the best inoculation against secession at present available as institutional medicine in plurinational places. Governments that do not try territorial pluralism may preside over the death of their state.

Notes

1   States do constitutionalize the right of secession – the right was embedded for Soviet Socialist Republics in the constitution of the Soviet Union (1936, 1977), though no one anticipated it would be exercised. Ethiopia's constitution embeds the right (Art. 47, s. 2.). The United Kingdom's treaty with the government of Ireland (1999) lays down the rules under which Northern Ireland may leave the Union to join Ireland. Canada's Supreme Court and the Canadian federal parliament, while not explicitly conceding that Quebec has the right of secession under Canada's constitution, have laid down protocols under which a referendum mandating secession would lay binding negotiating requirements on the federal government.
2   What distinguishes 'territorial pluralism' from the expression 'federal political systems' used by Watts and Elazar (Elazar 1987; Watts 1996, 1998), is that it is focused on territorial autonomy for national, ethnic, linguistic or religious minorities, and 'territorial pluralism' does not apply the word 'federal' beyond its legitimate semantic extension.
3   Scotland Act 1998, s. 28 (7).

Bibliography

Alcock, Antony. 1991. Finland: The Swedish-speaking Community. In *Minorities and Autonomy in Western Europe*, edited by Minority Rights Group. London: Minority Rights Group.

Bauer, Otto. 2000. *The Question of Nationalities and Social Democracy*, edited by Ephraim Nimni, translated by J. O'Donnell. Minneapolis MN: University of Minnesota Press.

Bogdanor, Vernon. 2003. Asymmetric Devolution: Toward a Quasi-federal Constitution?' In *Developments in British Politics 7*, edited by P. Dunleavy et al. New York: Palgrave, 222–41.

Braude, Benjamin, and Bernard Lewis, eds. 1982. *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, 2 vols. Vol. II, *The Arabic-speaking Lands*. New York: Holmes & Meier.

Coakley, John. 1994. Approaches to the Resolution of Ethnic Conflict. *International Political Science Review* 15 (3): 298–314.

Codagnone, Christiano, and Vassily Fillipov. 2000. Equity, Exit and National Identity in a Multinational Federation: The 'Multicultural Constitutional Patriotism' Project in Russia. *Journal of Ethnic and Migration Studies* 26 (2): 263–88.

Connor, Walker. 1986. The Impact of Homelands upon Diasporas. In *Modern Diasporas in International Politics*, edited by G. Sheffer. London: Croom Helm, 16–46.

Daftary, Fatimah. 2001. The Matignon Process and Insular Autonomy as a Response to Self-determination Claims in Corsica. Paper read at Association for the Study of Nationalities, New York.

Elazar, Daniel. 1987. *Exploring Federalism*. Tuscaloosa AL: University of Alabama Press.

Goble, Paul. 2000. *A New Kind of Autonomy: RFE/RL Russian Federation Report*. http://www. minelres.lv/minelres/archive/05142000–2021:38:48–8046.html.

Gordon, Milton. 1964. *Assimilation in American Life: The Role of Race, Religion and National Origins*. New York: Oxford University Press.

Gunter, Michael M. 1990. *The Kurds in Turkey: A Political Dilemma*. Boulder CO: Westview Press.

Gurr, Ted Robert. 1993a. *Minorities at Risk: A Global View of Ethnopolitical Conflicts*. Washington DC: United States Institute of Peace Press.

—1993b. Settling Ethnopolitical Conflicts. In *Minorities at Risk: A Global View of Ethnopolitical Conflicts*, edited by T. Gurr. Washington DC: United States Institute of Peace Press.

Hannum, Hurst. 1989. The Limits of Sovereignty and Majority Rule: Minorities, Indigenous Peoples and the Rights to Autonomy. In *New Directions in Human Rights*, edited by E. Lutz, H. Hannum and K. J. Burker. Philadelphia: University of Pennsylvania Press.

—1990. *Autonomy, Sovereignty, and Self-determination: The Accommodation of Conflicting Rights*. Philadelphia: University of Pennsylvania Press.

—1993. *Documents on Autonomy and Minority Rights*. Dordrecht and Boston MA: M. Nijhoff.

—1996. *Autonomy, Sovereignty, and Self-determination: The Accommodation of Conflicting Rights*, rev. ed. Philadelphia: University of Pennsylvania Press.

Krizsan, A. 2000. The Hungarian Minority Protection System: A Flexible Approach to the Adjudication of Ethnic Claims. *Journal of Ethnic and Migration Studies* 26 (2): 247–62.

Kymlicka, Will. 2002. Western Political Theory and Ethnic Relations in Eastern Europe. In *Can Liberal Theory be Exported? Western Political Theory and Ethnic Relations in Eastern Europe*, edited by Will Kymlicka and M. Opalski. Oxford: Oxford University Press, 13–106

Lapidoth, Ruth Eschelbacher. 1997. *Autonomy: Flexible Solutions to Ethnic Conflicts*. Washington DC: United States Institute of Peace Press.

Laponce, Jacques. 1993. The Government of Dispersed Minorities: From Constantinople to Ottawa. In *Divided Nations*, edited by T. Kozma and P. Drahos. Budapest: Education Publishing.

Leonardy, Uwe. 2000. Treaty-making Powers and Foreign Relations of Federated Entities. In *Federal Practice: Exloring Alternatives for Georgia and Abkhazia*, edited by B. Coppieters, D. Darchiashvili and N. Akaba. Brussels: VUB University Press, 151–68.

Lieven, Dominic, and John McGarry. 1993. Ethnic Conflict in the Soviet Union and its Successor States. In *The Politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts*, edited by J. McGarry and B. O'Leary. London: Routledge, 62–83.

Lijphart, Arend. 1977. *Democracy in Plural Societies: A Comparative Exploration*. New Haven CT: Yale University Press.

Linz, Juan. 1997. Democracy, Multinationalism and Federalism. Working paper 1997/103, read at Juan March Institute, Madrid, June.

Mathew, G. 2005. India. In *Handbook of Federal Countries, 2005*, edited by A. Griffiths. Montreal, Que., and Kingston, Ont.: McGill-Queen's University Press, 166–82.

McGarry, John. 2007. Asymmetry in Federations, Federacies and Unitary States. *Ethnopolitics* 6 (1): 105–16.

—2010. Asymmetric Autonomy in the United Kingdom. In *Ethnic Peace-making Through Asymmetric Autonomy*, edited by Marc Weller. Philadelphia: University of Pennsylvania Press, 148–82.

McGarry, John, and Margaret Moore. 2005. Karl Renner, Power Sharing and Non-territorial Autonomy. In *National Cultural Autonomy and its Contemporary Critics*, edited by E. Nimni. London: Routledge, 74–94.

McGarry, John, and Brendan O'Leary. 2005. Federation as a Method of Ethnic Conflict Regulation. In *From Power Sharing to Democracy: Post-conflict Institutions in Ethnically Divided Societies*, edited by S. Noel. Montreal, Que., and Kingston, Ont.: McGill-Queens University Press, 263–96.

—2007. Iraq's Constitution of 2005: Liberal Consociation as Political Prescription. *International Journal of Constitutional Law* 5 (4), October: 670–98.

McGarry, John, O'Leary, Brendan and Simeon, Richard. 2008. Integration or Accommodation? The Enduring Debate in Conflict Resolution. In *Constitutional Design for Divided Societies*, edited by Sujit Choudhry. Oxford: Oxford University Press.

O'Leary, Brendan. 1999a. The Nature of the Agreement. *Fordham Journal of International Law* 22 (4): 1628–67.

—1999b. The Nature of the British–Irish Agreement. *New Left Review* 233 (January–February): 66–96.

—2001a. Agreement is not Devolution in Unitary State. *Irish Times*, 11 October, 16.

—2001b. An Iron Law of Nationalism and Federation? A (neo-Diceyian) Theory of the Necessity of a Federal *Staatsvolk*, and of Consociational Rescue. *Nations and Nationalism* 7 (3): 273–96.

—2001c. The Belfast Agreement and the Labour Government: How to Handle and Mishandle History's Hand. In *The Blair Effect: The Blair Government, 1997–2001*, edited by A. Seldon. London: Little Brown, 448–88.

—2005b. Power-sharing, Pluralist Federation and Federacy. In *The Future of Kurdistan in Iraq*, edited by B. O'Leary, J. McGarry and K. Salih. Philadelphia: University of Pennsylvania Press, 47–91.

—2007b. Iraq's Future 101: The Failings of the Baker–Hamilton Report. *Strategic Insights* 6 (2), March.

—2008a. A Vision for the Future: Professor Brendan O'Leary interviews Prime Minister Nechirvan Barzani. In *The Kurdistan Region: Invest in the Future. An Official Publication of the Kurdistan Regional Government*, edited by B. O'Leary. Washington DC: Newsdesk Media, 46–49.

—2008b. Complex Power-sharing in and over Northern Ireland: A Self-determination Agreement, a Treaty, a Consociation, a Federacy, Matching Confederal Institutions, Inter-governmentalism and a Peace Process. In *Settling Self-determination Disputes: Complex Power-sharing in Theory and Practice*, edited by M. Weller and B. Metzger. Leiden and Boston MA: Nijhoff, 61–124.

—ed. 2008c. *The Kurdistan Region: Invest in the Future. An Official Publication of the Kurdistan Regional Government*. Washington DC: Newsdesk Media.

—2010. Thinking about Asymmetry and Symmetry in the Remaking of Iraq. In *Ethnic Peace-making Through Asymmetric Autonomy*, edited by Marc Weller. Philadelphia, PA: University of Pennsylvania Press, chapter 7.

O'Leary, Brendan, and John McGarry. 2010. The Politics of Accommodation: Surveying National and Ethnic Conflict Regulation in Democratic States. In *The Study of Politics and Ethnicity: Recent Analytical Developments*, edited by Adrian Guelke and Jean Tournon. Leverkusen, Opladen: Babara Budrich.

Rezvani, David A. 2003. Federacy: The Dynamics of Semi-sovereign Territories. MS.

Roeder, Philip. 2007. *Where Nation-states come from: Institutional Change in the Age of Nationalism*. Princeton NJ: Princeton University Press.

Romano, David. 2006. *The Kurdish Nationalist Movement: Opportunity*, *Mobilization and Identity*. Cambridge: Cambridge University Press.

Royal Commission on Aboriginal Peoples. 1996. *Royal Commission on Aboriginal Peoples*. Ottawa: Department of Indian and Northern Affairs.

Singh, Gurharpal. 1993. The Politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts. In *Ethnic Conflict in India: A Case Study of Punjab*, edited by J. McGarry and B. O'Leary. London and New York: Routledge, 84–105.

—1995. The Punjab Crisis since 1984: A Reassessment. *Ethnic and Racial Studies* 18 (3), July: 476–93.

—2001. Resizing and Reshaping the State: India from Partition to the Present. In *Right-sizing the State: the Politics of Moving Borders*, edited by B. O'Leary, I. S. Lustick and T. Callaghy. Oxford: Oxford University Press, 138–67.

Sisk, Timothy. 1996. *Power Sharing and International Mediation in Ethnic Conflicts*. Washington DC: Princeton University Press.

Stepan, Alfred. 1999. Federalism and Democracy: Beyond the U.S. Model. *Journal of Democracy* 10 (4): 19–34.

Stouurzh, Gerald. 1991. Problems of Conflict Resolution in a Multi-ethnic State: Lessons from the Austrian Historical Experience. In *State and Nation in Multiethnic Societies: The Breakup of Multinational States*, edited by U. Ra'anan, M. Mesner, K. Armes and K. Martin. Manchester: Manchester University Press, 67–80.

Suberu, Rotimi, and Larry Diamond. 2002. Institutional Design, Ethnic Conflict Management and Democracy in Nigeria. In *The Architecture of Democracy: Institutional Design*, *Conflict Management and Democracy*, edited by A. Reynolds. Oxford: Oxford University Press, 400–28.

Suberu, Rotimi T. 2001. *Federalism and Ethnic Conflict in Nigeria*. Washington DC: US Institute of Peace Press.

Vile, Maurice J. C. 1982. Federation and Confederation: The Experience of the United States and the British Commonwealth. In *Political Co-operation in Divided Societies: A Series of Papers relevant to the Conflict in Northern Ireland*, edited by D. Rea. Dublin: Gill & Macmillan, 216–28.

Watts, Ronald L. 1996. *Comparing Federal Systems in the 1990s*. Kingston, Ont.: Institute of Intergovernmental Relations/Queen's University.

—1998. Federalism, Federal Political Systems, and Federations. *Annual Review of Political Science* 1: 117–37.

Weiner, Myron. 1971. The Macedonian Syndrome: An Historical Model of International Relations and Political Development. *World Politics* 13 (4): 665–83.

Weller, Marc, and Stefan Wolff, eds. 2005. *Autonomy*, *Self-governance and Conflict Resolution: Innovative Approaches to Institutional Design in Divided Societies*. London: Routledge.

21 Ethnic accommodation in unitary states

Frans Schrijver

The unitary state is the most prevalent state system worldwide, and just like federal states, many of the world's unitary states are places of ethnic conflict. We can connect the common distinction of state systems between unitary and federal states (Elazar, 1997) with ethnic conflicts in two ways: in the first place, it provides a context, a state structure as arena in which ethnic conflicts are fought and solutions are introduced. Ethnic conflicts are located somewhere, and whether they are located in unitary or federal states matters; difference in state structures influence the actors in the conflict. Second, the distinction between unitary and federal is part of the accommodation of ethnic conflict itself. Federalism is not just a context, but is itself an instrument of pacification and managing ethnic difference (McGarry and O'Leary, 1994). And, arguably, also the unitary state has been used as instrument in response to ethnic conflicts and tensions. Particular historical examples of unitary states have been specifically designed to create national unity and end ethnic conflict by merging rival ethnic identities into one homogenous state identity. The French republic, with its state organisation as 'instruments of unity' (Lacoste, 1997) aimed at standardisation and uniformity as introduced after the 1789 revolution, is perhaps the most well known example of the unitary state as instrument of ethnic homogeneity. However, to regard all unitary states as such would be a simplification, and unitary states can be contexts for the recognition and accommodation of ethnic differences too.

This chapter discusses ethnic accommodation within unitary state structures, and therefore does not pay attention to those modes of ethnic conflict regulation that go beyond the unitary state, like federalisation or secession. A unitary state can be a starting point for those policies, but both do not regulate ethnic conflict *within* the unitary state. This chapter also does not discuss more crudely coercive tactics of dealing with ethnic difference like genocide or mass population transfer. While they have been historically applied in unitary states, they certainly do not *accommodate* ethnic difference.

Ethnicity is a concept used widely throughout the social sciences, but it is also one of the hardest to define, with lively debates over its meaning (Hale, 2004). In contrast to essentialist and primordialist (e.g. Shils, 1957; Geertz, 1967) views on ethnicity, this chapter builds on the understanding that ethnicity is not a natural aspect of humanity but constructed, situational, context-dependent and contested (Barth, 1969; Nagel, 1994). It is particularly that contested nature of ethnicity and ethnic identification and recognition that is related to those situations that are meant with 'ethnic conflict'. Individuals may have a range of groups they belong to (Gore, 1984), several of which can be defined as 'ethnic groups'. Sometimes these ethnic identities can overlap, but in

contexts of ethnic conflict identification with both groups in conflict with each other becomes mutually exclusive.

In a context of ethnic conflict ethnicity is relational as well; ethnic groups identify themselves as such not alone but in relation to one another, distinguishing themselves from other ethnic groups. But, just as much as the distinction from other groups is central to the existence of ethnicity, ethnic groups should not be regarded as homogenous. Not every member of an ethnic group feels loyalties or a sense of belonging to that group to the same extent, not every member has the same ideas about what it is that distinguishes the group from other groups, not every member has the same view on the history or the political and cultural future of the group, and not every member is to the same degree mobilised in ethnic conflicts.

According to Smith what distinguishes federations is not necessarily their level of decentralisation, but that in federations regional autonomy is protected by the constitution (1995, p. 7). Unitary states may be decentralised but lack that constitutional guarantee. This means that the *degree* of decentralisation is not necessarily what distinguishes federations from unitary states. When we consider federalism as a method of ethnic conflict accommodation, that step is often placed on an 'autonomy continuum', with increasing levels of decentralisation between complete centralism and secession (Paddison, 1983). On such a continuum federations are normally placed between a regionalised or decentralised unitary state and a confederation. This implies that federations allow more regional autonomy than decentralised unitary states. But because the unique distinguishing feature of a federation is its constitutional guarantee of regional autonomy, and not the degree or nature of autonomy, that is not always the case. For instance, the Basque Country and Scotland have high degrees of autonomous regional policy-making powers within a unitary state (Spain and the United Kingdom respectively), without having the constitutional guarantee of that autonomy that a federation would give.

The division between federal and unitary states is not fixed, and states can move from one category to the other. Historical examples abound of confederations and federations that moved towards more centralisation (e.g. the Republic of the United Netherlands evolving into a unitary republic and then a kingdom after 1795) (Elazar, 1982). More recently shifts in the opposite direction of decentralisation are more prevalent. Sometimes such shifts are slow step-by-step processes of decentralisation, positioning states 'in between' a unitary state and a federation. Spain for example has been described as being in a process of 'federalisation' since the death of its dictator Francisco Franco in 1975, with the incremental introduction of regional autonomies partially constitutionally recognised (Moreno, 2001).

Finally, although in most federations the whole state territory is divided into sub-state regions, federal states, provinces or *Länder*, that is not necessarily the case. In some situations only part of the country is federalised, while the rest has remained a unitary state, creating a situation of asymmetrical autonomy (Keating, 1998). Unitary states can be decentralised asymmetrically too, with political or cultural regional autonomy applied to only a part of the state's territory. This is for instance the case if particular arrangements to facilitate and stimulate a regional language only apply to the region where that language is historically spoken. Asymmetrical decentralisation is very common, especially in reaction to demands of ethnic groups and as a method to accommodate ethnic conflict.

Regionalised unitary states

In unitary states regionalisation (Loughlin, 1993) – the devolution of decision making powers to regional authorities – is one of the most common ways to accommodate ethnic conflict, applying territorial autonomy principles similar to federalisation. Especially when an ethnic minority group lives concentrated in one particular area, has historical connections to that territory (for instance an era of independence), and claims regional autonomy or independence, regionalisation is a prevalent solution. Often regional devolution is considered a compromise solution, falling short of federalisation or secession, but giving an ethnic minority more say over its territory than centralisation. The general drift of those who propose regionalisation from a central government perspective as an effective reaction to claims by separatists is formulated by Bogdanor (1999, p. 194) writing, rather cynically, that 'it might well be that the best way to strengthen national unity is to give way to them a little as to better to disharm them'. For example, in Britain, New Labour's 1997 general election manifesto defended its proposal for devolution stating that 'the Union will be strengthened and the threat of separatism removed' (Labour Party, 1997). Similarly, in 1981 French Minister of the Interior Gaston Deferre defended President Mitterand's proposal for regionalisation claiming that 'The regionalisation will maintain the national unity. … If we give all the French regions the statute that the Parti Socialiste proposes, the majority of the regional demands will be satisfied. That will calm down the situation in the regions concerned' (cited in Huguenin and Martinat, 1998, p. 22, author's translation). Such propositions are based on the idea that most people who might otherwise support separatism will be satisfied with a compromise that offers regional autonomy and the recognition of regional distinctiveness. But even if some ethnic movements or political parties aim for full independence, the majority of the ethnic group they claim to represent or the regional population as a whole may not want to go as far. In such cases regional devolution may be an attractive way to accommodate the demands of a regionally concentrated ethnic minority, and isolate extremists (e.g. Gurr, 1993; McGarry and O'Leary, 1994; Rudolph and Thomson, 1985).

There is no unambiguous evidence that regionalisation (or federalisation, for that matter) in itself pacifies an ethnic conflict, either in the long or the short term. In Northern Ireland the introduction of a directly elected regional Northern Irish Assembly was part of the 1998 Belfast Agreement and the relatively successful peace process. In contrast, the establishment of the Basque Country as 'autonomous community' in 1979 did not pacify the conflict even in the short term. ETA did not accept the compromise solution and decided to continue its bombing campaign more or less unchanged. This shows that regionalisation as instrument of ethnic conflict resolution needs to comply with certain conditions, such as full involvement and agreement of all major actors, to be successful in the short term.

Whether regionalisation pacifies ethnic conflicts in the long run is even more questionable. While regional autonomy does introduce institutions that facilitate the democratic discussion of grievances and peaceful expression of political claims, those regional institutions can also function as a platform for the deepening of ethnic cleavages. Van der Wusten and Knippenberg (2001) have stressed the recursive dimension of ethnic conflicts, where one stage or 'episode' of the conflict ends with institutional rearrangement and repositioning of relevant actors, but also with a new political agenda for a next round of ethnic politics. In that light regionalisation, like any

instrument of ethnic conflict accommodation, can be seen as the outcome of a cycle of ethnic conflict. However, the outcome of one cycle also shapes the starting conditions of a new round of ethnic conflict. Especially the introduction of regional autonomy provides a regional ethnic minority with opportunities to emphasise ethnic distinction and mobilise support for further claims for autonomy or full independence (Schrijver, 2005, 2006). This refers to the institutionalisation process of a region (Paasi, 1991), and the importance of the presence of regional institutions for the development of ethno-regional consciousness.

Discussing the accommodation of ethnic conflict, Juan José Linz comments that 'federalism might create a temporary stability, a framework in which further demands can be articulated and additional rights can be granted, but it is unlikely to be a once and for all stable, durable solution' (1997, p. 22). This would apply even more to a half-way solution as regionalisation. Regionalisation changes political infrastructures, providing regional ethnic movements with a base from which to challenge the central government and put forth further claims (Máiz, 2003). It is much easier for regionally concentrated ethnic groups to get elected, form part of a government, and use this to mobilise support at the regional than at state level. In the United Kingdom devolution has offered the SNP in Scotland and Plaid Cymru in Wales opportunities to take on governing responsibilities at regional level and become more respectable, established political parties. However, those new political opportunities, and especially the possibility to become a mainstream political party at regional level, does inspire a moderation of the movement as well (Schrijver, 2006). In order to profit from the opportunities offered by regional elections, and appeal to more voters, ethnic movements often moderate their main aims, and aim to distance themselves from extremists. This suggests that regionalisation perhaps is no way to end a conflict, but at least channel it into a continuation by democratic means and with more moderate claims. Apart from its effectiveness as conflict resolution instrument, there is a moral case to be made for regionalisation (and federalisation) in a democracy, if a clear majority of the region's population is in favour, expressed in a regional referendum.

Finally, it should be noted that regionalisation is not always about ethnic difference and the accommodation of the territorial demands of ethnic minorities. That has been the perspective here, but there are many other possible motivations for regionalisation, ranging from local administration efficiency, obstacles against totalitarianism, and the influence of supranational organisations to central government budget cuts and reactions to global economic restructuring (Sharpe, 1993; Bullmann, 1997; Macleod and Jones, 2007).

Consociational democracy and state-wide power sharing

Regionalisation (and federalisation) recognises the link between ethnic group and territory, but not all ethnic conflict is about claims to regional territories, and not all ethnic groups live concentrated in a particular 'homeland'. An instrument of ethnic conflict accommodation allowing non-territorial forms of autonomy and power sharing between ethnic groups is consociationalism (Lijphart, 1969, 1977), discussed elsewhere in this volume, which is is often applied to the state as a whole, not just a particular region associated with an ethnic minority.

With regard to consociationalism, of crucial importance is the co-operation between elites representing all segments of society. For his concept of consociational democracy

Lijphart clearly drew on the system of *verzuiling* ('pillarisation') in his native country, the Netherlands (Knippenberg, 1999). During much of the twentieth century Dutch politics, and society in general, were characterised by coalition-building, negotiation, and co-operation at elite level of those representing deeply divided segments ('pillars') of society. However, it should be noted that in Lijphart's example of the Netherlands these different segments of society were not generally recognised as different ethnic groups, but based on ideological and religious cleavages (Protestant, Catholic, Socialist and Liberal). Arguably, therefore, Lijphart's concept of consociationalism was at its core not a system of ethnic conflict accommodation, but introduced as an alternative model of representative democracy, in contrast to other models of democracy (e.g. the Westminster model), designed to deal with pluralism in a very broad sense.

But Lijphart (1977) did argue the applicability of consociationalism to societies where ethnic conflict was an issue, using case studies of Belgium, Lebanon and Malaysia. Since then consociational power sharing has found a prominent place in ethnic conflict resolution literature. Consociationalism has been applied in unitary states such as Burundi (Lemarchand, 2007), and in regions within unitary states like Northern Ireland (McGarry and O'Leary, 2004) and South Tyrol (Wolff, 2008; Markusse, 1996). As instrument of ethnic conflict accommodation consociationalism differs markedly from assimilationalist approaches. As Donald Horowitz (1985) writes, consociationalism assumes 'that it is necessary for ethnically divided states to live with ethnic cleavages rather than wish them away' (p. 569). Consociationalism is based on the presence of institutions that secure the distinctiveness and internal autonomy of segments of society, and give all segments access to decision-making at the centre. And whereas territorial autonomy approaches (federalisation or regionalisation) leave the door open for secession (and arguable create the geographical infrastructure for partition), consociationalism aims for an enduring solution of power sharing at state level and within existing state boundaries. This aim for a stable democracy in a plural society is on the one hand achieved through the facilitation of sub-societies with their own institutions (political parties, newspapers, schools, sports clubs, etc.), and on the other hand top-down ethnic conflict accommodation through elite cooperation. Proportional representation ensures that the connection between a grand coalition at elite level and the segments of society at grassroots level is not lost, and each segment and their leaders have access to power at the nation-state level.

Despite significant criticism of consociationalism's effectiveness (Horowitz, 1985; Deschouwer, 1994; Barry, 1975) it remains one of the most advocated models of democratic regulation of ethnic conflict. However, most concrete cases where its application has been noted more recently (see McGarry and O'Leary, 2006 on Northern Ireland, Caspersen, 2004 on Bosnia and Herzegovina and Wilson, 2003 on Sri Lanka) are regarded adapted versions of consociationalism or hybrids with other models, and have diverged from Lijphart's original. Consociationalism involves the establishment of institutions that guarantee internal autonomy for each constituent group. Those institutions are organised mostly territorially in federations and in regionalised unitary states. However, consociationalism also requires non-territorial power-sharing mechanisms among elites, which can exist at state level in federations (e.g. Belgium, Deschouwer, 2006), but just as well in unitary states like Lijphart's original example, the Netherlands. In some unitary states this may involve consociational arrangements without territorial segmentation, for instance through the political, cultural and social pillarisation and radical electoral proportional representation of the Netherlands, or

the prescribed balance between Hutu and Tutsi representation in the central and local government of Burundi (Lemarchand, 2007). However, the territorial segmentation and consociational institutionalisation in federations and regionalised unitary states may provide more stability than non-territorial consociatioalism. Many consociational arrangements in unitary states have not survived beyond temporary, transitional or post-conflict settlements (e.g. South Africa, Lebanon, Rwanda, Colombia).

Democracies with ethnic majority dominance

While consociationalism is built around co-operation and compromise resulting from proportionality and access to power of all ethnic groups in a state, there are many democratic systems where one ethnic group dominates one or more others, coined 'ethnic democracies' (Smith 1996; Smooha 1990; Smooha and Hanf 1992). Ethnic democracies give individual citizens access to political and civil rights, but preserve collective political and cultural rights to the dominant ethnic majority. This applies to multi-ethnic democracies where state institutions do not constitute a neutral set of rules but are controlled by one of the constituent ethnic groups. In some cases this situation can persist for a long time, with far-reaching institutionalisation of the ethnic dominance over the state.

Ethnic democracy is a form of what has been called hegemonic control (Lustick, 1979; McGarry and O'Leary 1994), which also applies to authoritarian, imperial and partially democratic societies. Historically, ethnic control by a hegemonic group has been the most common way of dealing with ethnic and cultural plurality. The suppression of ethnic minorities (and sometimes majorities) through coercion or threats of coercion has been commonplace, achieving varying degrees of stability. However, the combination of democratisation and the advance of the Age of Nationalism meant other solutions replaced durable ethnic hegemony as system of choice. On the one hand, nationalism and the idea that state and nation should coincide resulted in attempts to eradicate ethnic plurality, through instruments ranging from assimilation to genocide. On the other hand, in other contexts individual and collective civil and political rights of liberal democracy introduced opportunities for ethnic minorities to gain (limited) access to power or political and cultural autonomy. Still, hegemonic control has retained a presence, especially in non-democratic or partially democratic states. South Africa between 1948 and 1990 was a clear example of ethnic hegemonic control, with full access to democracy, citizenship and civil rights restricted to a white minority.

In states where the principles of liberal democracy apply to the whole population, ethnic minority control like in South Africa under apartheid is much rarer. A functioning democracy tends to either give minorities some access to power or to establish majority rule. The latter means that a majority ethnic group controlling the state institutions with limited influence for one or more minority ethnic groups is rather common in democratic societies. For instance, in Israel (Smooha 1990) a Jewish majority has dominance over an Arab minority, in post-communist Estonia (Pettai and Hallik 2002) the Estonian majority allows limited influence for an ethnic Russian minority, while in relatively recent history there were clear situations of majority ethnic control in functioning democracies in Northern Ireland, the southern United States, and of aboriginal populations in Canada, Australia and the United States. In such situations of ethnic democracy the dominance of one group is institutionalised, and the dominant

ethnic group gains power disproportionate to its size. This is in contrast to consociationalism, where proportionality is a key element in maintaining a power balance between the different segments of society. The most well documented case of ethnic democracy is Israel, where Arabs with Israeli citizenship can vote in elections but enjoy restricted political and social rights in practice, for instance through the exclusion of political parties that negate the principle that 'the State of Israel is the state of the Jewish people' and through the exemption of Israeli Arabs from mandatory military service, thereby excluding them from the social rights tied to the symbolic importance of military service (Peled, 1992).

The dominance of one group in ethnic democracies is reflected in a control of political decision-making, monopolisation of positions in government, and the establishment of a structure of governance favourable to the leading ethnic group. But it is also manifested through incorporation of de facto ethnic inequality in unwritten rules, and through a monopolisation of state symbols by one ethnic group. That is the case when for instance the language, religion, cultural symbols such as national holidays, and national aspirations of the hegemonic ethnic group also become those of the state as a whole, with little room for the national ambitions or iconography of minority ethnic groups at state level. Take for instance the adoption of Estonian as the only official language of Estonia and of the initially restrictive language requirements for naturalisation and electoral candidates, despite the presence of a substantial Russian minority (Pettai and Hallik, 2002). This institutionalisation of ethnic dominance can create a situation where the de jure existing political rights and civil liberties of a liberal democracy covering the whole population become restricted de facto for ethnic minority groups.

In an ethnic democracy – in contrast to non-democratic or partially democratic forms of ethnic hegemonic control – there are democratic procedures in place for ethnic minorities to negotiate better terms of coexistence. However, a situation of ethnic democracy can only survive through a strict interpretation of democracy as majority rule with little minority influence. Although this raises questions of injustice, some have advocated ethnic control as a relatively stable settlement for ethnic conflicts. Ian Lustick argues that 'certain forms of control may be preferable to the chaos and bloodshed that might be the only alternatives' in 'particular situations and for limited periods of time' (1979, p. 344). Whether it is indeed possible in a democracy to introduce ethnic control for a limited amount of time is doubtful, considering that it might be tempting for the majority ethnic group to cling to its hegemonic position as long as possible. In reality what is introduced as temporary solution can easily turn into a stable and permanent settlement, as retreating from the status quo into a solution requiring more compromise might become less and less appealing to the dominant majority. Apart from that, proponents of consociationalism, federalisation or regionalisation would argue that very rarely are 'chaos and bloodshed' truly the only alternatives to hegemonic control.

Assimilation and the quest for national unity

The instruments of ethnic conflict accommodation discussed above work under the assumption that the most effective way to deal with ethnic conflict is by facilitating existing ethnic differences, or at least acknowledge them. In contrast, assimilation policies aim to eradicate ethnic differences in society, to take away the basis for ethnic conflict. Assimilation is a process whereby an ethnic group gives up the cultural identity

and sense of belonging that distinguish it from other groups (Gordon, 1964), and adopts those either of another ethnic group or of a newly created transcendent ethnic identity. This mostly is the outcome of unequal power relations and often involves some form of coercion. It should, however, be distinguished from other methods that aim to do away with existing ethnic differences by making ethnic minorities 'disappear', such as genocide, ethnic cleansing or population transfer.

Assimilation as used here is a form of social integration, and both have been mostly discussed in relation to immigration. The particulars of ethnic conflict related to immigrants are briefly touched upon below, but assimilation has been widely applied to deal with non-immigrant ethnic minorities as well. The merger of several ethnic groups into an overarching national identity, often modelled on that of a dominant group, has been common in historical processes of nation-building. The classic example of France, and the nineteenth-century process of turning 'peasants into Frenchmen' described by Weber (1976), demonstrates that in the long run assimilation can be rather successful. With the exception of parts of Corsica, the French Republic managed to assimilate most of its many constituent regional identities into one French nation. However, any success achieved through assimilation policies should be set against the coercion that is needed to make groups give up their identity. French unity was not achieved without force, just as the Russification of non-Russian parts of the Soviet Union could be achieved only by violent means.

Often assimilation through coercion is counterproductive, because it is exactly the threat of the disappearance of a minority culture that makes ethnic minorities rebel and causes ethnic conflict. The use of force against an established ethnic group in order to force them to abandon their way of life can provide references and memories to be used in the mobilisation of resistance for generations afterwards. Take for example sympathy for the Basque separatist organisation ETA among significant sections of the population, partly as result of the attempts in Spain under Franco to oppress Basque cultural distinctiveness (Lecours, 2008). In Iraq, attempts to eradicate a Kurdish cultural identity, using brute force, have been similarly unsuccessful (O'Leary and Salih, 2006).

Social integration policies can be more benign, often aiming to take away obstacles to interaction between ethnic groups and reducing socioeconomic inequalities along ethnic lines that can go hand in hand with ethnic segregation. Assimilation goes further, aiming to make cultural differences within a society disappear, or fuse different cultures into one common culture. Because changing a person's culture, way of life and group identification takes time, assimilation is always a long process, mostly taking several generations of intermarriage and nation-building. It requires consistent efforts of what Michael Billig (1995) has called 'banal nationalism', the constant and habitual production and reproduction of nations in everyday life. As Billig writes, 'for such daily reproductions to occur, one might hypothesise that a whole complex of beliefs, assumptions, habits, representations and practices must also be reproduced' (1995, p. 6). This 'banal' reproduction of nationalism applies to the everyday maintenance of existing nations and their populations, but also certainly to the process of assimilation of minority ethnic groups into a national majority culture.

Ethnic conflict and immigration

The different ways in which ethnic conflict is accommodated in unitary states discussed above mostly deals with long-established groups that often claim a territory within the

state as their homeland. Examples would be the Basques, Québécois, Kurds or Hutus. But the discussion of assimilation as a response to ethnic conflict already showed that in public and academic debates concepts like 'ethnicity' and 'minority' are also associated with immigrants. And just like 'native' ethnic groups can get into conflict with each other, there can be tensions between a native ethnic majority and immigrant ethnic minorities. In both cases there can be a similar connection between ethnicity and access to political power, and claims for political and cultural autonomy from both national minorities and immigrants.

Regarding political or cultural claims of both types of ethnic minority as a threat to national unity, in many cases hegemonic state actors tend to treat national minorities and immigrants in a broadly similar way. In France for instance both the claims for cultural autonomy of national minorities like the Bretons and Corsicans and of immigrant minorities are denied with reference to risks of 'communautarisme' (Schnapper, 2004), submitting the individual members of a group to the norms of a cultural minority community. According to this logic, the state should be culturally neutral, and any recognition of minorities (both native and immigrant) and facilitation of their culture would diverge from that neutrality. However, one could question whether the state can indeed be neutral through a strict application of Western liberal democracy, and in practice this restriction of recognition of cultural expression is applied much less strictly to the dominant majority.

In contrast, some, like the political philosopher Will Kymlicka, argue for differential treatment of immigrants and national minorities, suggesting that while the formation of an autonomous societal culture is viable for territorially concentrated national minorities, this is not appropriate for immigrant groups, who 'lack the territorial concentration or historical institutions needed to sustain a vibrant societal culture' (Kymlicka, 2001, p. 54; see also Kymlicka, 1995).

The debate over whether or not claims of national minorities should be met with the same state response as those of immigrant minorities reaches a particular level of complexity in the case of immigration into the territories of national minorities (Carens, 2000; Zapata-Barrero, 2007). Territories like Quebec, Catalonia, Flanders and Scotland are not only the regions or 'homelands' of ethnic minorities within their respective states, but also increasingly places of immigration. In those situations an established ethnic conflict can be further complicated, with the ethnic minority at state level (Catalans, Flemish, etc.) turned into an ethnic majority at regional level, facing a choice of responses to immigrant ethnic minorities themselves. In federal states this may involve far-reaching choices over immigration policy, but in unitary states this will mostly be limited to minor adaptations of state-wide immigration policies. Take for instance the arrangement in federal Canada that allows the government of Quebec to apply its own immigration selection criteria, and recruit immigrants from French-speaking countries, compared to the introduction in the unitary United Kingdom of the option for immigrants in Wales to take citizenship tests in Welsh.

Conclusion

The enormous variation of unitary states worldwide means that it is impossible to distinguish a single type of response to ethnic conflict chosen by unitary states. It is true that the ideal-type unitary state emphasises the importance of the protection of the unity of the state, its territory, and its single and homogeneous nation, and views ethnic

conflict and claims of ethnic minorities as a threat to that unity. It follows that the stereotypical unitary state response to ethnic conflict and difference is one of assimilation, with the elimination of ethnic difference as objective, or accommodation from a perspective of 'damage control'. But, although some states come close to that ideal type, the ethnically and nationally completely homogeneous state does not exist. Some unitary states have followed pluralist policies that provide ethnic minorities with a far-reaching degree of autonomy, whereas some of the most brutal policies aimed at the eradication of ethnic difference have been used in federal states.

Ethnic conflict has produced two sovereign states and new members of the United Nations in the twenty-first century at the time of writing: Montenegro and Timor-Leste. Both are unitary states, as is the overwhelming majority of new independent states that emerged from the break-up of the Soviet Union and Yugoslavia. The choice for a unitary state system often reflects a desire to maintain, or establish, national unity after gaining independence. However, many of those states that were born out of ethnic conflict are in turn confronted with ethnic minorities within their own borders and the need to formulate policies in response to their political and cultural claims. These situations offer fruitful case studies for the further exploration of the dynamics and tensions of dealing with plurality in unitary states.

References

Barry, B. (1975) The Consociational Model and its Dangers. *European Journal of Political Research*, Vol. 3, pp. 393–412.

Barth, F. (1969) *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. Boston MA: Little Brown.

Billig, M. (1995) *Banal Nationalism*. London: Sage.

Bogdanor, V. (1999) *Devolution in the United Kingdom*. Oxford: Oxford University Press.

Bullmann, U. (1997) The Politics of the Third Level. In: C. Jeffery, ed. *The Regional Dimension of the European Union: Towards a Third Level in Europe?* London: Frank Cass, pp. 3–19.

Carens, J. (2000) *Culture, Citizenship and Community*. New York: Oxford University Press.

Caspersen, N. (2004) Good Fences Make Good Neighbours? A Comparison of Conflict Regulation Strategies in Postwar Bosnia. *Journal of Peace Research*, Vol. 41, pp. 569–88.

Deschouwer, K. (1994). The Decline of Consociationalism and the Reluctant Modernization of Belgian Mass Parties. In: R. S. Katz and P. Mair, eds. *How Parties Organize: Change and Adaptation in Party Organizations in Western Democracies*. London: Sage, pp. 80–108.

Elazar, D. J. (1982) Federalism, Centralization, and State Building in the Modern Epoch. *Publius*, Vol. 12, No. 3, pp. 1–9.

—(1993) International and Comparative Federalism. *Political Science and Politics*, Vol. 26, No. 2, pp. 190–95.

—(1997) Contrasting Unitary and Federal Systems. *International Political Science Review*, Vol. 18, No. 3, pp. 237–51.

Geertz, C. (1967) *Old Societies and new States: The Quest for Modernity in Asia and Africa*. New York: Free Press.

Gordon, M. M. (1964) *Assimilation in American Life: The Role of Race, Religion, and National Origins*. New York: Oxford University Press.

Gore, C. (1984) *Regions in Question: Space, Development Theory and Regional Policy*. London: Methuen.

Gurr, T. R. (1993) *Minorities at Risk: A Global View of Ethnopolitical Conflicts*. Washington DC: United States Institute of Peace Press.

Hale, H. E. (2004) Explaining ethnicity. *Comparative Political Studies*, Vol. 37, p. 458–85.

Horowitz, D. L. (1985) *Ethnic Groups in Conflict*. Berkeley CA: University of California Press.

Huguenin, J. and P. Martinat (1998) *Les Régions. Entre l'État et l'Europe*. Paris: Le Monde.

Keating, M. (1998) 'What's wrong with asymmetrical government?' *Regional and Federal Studies*, Vol. 8, No. 1, pp. 195–218.

—(2001) *Plurinational Democracy: Stateless Nations in a Post-Sovereignty Era*. Oxford: Oxford University Press.

Knippenberg, H. (1999). The Ethnicity of National Integration: Religion, Education and Politics in the Netherlands. *Netherlands Journal of Social Sciences*, Vol. 35, No. 1, pp. 37–52.

Kymlicka, W. (1995) *Multicultutal Citizenship*. Oxford: Oxford University Press.

—(2001) *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship*. Oxford: Oxford University Press.

Labour Party (1997) *New Labour: Because Britain deserves Better*. London: Labour Party.

Lacoste, Y. (1997) *Vive la nation. Destin d'une idée géopolitique*. Paris: Fayard.

Lecours, A. (2001) Regionalism, Cultural Diversity and the State in Spain. *Journal of Multilingual and Multicultural Development*, Vol. 22, No. 3, pp. 210–26.

—(2008) Violence as politics: ETA and Basque nationalism. In: S. M. Saideman and M.-J. Zahar, eds. *Intra-state Conflict, Governments and Security*. London: Routledge, pp.120–37.

Lemarchand, R. (2007) Consociationalism and Power Sharing in Africa: Rwanda, Burundi, and the Democratic Republic of the Congo. *African Affairs*, Vol. 106, No. 422, pp.1–20.

Lijphart, A. (1969) Consociational Democracy. *World Politics*, Vol. 21, No. 2, pp. 207–25.

—(1977) *Democracy in Plural Societies: A Comparative Exploration*. New Haven CT: Yale University Press.

Linz, J. J. (1997) Democracy, Multinationalism and Federalism. Working paper, Madrid: Fundación Juan March.

Loughlin, J. (1993) Nation, state and region in Western Europe. In: L. Bekemans, ed. *Culture: Building Stone for Europe 2002*. Brussels: European Interuniversity Press, pp. 229–48.

Lustick, I. (1979) Stability in Deeply Divided Societies: Consociatonalism versus Control. *World Politics*, Vol. 31, No. 3, pp. 325–44.

Macleod, G. and M. Jones (2007) Territorial, Scalar, Networked, Connected: In What Sense a 'Regional World'? *Regional Studies*, Vol. 41, No. 9, pp. 1177–91.

Máiz, R. (2003) Politics and the Nation: Nationalist Mobilization and Ethnic Differences. *Nations and Nationalism*, Vol. 9, No. 2, pp. 195–212.

Markusse, J. (1996) *Zuid-Tirol: de pacificatie van een multi-etnische region*. Utrecht: Koninklijk Nederlands Aardrijkskundig Genootschap.

McGarry, J. and B. O'Leary (1994) The Political Regulation of National and Ethnic Conflict. *Parliamentary Affairs*, Vol. 47, No. 1, pp. 94–115.

—(2004) *The Northern Ireland Conflict: Consociational Engagements*. Oxford: Oxford University Press.

—(2006) Consociational Theory, Northern Ireland's Conflict, and its Agreement, Part 1, What Consociationalists can learn from Northern Ireland. *Government and Opposition*, Vol. 41, No. 1, pp. 43–63.

Moreno, L. (2001) *The Federalization of Spain*. London: Frank Cass.

Nagel, J. (1994) Constructing Ethnicity: Creating and Recreating Ethnic Identity and Culture. *Social Problems*, Vol. 41, No. 1, pp. 152–76.

O'Leary, B. and K. Salih (2006) The Denial, Resurrection and Affirmation of Kurdistan. In: B. O'Leary, J. McGarry and K. Salih, eds. *The Future of Kurdistan in Iraq*. Pennsylvania: University of Pennsylvania Press, pp. 3–46.

Paasi, A. (1991) Deconstructing regions: notes on the scales of spatial life. *Environment and Planning* A, Vol. 23, pp. 239–56.

Paddison, R. (1983) *The Fragmented State: The Political Geography of Power*. Oxford: Blackwell.

Peled, Y. (1992) Ethnic Democracy and the Legal Construction of Citizenship: Arab Citizens of the Jewish State. *American Political Science Review*, Vol. 86, No. 2, pp. 432–43.

Pettai, V. and K. Hallik (2002) Understanding Processes of Ethnic Control: Segmentation, Dependency and Co-optation in Post-communist Estonia. *Nations and Nationalism*, Vol. 8, No. 4, pp. 505–29.

Rudolph, J. R. and R. J. Thompson (1985) Etnoterritorial Movements and the Policy Process: Accommodating Nationalist Demands in the Developed World. *Comparative Politics*, Vol. 17, no. 3, pp. 291–311.

Schnapper, D. (2004) La République face aux communautarismes. *Études*, Vol. 400, pp. 177–88.

Schrijver, F. (2005) Regionalism in Galicia after Regionalisation. *Tijdschrift voor Economische en Sociale Geografie*, Vol. 96, No. 3, pp. 275–86.

—(2006) *Regionalism after Regionalisation: Spain*, *France and the United Kingdom*. Amsterdam: Amsterdam University Press.

Sharpe, L. J. (1993) *Rise of Meso Government in Europe*. London: Sage.

Shils, E. (1957) Primordial, Personal, Sacred, and Civil Ties. *British Journal of Sociology*, Vol. 8, pp. 130–45.

Smith, G. (1995) *Federalism: The Multiethnic Challenge*. London: Longman.

—(1996) The Ethnic Democracy Thesis and the Citizenship Question in Estonia and Latvia. *Nationalities Papers*, Vol. 24, No. 2, pp. 199–216.

Smooha, S. (1990) Minority Status in an Ethnic Democracy: the Status of the Arab Minority in Israel. *Ethnic and Racial Studies*, Vol. 12, No. 3, pp. 389–413.

—(2002) Types of Democracy and Modes of Conflict Management in Ethnically Divided Societies. *Nations and Nationalism*, Vol. 8, No. 4, pp. 423–31.

Smooha, S. and T. Hanf (1992) The Diverse Modes of Conflict Regulation in Deeply Divided Societies. *International Journal of Comparative Sociology*, Vol. 33, Nos 1–2, pp. 26–47.

Soysal, Y. (1994) *Limits of Citizenship*, Chicago IL: University of Chicago Press.

Van der Wusten, H. and H. Knippenberg (2001) The Ethnic Dimension in Twentieth-century European Politics: a Recursive Model. In: G. Dijkink and H. Knippenberg, eds. *The Territorial Factor: Political Geography in a Globalising World*, pp. 273–91. Amsterdam: Vossiuspers.

Weber, E. (1976) *Peasants into Frenchmen: The Modernization of Rural France*, *1870–1014*. Stanford CA: Stanford University Press.

Wilson, A. J. (2003) Sri Lanka: Ethnic Strife and the Politics of Space. In: J. Coakley, ed. *The Territorial Management of Ethnic Conflict*. London: Frank Cass, pp. 173–98.

Wolff, S. (2008) Complex Power Sharing as Conflict Resolution: South Tyrol in Comparative Perspective. In: J. Woelk, F. Palermo and J. Marko, eds. *Tolerance through Law: Self-governance and Group Rights in South Tyrol*. Leiden: Nijhoff, pp. 329–70.

Zapata-Barrero, R. (2007) Setting a Research Agenda on the Interaction between Cultural Demands of Immigrants and Minority Nations. Journal of Immigrant and Refugee Studies, Vol. 5, No. 4, pp. 1–25.

22 National cultural autonomy

David J. Smith

In the first two to three decades after World War II it was widely, though mistakenly, assumed that ethnicity had ceased to be a significant factor in European politics. Increasingly challenged from the 1970s, this view lost any remaining credence following the end of the Cold War. Ethnic politics has been a particularly visible feature of the former socialist countries since the turn of the 1990s. Nearly all of the states in this region are home to a diverse array not just of ethnic groups, but of established societal cultures. The economic turbulence of the late socialist period, coupled with a collective memory of past oppression and the absence of any strongly rooted tradition of democratic institutions, created fertile terrain for ethnic conflicts. This was especially so in the countries that were created or reconstituted following the demise of the Soviet Union and the former Yugoslavia. Here, 'stateness' appeared particularly insecure. To many outsiders, the bloodshed that occurred in Croatia, Bosnia and Herzegovina and Kosovo merely confirmed a view of Eastern Europe as a backward locus of intolerant ethnic nationalism. Parallels could, after all, readily be found with the period from 1878 to 1945, when the region's 'national question' contributed in no small measure to the outbreak of two world wars. This stereotype, however, obscures a rich tradition of multicultural thought within the region, which has produced innovative approaches to the democratic management of ethnic diversity.

A good example is the concept of national cultural autonomy (NCA, also known as non-territorial cultural autonomy), which was first devised at the turn of the twentieth century by the Austrian social democrats Karl Renner (1870–1950) and Otto Bauer (1881–1938). These 'Austro-Marxists' sought to transform the then Habsburg monarchy into a democratic multinational federation based on 'personal, not territorial characteristics' (Renner 2005, p. 32). Their ideas also attained widespread currency within the western provinces of the neighbouring Tsarist empire. Renner and Bauer's vision was overtaken by the tumultuous events of 1914–23, when multi-ethnic empires gave way to a belt of new nation-states and – farther east – to the Union of Soviet Socialist Republics (a very different kind of 'federation' from the one envisaged by the Austro-Marxists). The NCA concept was nevertheless carried over into the democratic 'New Europe' of the post-First World War era: during the 1920s it informed laws on minority rights adopted by Estonia and Lithuania and also became the guiding principle of the Congress of European Minorities, a transnational lobby group that sought to reform the League of Nations and challenge the primacy of the indivisibly sovereign nation-state within international relations. These inter-war developments could easily be dismissed as a quaint experiment belonging to a bygone age were it not for the fact that laws on NCA have been adopted in a range of Central and East European countries since 1991, as well as forming part of Belgium's federalist model.

'Austro-Marxism' and the origins of national cultural autonomy

As Aviel Roshwald (2001, p. 5) has observed, the rise of nationalism as an ideology and political movement during the late nineteenth and early twentieth centuries exerted a centrifugal force within the ethnically complex territories of Central and Eastern Europe. This posed a challenge not just for imperial rulers, but also for those liberal and socialist circles that were committed to halting rising demands for national territorial sovereignty amongst the empires' subject nationalities and realising universalist principles of democracy and social equality within existing territorial boundaries. Whereas orthodox Marxists tended to dismiss the entire concept of nationality as a form of bourgeois false consciousness, Renner and Bauer's everyday experience of politics in late imperial Austria convinced them that demands for cultural recognition by the various nationalities would have to be addressed if the solidarity of the socialist movement was to be maintained. In 1899, Renner set out his vision in an article entitled 'Staat und Nation'. Bauer followed suit with *The National Question and Social Democracy*, published in 1907. A lawyer by training, Renner saw the rule of law as integral to solving the 'national question'. By making each 'national group' a 'collective juridical subject in the constitutional order' (Bowring 2005, p. 191) and according cultural autonomy on that basis, ethnicity would cease to be a bone of political contention. In this way, it would be possible to engineer a shift towards 'a more progressive agenda of political action unhampered by nationalist division' (Schwarzmantel 2005, p. 64).

The novelty of NCA lies above all in its non-territorial approach to the issue of national self-determination. The model is founded on the 'personality principle', which holds that 'totalities of persons are divisible only according to personal, not territorial characteristics' (Renner 2005, p. 32). Under Renner's scheme, the state would allow representatives of national groups to set up public corporations and elect their own cultural self-governments. Bauer in particular recognised that ethno-national groups are, to a large extent, historically developed communities of fate and character and thus bear something of an inherited, deterministic quality. A democratic approach to the issue nevertheless dictated that ethnicity – rather like religion – be treated as a matter of personal conviction and 'a feature of the legal status of the individual' (Renner 2005, p. 22). In an extension of the 'personality principle', membership of the proposed public corporations was to be on the basis of individuals freely determining their ethnicity and voluntarily enrolling on a national register. Those signing up in this way would be eligible to elect the representatives of the cultural self-government, but would also be liable to pay cultural taxes to the corporation, to supplement funding provided by state and municipal authorities. Once constituted, the cultural self-governments could assume full control over schooling in the relevant language and other issues of specific concern to the group. The jurisdiction of the aforementioned bodies would not be confined to particular territorial sub-regions of the state, but would extend to all citizens who professed belonging to the relevant nationality, regardless of where they lived.

Territory had 'a significant role to play as an organisational principle' within Renner's federal scheme, which envisaged the subdivision of the Habsburg realms into eight economic regions. However, the personality principle alone could form 'the constitutive principle which brings about the separation of the nationalities and the union of individuals' (Renner 2005, p. 29). In the highly complex ethnic environment of Central and Eastern Europe, any effort to resolve the national question solely on the basis of territorial sovereignty for different groups was doomed to failure, for, regardless of

how territorial boundaries were drawn, national and political space would never be entirely congruent. A system of non-territorially based representation was therefore necessary to cater for those citizens who wished to preserve their distinct ethnic identity but who constituted a cultural minority within their region of residence. Otherwise, the territorial principle would dictate that 'if you live in my territory, you are subject to my domination, my law and my language!' (Renner 2005, pp. 27–28). Oppression of minorities, rather than equal rights, would continue to be the order of the day, and national conflicts would be localised but not definitively regulated.

Inter-war experiments and debates

Contemporary critics frequently dismissed the entire NCA vision as 'utopian'. However, as Renner asked in his original article, why should it be seen as any more so than German and Czech national programmes based on territorial sovereignty? The rightness of this view was confirmed after 1918, when attempts to realise national self-determination on a territorial basis simply recreated the problems of the old empires in miniature: each of the 'successor states' in the region contained significant ethnic minority populations. The NCA principle did, however, live on within the three Baltic States. These states rested on the concept of self-determination for the ethnic Estonian, Latvian and Lithuanian nations; however, the specific circumstances of their creation ensured that the liberal federalist ideas of the late and immediate post-tsarist period were carried over into the new constitutional provisions that they adopted.

   Thus, the 1918 declarations of Baltic independence were addressed to everyone residing within the boundaries of the new states. In the case of Latvia, the 1922 constitution made reference to a single political 'nation of Latvia', while stating that ethnic Latvians were only one of a number of 'sovereign and autonomous' ethnic communities entitled to preserve their distinct cultural heritage, religion and language (Plakans 1995, p. 127). In 1925, Estonia adopted a law giving representatives of the country's largest ethnic minorities the right to establish their own public legal corporations, on the basis of citizens freely entering their names on a national register. The first step under the law was to register at least half of the members of the designated ethnic minority; if this was achieved, elections could be organised for a cultural council, in which at least half of the registered voters had to take part. Once the cultural council was in place a two-thirds majority vote by its members was required in order to implement cultural autonomy and appoint a cultural self-government with control over those schools teaching in the relevant minority language. As Karl Aun (1949, p. 241) has observed, the constituency of minority cultural self-government in Estonia thus derived from 'the deliberate personal will of individual nationals living within the state territory'. Once cultural autonomy had been established, everyone enrolled on the national register was required to pay additional taxes to the cultural self-government. This supplemented existing funding provided by the state, which continued to exercise a broad supervisory role. Anyone unwilling to fulfil this added obligation, however, could withdraw from the respective national register by means of a simple written declaration. If the number of those enrolled on the register fell below 50 per cent of those belonging to the relevant minority (as established by national census), the state could dissolve the institutions of minority self-government.

   Estonia's 1925 law on cultural autonomy was promptly implemented by the country's German and Jewish minorities, whose small size and dispersed settlement meant that

existing municipalities were not always obliged to offer them native-language schooling. The 1925 legislation was, however, highly complex. In order to implement and sustain it, minority groups necessarily had to bring to bear considerable financial and human resources. In this respect, Estonia's German and Jewish minorities were also more sociopolitically cohesive, and generally more highly educated and better-off, than other minority groups eligible for cultural autonomy. In this regard, the fact that Estonia's Russian population never implemented the law was mainly down to the unwillingness of a predominantly rural and impoverished population to pay additional taxes for the purposes of education (Smith 1999). This was compounded by political in-fighting amongst the ethnic Russian political elite, and the sheer practical difficulties of enrolling 45,000 ethnic Russian voters on to a national register, all this in the face of high levels of illiteracy in rural areas.

The failure by Estonia's Russians to implement NCA obviously undermined arguments that were made regarding the more general applicability of this model to Central and Eastern Europe's diverse ethno-national groups. Such arguments were frequently advanced from 1925 onwards by the Congress of European Minorities. Established largely on the initiative of ethnic Germans from Estonia and Latvia, the CEM lobbied the League of Nations for the establishment of a pan-European guarantee of minority rights based upon the NCA principle. In 1931 the League Minority Secretariat did produce a report on NCA, but it was highly dismissive.

Of greatest concern to League officials was the profoundly 'anti-modernist' character of Baltic legislation. The NCA scheme was very much at odds with prevailing Western orthodoxies, which regarded the unitary 'atomist-centrist' model of nation-statehood as the only viable template for the future development of Central and Eastern Europe. In the aftermath of World War I, the League of Nations and the dominant Western European powers at its heart had espoused the concept of minority rights in their dealings with the new successor states. Minority protection treaties stipulated that persons belonging to 'non-titular' ethnic minorities should enjoy equal treatment as well as certain positive rights relating to the practice of their language and culture, such as the right to receive primary education in their mother tongue and to form their own *private* cultural organisations. Any violation of these provisions – which fell far short of the autonomy accorded in Estonia and Latvia – could be reported to the League of Nations by means of a petition. In reality, however, the minority procedures of the League were such as to ensure that the sovereignty of individual states was scrupulously respected and upheld. Minorities, by contrast, were reduced to objects rather than subjects of international law.

In sum, the minority provisions of the peace settlement were envisaged as little more than a transitional stage in a process leading to the eventual assimilation of non-titular national groups into a single dominant societal culture. Any suggestion of creating public institutions for minorities as an intermediary between individual citizens and the state was therefore distrusted and seen as likely to undermine the sovereignty and cohesion of new countries by encouraging the formation of 'states within states'. According to one League official:

> the 'complete' solution to the minorities problem rests on the development, in countries of mixed population, of a spirit of national tolerance and liberalism, a development which will be no less long and painful than that which took place in the sphere of religious tolerance, but which will become all the more difficult if a

system of separatism in certain branches of the common life of the state becomes generalised.

<div align="right">(Krabbe 1931)</div>

The activists of the Minorities Congress retorted that in the specific context of Central and Eastern Europe, where the emergence of popular (ethno-)national consciousness had preceded that of the modern state, cultural self-government was essential precisely in order to *forestall* the potential emergence of irredentist nationalism. In support of their arguments, they pointed to the example of Estonia, where practical experience of NCA during 1925–30 had shown previous fears of a 'state within a state' to be wholly exaggerated. Policies predicated on assimilation, by contrast, seemed only to be fuelling ethnic antagonism and conflicts across the region.

While League officials were certainly misguided in their support for assimilation, they were right to underline the importance of a shared public space uniting all ethnic groups living within a particular territory. Cultural autonomy may help to encourage loyalty to a state, but it is obviously not the be-all and end-all in the construction of an integrated multi-ethnic political community. Equally, if not more important are guarantees of equal rights and opportunities for all citizens, regardless of ethnicity, the possibility for all ethnic groups to participate meaningfully in decision-making and the emergence of a cross-ethnic civil society that ensures continuous dialogue across community boundaries. In the absence of this, there is a potential danger that cultural autonomy could reinforce ethnic particularity and become conducive to ghettoisation and marginalisation of particular groups, particularly if ethnic and socioeconomic boundaries coincide.

In Renner and Bauer's original proposals, NCA was to be completed by a consociational-style, power-sharing government, which would contain elected representatives of all the various ethnic groups living within the state. It was further envisaged that German would function as a unifying lingua franca at the level of state administration, while the state would exercise broad supervision of all schools in order to ensure the attainment of common standards across the various nationally organised systems of education. Generally, however, the proposals were vague on how inter-ethnic interaction was to be ensured. The assumption here seems to have been that the attainment of a socialist order would necessarily guarantee equality of all citizens, regardless of ethnicity, and that this would remove any remaining scope for disputes between different groups.

The successor states that emerged in the region between Germany and the Soviet Union – with the partial and ambiguous exceptions of Czechoslovakia and Yugoslavia – were configured as unitary nation-states. Political decision-making power was necessarily weighted towards the 'titular' ethnic majority, even in countries like Estonia, where non-titular minorities had been granted considerable cultural autonomy. League of Nations procedures were supposed to offer guarantees against any 'nationalising' practices on the part of these states, but these procedures were, as already noted, essentially toothless. This explains why the Congress of European Minorities lobbied so hard for a change in League Institutions that would give minority representatives subjectivity alongside representatives of state governments. The ultimate aim was to end the primacy of the indivisibly sovereign state within the international system and to create a Europe of nationalities alongside the existing Europe of territorial states. Yet the liberal activists that headed the Congress in the late 1920s also realised that the

ethnic harmony so essential to European unity could not be engendered through negotiations at the state level – it had to be fostered more organically from below. The Congress leaders thus urged representatives of minority groups to eschew all talk of border revisions and to engage positively with the political process within the states they inhabited. Only in this way would they win the trust of the ethnic majority and engender a more inclusive and multicultural concept of political community.

The inter-war period, however, represented a thoroughly unpropitious context for realising the Congress vision of a Europe 'beyond the nation-state'. In a situation where the 'national question' was essentially viewed as a security rather than a cultural issue, it was hard to counteract the power of ethnic politics within the new states. Not surprisingly, the NCA system was to the profound distaste of nationalists, not just amongst the titular ethnic majority, but also within minority communities themselves. Even though Baltic German activists within Estonia played a key role in pushing through the 1925 NCA law, more conservative and reactionary circles within this ethnic group dismissed the model as unworthy of a group that had traditionally constituted the political, economic and cultural elite within the territories concerned.

Estonian nationalists for their part were aggrieved that under the 1925 law, persons born into the now titular ethnic group were still able to opt for German nationality and/or cultural orientation – this following decades of struggle for cultural recognition within the old empires and the creation of a sovereign Estonian republic. As was the case in neighbouring Latvia, calls to create a more 'complete' nation-state persisted throughout the 1920s and later intensified during the Great Depression, when attention was drawn to the prominent position that minority groups still occupied within the local economy. The authoritarian regimes that were installed in Estonia and Latvia during 1934 significantly restricted the individual freedom to choose nationality and language of instruction, while seeking to prioritise the needs of the titular ethnicity within the economic sphere. This 'nationalising' turn was frequently justified not only by reference to past injustices, but also to perceptions of external threat following the rise to power of Hitler in Germany and the penetration of Nazi influences into the Baltic German milieu.

NCA in post-Cold War Europe

The NCA experiments of the 1920s, however, cannot simply be dismissed as an historical dead end. Since the end of the Cold War governments in Central and Eastern Europe and international organisations working within the region have again been faced with the 'dilemma of ethno-cultural diversity' (Roshwald 2008) – how to ensure equal treatment and adequate cultural recognition for different ethnic groups without undermining state cohesion. Compared to the inter-war period, the discourse of multiculturalism and minority rights is today a more established feature of the international political agenda, while the rise of ethno-regionalist movements in many Western European states has seen a trend towards devolution and regional self-government during recent years. Territorially based devolution, however, is not generally regarded as being similarly applicable to Central and Eastern Europe. Although ethnic conflicts have not materialised to the extent predicted at the start of the 1990s, the legacy of past conflicts means that nationality issues are still securitised to a far greater degree than in the western part of Europe. Appeals for greater autonomy by Hungarians living in Transylvania or southern Slovakia or Russians living in

north-east Estonia are thus regarded as masking an irredentist agenda. It is against this background that NCA has come back into the equation: autonomy based on personal characteristics is seen as far less politically contentious than the territorially based alternative, which can all too easily be construed as posing a threat to the integrity of the state. NCA has also been seen as having particular relevance for the region's Roma minority: rather like the Jews of Central and Eastern Europe between the wars, the Roma are a prime example of a territorially dispersed 'stateless nation' for whom minority rights could not readily be realised on a territorial basis.

National cultural autonomy has thus been applied in a variety of contexts in Central and Eastern Europe since the 1990s, with mixed results. In early 2005 the Estonian model of cultural autonomy was invoked as part of discussions on a new draft minority law in Romania. Mindful of ethnic Romanians' historically rooted sensitivities over Transylvania, the ethnic Hungarian initiators of the draft law felt that a proposal to grant a non-territorial form of autonomy to Hungarians and other minorities living in that region (and in Romania more broadly) would stand a better chance of being accepted by parliament. A similar concern to buttress the territorial integrity of the state lay behind Russia's NCA law, adopted in 1996. In the view of those who drafted the law, the inherited Soviet model of ethno-territorial federalism increased the potential for separatism and undermined the prospects for building a new Russian (*Rossiiskii*) political community within Russia's existing territorial boundaries. A shift to non-territorial autonomy, it was argued, would help to strengthen a popular sense of belonging to a single, multi-ethnic state community; introducing such a system appeared all the more logical given that a considerable proportion of Russia's 'non-titulars' actually resided outside their designated territorial homeland (Tolz 2001, pp. 249–56).

The draft NCA law in Romania failed, however, to make it on to the statute book, as a majority of deputies felt that the proposed powers to be accorded to minority self-governments contravened the terms of the Romanian constitution (Decker 2008). In the case of Russia, the 1996 law gave rise to a considerable number of new autonomous bodies; yet the limited powers and resources accorded to these meant that, in practical terms, there was little to distinguish them from existing non-governmental organisations. In the original conception of NCA, the territoriality at the heart of the Soviet model was to be subordinated to individual human rights and national cultural autonomy. The new institutions were to have a legal standing equal to that of the national republics within the Federation. What actually emerged in 1996 was a much watered down variant, in which NCAs functioned as a supplement to an essentially unchanged system of territorial autonomy. The existing leaders of Russia's ethnic republics had thus proved adept in defending the status quo. Russia's NCA experiment appeared to have run its course by 2004, since when national autonomy in all of its forms has seemed increasingly under threat from a more directive and 'nationalising' central government (Bowring 2008).

According to some commentators, the example of Russia undermines the contention that NCA might serve as a 'catch-all' model applicable to all of the states and minorities of Central and Eastern Europe. Obviously, in the case of territorially dispersed minorities, NCA represents the only viable option. However, Will Kymlicka (2008, p. 52) has argued that in the case of other, more compactly settled ethnic communities 'the link between national identities and territory' runs very deep 'and is central to self-understanding, histories and aspirations'. The fact that national territorial autonomy is today an established feature of many Western democracies, Kymlicka

argues, makes it all the more difficult to deny this right to corresponding minorities living within the post-socialist east. As such, cultural autonomy should be viewed as a complement rather than an alternative to territorially based approaches.

Arguably the most successful example of contemporary NCA can be found in Hungary, which in 1993 became the first of the post-socialist states to adopt a national minority law along these lines. Given the very small proportion of national minorities within Hungary's population, the introduction of a minority law proved relatively uncontroversial, while the territorially dispersed nature of minority settlement lent itself to non-territorial autonomy. The law was also adopted partly with an eye to gaining membership of European international organisations, and to the needs of Hungarians living in neighbouring countries, which, it was hoped, might follow Hungary's example by adopting corresponding laws towards their own non-titular minorities. Introduced amidst much fanfare, the 1993 law has since been widely implemented: as many as 1,200 minority self-governments – half of them Roma – have been established. The Hungarian case has, however, highlighted a number of practical issues surrounding the implementation of cultural autonomy, issues which will seem familiar to anyone familiar with the NCA debates of the 1920s.

Central to Renner and Bauer's original scheme was of course the entry of one's name on a national register. Memories of negative historical experiences, however (including forced migration of Germans after World War II and (involuntary) Slovak–Hungarian population exchanges), meant that minority representatives were unwilling to support a law on that basis (Dobos 2008, p. 121). This issue was perhaps of greatest concern to Hungary's Roma. Subject to past persecution by dint of their ethnicity and mostly disadvantaged in socioeconomic terms, many Roma have feared that asserting their own cultural identity might lead to their being identified as a caste apart and singled out for differential treatment (Dobos 2008, p. 122). Consequently, the original law adopted in 1993 specified that local-level minority cultural self-governments were to be elected by all voters within a particular district, regardless of ethnic provenance. In certain instances, this provision has boosted the system of minority self-government, since it has opened up the possibility for so-called 'sympathy votes' from other voters who do not belong to a particular minority group but nevertheless feel well disposed towards it. On the other hand, it has at times eroded the legitimacy of elected self-governments: even where voters from other groups are well disposed, they are not necessarily well versed in the affairs of the relevant minority or familiar with its representatives. This necessarily led to flawed outcomes as far as the representativeness of particular minority self-governments was concerned. For instance, a tendency was observed whereby most votes flowed to the first name indicated on the alphabetically arranged list of candidates. This had predictable consequences in terms of the behaviour of particular groups when drawing up their electoral lists.

Since candidates for minority self-governments were also not required to publicly declare their ethnicity, the 1993 law also opened up scope for so-called 'ethno-business' – the manipulation of the system by political entrepreneurs who had little obvious affiliation to the minority group concerned. In some cases, those putting themselves forward as 'German' or 'Romanian' representatives were actively seeking to acquire the benefits of office in terms of social capital and finances; in another case concerning the Roma, the local Hungarian population was able to engineer the election of mostly non-Roma candidates to a 'Roma' minority government, thereby thwarting the establishment of a genuinely representative minority body (Dobos 2008, p. 124). As a

result of these anomalies, the cultural autonomy law was eventually amended in 2005, and an obligatory system of enrolment on national registers – for candidates and voters alike – was introduced. The reform also introduced a new system of proportional representation for the election of local minority self-governments, after complaints that the previous single majority voting system had served to exclude entire interest groups from the structures that were supposed to be speaking on behalf of an entire local minority (Dobos 2008, p. 125).

The problems of implementing NCA in a contemporary setting, however, do not detract from the essential validity of Renner and Bauer's original argument – namely that in the ethnically complex environment of Central and Eastern Europe the principle of national territorial sovereignty cannot in itself bring about a lasting regulation of the nationalities question. Some nationalities remain stateless, and even where a national group has an obvious historical link with a particular territory, some of its members will invariably fall outside the 'ethnic homeland'. As Ephraim Nimni (2000, p. vii) has observed, it was the great merit of Renner and Bauer that they foresaw the misery that would ensue from efforts to carve out nation-states for aggrieved subject peoples within the former empires. The limitations of the culturally homogenising, indivisibly sovereign nation-state model became painfully apparent in Central and Eastern Europe between the wars, and the longer-term viability of this approach appears similarly questionable in today's setting. In this respect, as the OSCE Commissioner for National Minorities, Max Van der Stoel (1999, p. 172), observed back in 1999, insufficient attention has still been paid to non-territorial forms of autonomy as part of a package of targeted minority rights in CEE. As European governments and international organisations grapple with the question of how to embed ethnicity within a liberal democratic framework of state and supranational institutions, Renner and Bauer's original ideas – as well as the 1920s debates and experiences around NCA – still seem well worth revisiting. For, despite all the potential pitfalls of the NCA scheme, its critics have yet to come up with any better alternative for addressing the 'national question' (McGarry and Moore 2005).

Further reading

K. Aun (1949) *On the Spirit of the Estonian Minorities Law* (Stockholm: Societas Litteratum Estonia in Svecia).

O. Bauer (2000) *The Question of Nationalities and Social Democracy* (Minneapolis MN: University of Minnesota Press).

J. Hiden (2004) *Defender of Minorities. Paul Schiemann, 1876–1944* (London: Hurst).

E. Nimni (ed.) (2005) *National Cultural Autonomy and its Contemporary Critics* (London and New York: Routledge).

K. Renner (1899/2005) 'State and Nation' in E. Nimni (ed.) *National Cultural Autonomy and its Contemporary Critics* (London and New York: Routledge).

D. J. Smith and K. Cordell (eds) (2008) *Cultural Autonomy in Contemporary Europe* (London and New York: Routledge).

References

K. Aun (1949) *On the Spirit of the Estonian Minorities Law* (Stockholm: Societas Litteratum Estonica in Svecia).

B. Bowring (2005) 'Burial and Resurrection: Karl Renner's Controversial Influence on the "National Question" in Russia' in E. Nimni (ed.) *National Cultural Autonomy and its Contemporary Critics* (Abingdon and New York: Routledge), pp. 191–206.

—(2008) 'The Tatars of the Russian Federation and National Cultural Autonomy: A Contradiction in Terms' in D. J. Smith and K. Cordell (eds) *Cultural Autonomy in Contemporary Europe* (London and New York: Routledge).

D. Christopher Decker (2008) 'The Use of Cultural Autonomy to Prevent Conflict and Meet the Copenhagen Criteria: The Case of Romania' in D. J. Smith and K. Cordell (eds) *Cultural Autonomy in Contemporary Europe* (London and New York: Routledge).

B. Dobos (2008) 'The Development and Function of Cultural Autonomy in Hungary' in D. J. Smith and K. Cordell (eds) *Cultural Autonomy in Contemporary Europe* (London and New York: Routledge).

L. Krabbe (1931) 'L'autonomie culturelle comme solution du problème des minorités. Note de M. Krabbe au date du 18 novembre 1931', League of Nations Archives, Geneva, R2175 4 32835.

W. Kymlicka (2008) 'National Cultural Autonomy and International Minority Rights Norms' in D. J. Smith and K. Cordell (eds) *Cultural Autonomy in Contemporary Europe* (London and New York: Routledge).

J. McGarry and M. Moore (2005) 'Karl Renner, Power-sharing and Non-territorial autonomy' in E. Nimni (ed.) *National Cultural Autonomy and its Contemporary Critics* (Abingdon and New York: Routledge), pp. 74–94.

E. Nimni (2000) 'Introduction for the English-reading Audience' in O. Bauer, *The Question of Nationalities and Social Democracy* (Minneapolis MN: University of Minnesota Press).

A. Plakans (1995) *The Latvians: a Short History* (Stanford CA: Hoover Institution Press).

K. Renner (2005) 'State and Nation' in E. Nimni (ed.) *National Cultural Autonomy and its Contemporary Critics* (Abingdon and New York: Routledge), pp.15–48.

A. Roshwald (2001) *Ethnic Nationalism and the Fall of Empires: Central Europe*, *Russia and the Middle East*, *1914–1923* (London and New York: Taylor & Francis).

—(2008) 'Between Balkanisation and Banalisation: Dilemmas of Ethno-cultural Diversity' in D. J. Smith and Karl Cordell (eds) *Cultural Autonomy in Contemporary Europe* (London and New York: Taylor & Francis).

J. Schwarzmantel (2005) 'Karl Renner and the Problem of Multiculturalism' in E. Nimni (ed.) *National Cultural Autonomy and its Contemporary Critics* (Abingdon and New York: Routledge), pp. 63–73.

D. J. Smith (1999) 'Retracing Estonia's Russians: Mikhail Kurchinskii and Inter-war Cultural Autonomy', *Nationalities Papers*, 27: 3, pp. 455–74.

V. Tolz (2001) *Russia: Inventing the Nation* (London: Arnold)

M. Van der Stoel (1999) *Peace and Stability through Human and Minority Rights: Speeches by the OSCE High Commissioner on National Minorities* (Baden-Baden: Nomos).

23 Centripetalism

Benjamin Reilly

Two major political trends since the end of the Cold War have been the ongoing spread of democracy over autocracy as a form of government, and the growing prominence of intrastate rather than interstate forms of violent conflict. Between them, these countervailing forces defined world politics for much of the post-Cold War period. Beginning with the collapse of authoritarian regimes in Spain and Portugal in 1974 and working its way through Eastern Europe, Latin America, Africa, and Asia, what Samuel Huntington dubbed the 'third wave' of democracy led to a threefold increase in the number of democracies around the globe. At the same time, however, the world also witnessed a drastic change in the expression of large-scale conflict, towards internal violence, rather than the wars between states of the past. Simply put, democratisation and internal conflict comprise two of the most important currents of political change in the contemporary world.[1]

This reality has led to a renewed focus in both scholarly and policy worlds on the optimal democratic designs for conflict-prone societies. As third wave democracies drafted new constitutions and forged new political systems, there was a tremendous upsurge of interest in optimal strategies for democratic consolidation in post-conflict or transitional states. Accompanying this was a change in the dynamics of international development assistance and the role of multilateral institutions such as the United Nations. Spurred by the liberalisation of previously autocratic states in Africa, Asia, Eastern Europe and Latin America, the international community has invested heavily in concepts of democracy promotion, electoral support and 'good governance' as key elements in the creation of stable and peaceful states.

The past decade has seen an explosion of interest in issues of institutional design in new democracies, particularly those in which the international community is heavily invested. Scholars interested in the management of ethnic conflict advocated overt 'political engineering' as a means of promoting stable democracy in deeply divided societies. Amongst advocates, several contrasting approaches to political engineering for the management of social cleavages exist. One is the scholarly orthodoxy of *consociationalism*, discussed elsewhere in this volume, which relies on elite co-operation between leaders of different communities, and draws on a wealth of studies of (mostly) European countries by scholars following in the tradition of Arend Lijphart. Under this model, specific democratic institutions – such as grand coalition cabinets, proportional representation elections, minority veto powers and communal autonomy – collectively maximise the independence and influence of each main ethnic group. Taken to an extreme, entire political systems can be structured around ethnic interests,

thereby becoming examples of *communalism*, in which explicit ethnic criteria of representation such as ethnically predetermined seat ratios or voter rolls are used.

An alternative prescription for divided societies to consociationalism and communalism is what has been called *centripetalism* – so called 'because the explicit aim is to engineer a centripetal spin to the political system – to pull the parties towards moderate, compromising policies and to discover and reinforce the centre of a deeply divided political spectrum'.[2] As a shorthand for a political system or strategy designed to focus competition at the moderate centre rather than the extremes, centripetalism eschews the reification of ethnic identity inherent in consociationalism and communalism, instead advocating the need for aggregative, centrist and inter-ethnic politics in divided societies. Prominent centripetal scholars such as Donald Horowitz argued that deeply divided societies such as post-apartheid South Africa should seek to foster intercommunal moderation by promoting multi-ethnic political parties which can encourage inter-group accommodation.[3] In the same vein, my own work has highlighted how centripetal reforms centred around cross-cutting electoral incentives have lowered electoral violence in highly fragmented states such as Papua New Guinea.[4]

The competing claims of different institutional models of ethnic conflict management stimulated one of the great political science debates of the 1990s, and had a significant impact on constitutional choices in a range of post-conflict societies. While proponents of both consociational and centripetal models can point to some successes (and more failures), developments over the past decade have seen a bifurcation in terms of the 'real world' experience of each model. On the one hand, high-profile cases of post-conflict peace-building such as Bosnia and Herzegovina, Northern Ireland and most recently Iraq have all adopted broadly consociational political settlements. On the other hand, many emerging democracies in Africa, Asia and Latin America have adopted broadly centripetal reforms when refashioning their own domestic institutions. This chapter examines the key institutional elements of centripetalism as a model of political engineering in such developing democracies, focusing particularly on the key democratic institutions such as electoral systems, political parties and other mechanisms of representation.

Centripetalism compared

In terms of political engineering, both centripetalist and consociationalists focus on core democratic institutions such as political parties, electoral systems, and cabinet governments, and on the territorial division of state powers via federalism. However, their specific recommendations regarding each of these institutions differ enormously. In terms of the development of political parties and party systems, for instance, the two approaches are almost diametrically opposed. Consociationalists favour parties which represent social cleavages explicitly, via 'bonding' rather than 'bridging' strategies – that is, parties which 'focus upon gaining votes from a narrower home-base among particular segmented sectors of the electorate'.[5] The ideal consociational party system is one in which individual parties are based around clear social cleavages, and in which all significant social groups, including minorities, can 'define themselves' into ethnically based political parties. Only by parties formed around segmental cleavages, consociationalists contend, can political elites negotiate delicate ethnic issues effectively.[6]

Centripetalists reject this elite-driven approach, and the reification of ethnicity which goes with it. Rather than 'making plural societies more truly plural'[7] as consociationalism proposes, centripetalists instead seek to dilute the ethnic character of competitive politics and promote multi-ethnic outcomes. For instance, rather than focusing on the fair representation of ethnically defined political parties, centripetalists place a premium on promoting multi-ethnic parties and cross-ethnic activity instead. In so doing, they emphasise the importance of institutional designs which encourage co-operation, accommodation and integration across ethnic divides, thus working to break down the salience of ethnicity rather than fostering its representation institutionally. In direct opposition to consociational theory, centripetalism maintains that the best way to manage democracy in divided societies is not to replicate existing ethnic divisions in the legislature and other representative organs, but rather to *depoliticise* ethnicity by putting in place institutional incentives for cross-ethnic behaviour, in order to encourage a degree of accommodation between rival groups.

Both consociational and centripetal proposals for conflict management tend to focus on electoral systems, political parties and other mechanisms of representation as offering the most potential for effective political engineering. Again, however, centripetal recommendations run sharply counter to the prevailing orthodoxy. Perhaps the clearest distinction between the two approaches is in relation to electoral system design. One of the most fundamental relationships in political science is that between electoral and party systems, and specifically between fair representation of minorities and proportional electoral systems. For this reason, proportional representation is frequently advocated as a key reform in ethnically plural societies, so as to ensure fair representation of minorities and majorities alike. However, there is a difference between representation and power: a minority can be fairly represented in a legislature but completely shut out of political power in government. In addition, PR tends to fragment the party system and encourage parties to craft their appeals around narrow sectarian interests, such as ethnicity – precisely because they can be secure in gaining election by appealing to a relatively narrow section of society.

For this reason, centripetal strategies endorse electoral rules that make politicians reciprocally dependent on the votes of members of groups other than their own, and advocate more broadly the creation of multi-ethnic political parties and other representative bodies. Specific institutional devices to achieve this outcome include the use of preferential or cross-regional voting rules, political party laws which require multi-regional party organisation, and legislative selection procedures which encourage median, centrist outcomes. Institutions which give parties and candidates electoral incentives to 'pool votes' across ethnic lines, centripetalists such as Horowitz contend, can encourage vote-seeking politicians to reach across the ethnic divide and, in so doing, help take the heat out of ethnic politics.[8]

How can such desirable outcomes be encouraged? In an earlier book on electoral engineering for divided societies, I examined the record of centripetalism as a conflict management strategy, and identified three facilitating components:

- The presentation of *electoral incentives* for campaigning politicians to reach out to and attract votes from a range of ethnic groups other than their own, thus encouraging candidates to moderate their political rhetoric on potentially divisive issues and forcing them to broaden their policy positions.

- The presence of multi-ethnic *arenas of bargaining* such as parliamentary and executive forums, in which political actors representing different identity groups have an incentive to come together and cut deals on reciprocal electoral support, and hence potentially on other more substantial policy issues as well.
- The development of *centrist*, *aggregative and multi-ethnic political parties* or coalitions of parties which are capable of making cross-ethnic appeals and presenting a complex and diverse range of policy options to the electorate.[9]

These components of centripetalism should, ideally, be self-reinforcing: parties and candidates that adopt conciliatory policy positions and make compromises in the search for electoral victory will be more likely to pick up a broader share of votes than those who choose to maintain a narrowly focused, sectarian approach. If the votes gained by so doing can outweigh the votes lost to the extremes by being moderate (a big if in deeply divided societies), then electoral rewards should accrue to those who occupy the political centre. To attract such support, candidates may need to make cross-ethnic appeals and demonstrate their capacity to represent groups other than their own. In other cases, where a moderate or non-ethnic 'middle' of the electorate exists, candidates may need to move to the centre on policy issues to attract these voters, or to accommodate fringe issues into their broader policy. Either way, elected candidates will be dependent to a certain extent upon the votes of groups other than their own core support base for their electoral success, and can be expected to serve the needs of these groups as well as their own ethnic group if they are to establish their positions and gain re-election. In short, those candidates who can successfully sell themselves as a good median choice should, under sensitively designed electoral systems, be rewarded with a greater vote share than those with more polarised support.

By what specific institutional designs can such desirable outcomes be encouraged in divided societies, where co-operation across social cleavages is, by definition, lacking? One approach is to structure electoral processes so as to require successful candidates to gain support across different regions of a country, thus helping to break down the appeal of narrow parochialism or regionalism. Another is to give campaigning politicians incentives to seek the second-preference votes of rival electors under vote-transfer electoral systems which allow the expression of a gradation of political preferences. A third is to require multi-ethnicity within political parties and other representative bodies, via requirements for heterogeneous party lists or cross-regional party organisation, thus making parties themselves a potential site for multi-ethnic bargaining. While having very different impacts and effects, these all represent centripetal forms of institutional design, in that they all seek to nudge representative democracy away from the politics of ethnic solidarity towards greater interethnicity.

Institutional designs

The 'distribution requirement' applied at presidential elections in Nigeria, Kenya and Indonesia is an example of the first kind of approach, which seeks to encourage cross-regional politics by requiring winning presidential candidates to gain not just a majority of the vote, but a spread of the vote across most parts of the country, in order to be elected. First introduced in Nigeria in 1979, distribution requirements have been mostly used for presidential elections in large, ethnically diverse states in order to ensure that winning candidates receive a sufficiently broad spread of votes, rather than drawing

their support from a few regions only. Nigeria, for instance, requires a President to win a majority overall and at least one-third of the vote in at least two-thirds of all states. The Kenyan constitution provides a similar threshold, requiring successful candidates to win a plurality of the vote overall as well as one-quarter of valid votes cast in at least five of the eight provinces. In Indonesia, the winners of presidential elections have to gain over 50 per cent of all votes nationally as well as at least 20 per cent in half of all provinces to avoid a second-round run-off.

There is disagreement amongst scholars as to the utility of such devices, with some interpreting them as impotent or even harmful interferences with the democratic process, while others see them as important mechanisms for muting ethnic conflict and ensuring the election of broad, pan-ethnic presidents.[10] The empirical evidence to date reflects this divergence of opinion. In both Kenya and Nigeria, problems have arisen with the operation of the system when no candidate has met the required cross-national vote spread, as has occurred in both countries. But despite these problems, distribution requirements have remained a feature of national electoral politics, and in Nigeria have been extended to parliamentary elections as well as via a rule that makes national party registration dependent on their vote share at local elections.[11] In Indonesia, distribution laws have proved more successful. President Susilo Bambang Yudhoyono won a landslide first-round election victory in 2009, easily amassing the necessary distribution of votes across the archipelago. Indeed, S.B.Y. (as he is commonly known) provides a good example of the kind of president centripetalists endorse: centrist, moderate, with broad-based support from a range of different regions and groups. For this reason, distribution requirements have also been proposed for presidential elections in Iraq.[12]

A more direct and potentially more powerful centripetal approach to electoral system design is to use preferential, rank-order electoral systems such as the alternative vote (AV) or the single transferable vote (STV), which require voters to declare not only their first choice of candidate, but also their second, third and subsequent choices amongst all candidates standing. Under AV rules, if no one gains an outright majority, these votes are transferred according to their rankings in order to elect a majority-supported winner. STV, as a proportional system, uses a quota rather than a majority threshold for election, but the same basic principle applies. While the best known examples of such vote-transfer systems are the established democracies of Australia and Ireland, such systems have also been used in a number of ethnically divided developing democracies, including Papua New Guinea, Northern Ireland and Fiji, as well as one-off uses at parliamentary elections in Estonia (1990) and sub-regional presidential polls in Bosnia and Herzegovina (2000). AV and STV systems also have a history of use in several Canadian provinces and US cities. Other related systems include the supplementary vote for presidential elections in Sri Lanka and London mayoral elections, and variants of the Borda count for parliamentary elections in Nauru and some seats in Slovenia.[13]

Because they enable politicians to make deals for reciprocal vote transfers from their rivals, in ethnically diverse societies such systems present vote-maximising candidates with incentives to attract secondary preference votes from groups other than their own, so as to ensure the broadest possible range of support for their candidacy. To obtain such cross-ethnic support, candidates must behave accommodatively on core issues, tempering their rhetorical and policy positions so as to attract broad support. There is evidence of this practice occurring in very different types of multi-ethnic societies, including Papua New Guinea, Fiji and Northern Ireland, at different times.[14] However,

the utility of using such systems in deeply divided societies remains a subject of debate: the accommodation-inducing potential of 'preference swapping' is dependent on a range of facilitating conditions, including a competitive party system, an ethnically heterogeneous electorate and a degree of moderate sentiment existing in the community at large. For this reason, critics have pointed to the difficulties of inducing accommodation via electoral engineering, and questioned whether vote transfers have indeed promoted moderate outcomes in cases such as Northern Ireland and Fiji.[15]

Other centripetal electoral reforms seek to undercut the logic of ethnic politics by requiring political parties to present ethnically mixed slates of candidates for 'at large' elections, thus making voter choice contingent, at some level, upon issues other than ethnicity. In multi-ethnic societies as diverse as Singapore, Lebanon and Djibouti, electoral laws require parties to include ethnic minorities on their candidate lists in multi-member districts, meaning that some degree of cross-ethnic voting is mandated by the electoral system. However, these kinds of stipulations are often more tokenistic than substantive. In Singapore, for instance, parties and alliances contesting the fourteen multi-member 'Group Representation Constituencies' must include candidates from designated ethnic minorities on their ticket – an arrangement which requires only a minimal degree of cross-ethnic voting while guaranteeing that nine seats in the Singaporean parliament will be occupied by Malays and five by Indians or other minorities. In Africa, the island states of the Comoros and Mauritius have also introduced measures to ensure ethnic minority representation via 'best loser' schemes for members of underrepresented groups or parties.

Other cross-voting schemes mix centripetal and communal incentives. Lebanon's 'confessional' political system, in which parliamentary seats are equally divided between Christian and Muslim members, with key executive offices such as the President and Prime Minister also allocated on a sectarian basis, is perhaps the best-known example. There, the composition of the 128 seat national assembly is preordained, with an even split between Christians and Muslims, as well as specified seat balances for Sunni, Shi'a, Maronite, Druze and other 'confessional' groups within each religious community. Key executive offices such as the presidency, prime ministership and the parliamentary speaker are also allocated on a sectarian basis. Elections are contested by inter-ethnic (or, more accurately, inter-confessional) electoral alliances which match the preordained confessional structure of each multi-member electoral district. In practice, this requires all electors to engage in a degree of cross-voting by choosing candidates who hail from outside as well as within their own confessional identity group. But the Lebanese model also has real drawbacks, fixing ethnic identities in place and making communal affiliation the basis of the entire political system.

Fiji provides another, even more complex, example of a cross-voting in the shape of the political system which existed there from independence in 1970 until the ethnically motivated coup of 1987. Like Lebanon, the ethnic balance of the parliament was pre-determined, with twenty-two seats reserved for Fijians, twenty-two seats reserved for Indo-Fijians and the remaining eight seats reserved for 'General Electors' (i.e. Europeans, Chinese and others). Of these fifty-two seats, twenty-three were designated as 'national' seats which required voters from one ethnic community to vote for candidates from a different community, in order to ensure that elected members from these seats would have to draw a degree of cross-communal support from all groups. To do this, the system required each elector in Fiji to cast no fewer than *four* votes: one for their communal (co-ethnic) representative, and one each for a 'national' candidate

from each of the other three designated communal groups. An indigenous Fijian voter, for example, would vote for a Fijian candidate in his or her communal electorate, and then cast three additional votes – one for a Fijian, one for an Indo-Fijian and one for a General Elector – in the appropriate national electorates.

There is also the intriguing case of the 'constituency pooling' model proposed (but never implemented) in Uganda in the 1970s. According to Matthijs Bogaards, this was first introduced in the Ugandan electoral law of 1971 as a means of overcoming regional, ethnic and religious differences and of encouraging the creation of national political parties. Under this proposal, candidates would stand for election in four different electoral districts at the same time: their 'basic' district and three 'national' districts. The country was divided into four regions (North, East, West and South) and each district belonged to a different region. Lots were drawn to link constituencies from the four regions to each other. In each basic district, two to three candidates of the single party were allowed to stand. The candidate who received the largest overall percentage of votes, combining the 'basic' constituency and the 'national' constituencies, would win the seat in the basic constituency. As in Fiji, each elector had four votes: one for a candidate in their basic constituency, plus three for national candidates. Unfortunately for comparative purposes, Idi Amin seized power in a military coup and cancelled the elections. However, the cross-voting nature of this proposal clearly makes it another example of centripetal electoral system design.[16]

A final area of focus by political engineers attempting to promote centripetal outcomes has been through direct attempts at shaping the nature of political parties and party systems. Indeed, efforts to foster larger, aggregative parties, while actively discouraging sectional or minority groups, have been a distinctive feature of democratisation in Africa, Asia and Latin America.[17] Again, one of the clearest examples is to be found in Indonesia – the world's most populous emerging democracy and largest Muslim country. There, parties must establish an organisational network in two-thirds of the provinces across the archipelago, and in two-thirds of the municipalities within those provinces, before they can compete in national elections, while a separate threshold has also been introduced to limit the representation of splinter parties. These rules are intended not just to make it difficult for regionally based or secessionist movements to organise (although an exception has been made for local parties in Aceh under the terms of the 2005 peace deal there), but also to promote the development of nationally focussed political parties.[18] As such, the party law shares a common centripetal logic with Indonesia's presidential electoral system, which also includes (weaker) incentives for cross-regional support.

Political party engineering is also popular in other regions. In Africa, some twenty-two countries have introduced requirements that parties maintain a national presence, as part of what Bogaards (in an important contribution) refers to as strategies of 'aggregation'.[19] But most of these are also accompanied by overt bans on ethnic parties, which tend to have little if any impact on actual party development. In Latin America, ethnic parties are not a major issue, but there have been similar attempts to encourage aggregative and nationally oriented parties with a cross-regional organisational base. States such as Colombia, Ecuador, Guatemala, Nicaragua, Honduras, Mexico, and Peru have all introduced spatial registration rules for political parties. In Mexico, for example, parties must have at least 3,000 affiliates in ten out of the thirty-two states, or one-third of federal districts, while in Ecuador and Peru parties must meet officially inscribed membership levels in at least half of all provinces. However, Ecuador, which

introduced spatial registration rules in the 1970s to combat party fragmentation, also provides a cautionary tale. There, the introduction of spatial rules helped consolidate the party system, but at the cost of wiping out Ecuador's nascent indigenous parties, which relied on regionally concentrated Amerindian support.[20]

As these divergent examples suggest, political engineering and institutional design to encourage centripetal outcomes is an uncertain process fraught with unintended consequences. Nonetheless, measures to promote cross-ethnic politics and political aggregation – two key centripetal outcomes – appear to be growing in popularity, particularly in new democracies. The attractiveness of such reforms can be explained by several factors. Theoretically, centripetalism draws upon core political science ideas about the nature of social cleavages, particularly Seymour Martin Lipset's classic arguments about the virtues of cross-cutting cleavages for promoting stable democracy. Normatively, the virtues of political aggregation and centrism are advocated by many scholars, particularly those schooled in the Anglo-American tradition of two-party politics. Empirically, centripetal reforms are also more compatible with majoritarian political models than alternatives such as consociationalism, and thus are attractive for political reformers looking to promote more aggregative, stable political systems – a frequently expressed desire in many new democracies.

Critiques

Centripetalism has attracted significant criticism on empirical and conceptual grounds. Empirically, critics point to the paucity of centripetal models in the real world; the limited application of cross-voting electoral systems, distribution requirements and other favoured devices; the difficulty in both forming and sustaining multi-ethnic political parties and coalitions in divided societies; and the ambiguous real-world experience of particular institutions such as the alternative vote.[21] However, many of these critiques focus on the experience of a few high-profile cases such as Northern Ireland or (recently) Fiji, but tend to ignore other larger but less well known examples of centripetalism in action such as Indonesia or Papua New Guinea. For instance, the reintroduction of AV laws in Papua New Guinea and the subsequent reduction in electoral conflicts at the 2007 national elections has yet to be incorporated into comparative discussions of centripetalism. Neither has the success of the peacemaking process in Bougainville, which includes a number of centripetal reforms such as cross-voting reserved seats for women, youth and ex-combatants as well as AV presidential elections.[22]

As noted above, centripetalism is also criticised for being essentially majoritarian in nature. As the logic of centripetalism is focused above all on the potential benefits of *aggregation* – of votes, of opinions, of parties – at one level, this is correct. G. Bingham Powell, for example, notes that political aggregation lies at the heart of what he calls the 'majoritarian vision' of democracy: 'the majoritarian view favours much greater aggregation, while the proportional view emphasises the importance of equitable reflection of all points of view into the legislature'.[23] For this reason, critics of centripetalism have often identified the majoritarian nature of its institutional recommendations as a key weakness.[24] Centripetalists respond that they favour 'a majoritarian democracy that will produce more fluid, shifting majorities that do not lock ascriptive minorities firmly out of power'.[25] In other words, while centripetalism is indeed a majoritarian model, it is a majoritarianism of broad-based parties and inclusive

coalitions – not a majoritarianism of 'ins' and 'outs', of ethnically defined majorities and minorities. By contrast, centripetalists ideally favour an aggregative party system, in which 'one or two broadly based, centrist parties fight for the middle ground',[26] and therefore endorse the development of multi-ethnic parties or coalitions. Over time, it is argued, the presence of such party constellations can serve to depoliticise social cleavages and foster more fluid, cross-cutting affiliations. In practice, this means that rather than advocating proportional elections, as per the scholarly orthodoxy, centripetal approaches instead favour an aggregative majoritarianism, with more emphasis on the *process* by which different groups work together than strict fairness of *outcomes*.

Interestingly, the majoritarian themes of the centripetal approach and their emphasis on aggregative, 'bridging' political parties are echoed by and find support in a quite separate scholarly literature, on the political economy of development. Both literatures, for example, advocate aggregative political institutions, majoritarian electoral processes and broad-based 'catch-all' parties or coalitions. These same recommendations are also prominent in the 'developmental state' literature on the optimum political arrangements for economic development in new democracies. Thus, various works co-authored by Stephan Haggard have consistently argued that a system of two large parties or coalitions is the most propitious arrangement for democratic durability during periods of economic adjustment while fragmented or polarised party systems represent a major barrier to achieving economic reform.[27] Such recommendations suggest a growing convergence amongst different political science sub-disciplines on the benefits of centripetal institutions for political development and stability.

Conclusion

In practice, the political engineering models of consociationalism, centripetalism and communalism should probably be seen more as ideal types rather than coherent, all-encompassing prescriptions. Indeed, many countries use combinations of each approach. Table 23.1 sets out the key recommendations of each approach.

Table 23.1 Consociationalism, centripetalism and communalism compared

Consociationalism	Centripetalism	Communalism
Elections		
List PR lists in large districts to maximise proportional outcomes	Vote-pooling to make politicians dependent on communities other than their own	Communal electoral rolls; sectarian division of parliament
Parties		
Ethnic parties each representing their own ethnic group	Non-ethnic or multiethnic parties or party coalitions	Ethnic parties for communal element of elections
Cabinets		
Grand coalition governments; minority veto on important issues	Multiethnic coalition governments. No minority vetoes	Formal power-sharing arrangements based on vote or seat share

Despite their differences, there is some agreement on some broader issues. For instance, there is a general consensus on the capacity of political institutions to change political outcomes, and hence on the utility of political engineering. Common ground is also found in the central role ascribed to political parties and electoral systems as key institutional variables influencing the reduction – or escalation – of communal tensions in ethnically diverse societies. A third area of agreement is the broad acceptance of the need in divided societies to deal with the political effects of ethnicity directly, rather than wishing them away. At a minimum, this means some type of government arrangement that gives all significant groups access to power, either directly or indirectly. For this reason, multi-ethnic coalitions are favoured by both consociationalists and centripetalists as a desirable form of power sharing for divided societies.

The contemporary experience of these different approaches has varied depending on the severity of the conflicts at stake. In deeply divided post-war scenarios such as Bosnia and Herzegovina, Northern Ireland and most recently Iraq, consociationalism remains the dominant approach. However, this trend is party driven by the United Nations' standard model of post-conflict democratisation, which favours the use of PR elections and power-sharing governments in the immediate aftermath of a conflict. Elsewhere, in less catastrophic cases, the trend in many regions has been away from the ethnically based approach of consociationalism towards more fluid, centripetal models. Thus, there has been a marked shift away towards centripetalism in many parts of the developing world, particularly Asia and the Pacific, in recent years.[28]

Notes

1 Perhaps the best known exposition of this is Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman OK: University of Oklahoma Press, 1991).
2 See Timothy D. Sisk, *Democratization in South Africa: The Elusive Social Contract* (Princeton NJ: Princeton University Press, 1995), 19.
3 See Donald L. Horowitz, *A Democratic South Africa? Constitutional Engineering in a Divided Society* (Berkeley CA: University of California Press, 1991).
4 Benjamin Reilly, *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001).
5 Pippa Norris, *Electoral Engineering: Voting Rules and Political Behavior* (Cambridge: Cambridge University Press, 2004), 10.
6 See Arend Lijphart, 'Self-determination versus pre-determination of ethnic minorities in power-sharing systems' in Will Kymlicka (ed.), *The Rights of Minority Cultures* (Oxford: Oxford University Press, 1995). Similarly, consociationalists also favour ethnic federalism. As with political parties, a key presumption is that constituent units should be as ethnically homogeneous as possible in order to maximise each group's control over their own interests and resources.
7 Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven CT: Yale University Press, 1977), 42.
8 For surveys of these see Horowitz, *Ethnic Groups in Conflict*, 597–600.
9 Reilly, *Democracy in Divided Societies*, 11.
10 See Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington DC: United States Institute of Peace Press, 1996), 55.
11 Matthijs Bogaards, 'Comparative strategies of political party regulation', in Benjamin Reilly and Per Nordlund (eds), *Political Parties in Conflict-prone Societies: Regulation*, *Engineering and Democratic Development* (Tokyo: United Nations University Press, 2008), 54.

12 Andreas Wimmer, 'Democracy and ethno-religious conflict in Iraq', *Survival* 45: 4 (2003), 122.

13 Benjamin Reilly, 'The global spread of preferential voting: Australian institutional imperialism?' *Australian Journal of Political Science* 39: 2 (2004), 253–66.

14 See Reilly, *Democracy in Divided Societies*, chapters 4–6.

15 John Coakley and Jon Fraenkel, 'Do Preference Transfers assist Moderates in deeply divided Societies? Evidence from Northern Ireland and Fiji', paper presented at the annual meeting of the American Political Science Association, Toronto, 2009.

16 See Matthijs Bogaards, 'Electoral choices for divided societies: multi-ethnic parties and constituency pooling in Africa', *Commonwealth & Comparative Politics* 41: 3 (2003), 59–80.

17 See Reilly and Nordlund, *Political Parties in Conflict-prone Societies*.

18 For instance, at the April 2004 parliamentary elections most of these major parties were able to attract a significant spread of votes across western, central and eastern Indonesia. While there were clear regional strongholds (the Islamic parties dominated in Sumatra, PDI did best in Java/Bali, while GOLKAR remained strong in eastern Indonesia), these were less pronounced than in 1999, prior to the new party laws.

19 Matthijs Bogaards, 'Comparative strategies of political party regulation', in Reilly and Nordlund, *Political Parties in Conflict-prone Societies*, 48–66.

20 See Jóhanna Kristín Birnir, 'Stabilizing party systems and excluding segments of society? The effects of formation costs on new party foundation in Latin America', *Studies in Comparative International Development* 39: 3 (2004), 3–27.

21 See Arend Lijphart, 'The alternative vote: a realistic alternative for South Africa?' *Politikon* 18: 2 (1991), 91–101; Andrew Reynolds, 'Constitutional engineering in Southern Africa', *Journal of Democracy* 6: 2 (1995), 86–100; Jon Fraenkel, 'The alternative vote system in Fiji: electoral engineering or ballot-rigging?' *Commonwealth and Comparative Politics* 39: 1 (2001), 1–31; Arend Lijphart, 'Constitutional design for divided societies', *Journal of Democracy* 15: 2 (2004), 96–109; Jon Fraenkel and Bernard Grofman, 'A neo-Downsian model of the alternative vote as a mechanism for mitigating ethnic conflict in plural societies', *Public Choice* 121 (2004), 487–506.

22 See Benjamin Reilly, 'Political Engineering in the Asia-Pacific', *Journal of Democracy* 18: 1 (2007), 58–72.

23 Powell, G. Bingham, *Elections as Instruments of Democracy: Majoritarian and Proportional Visions* (New Haven CT and London: Yale University Press, 2000), 26.

24 See, for example, Arend Lijphart, 'Multiethnic democracy' in Seymour Martin Lipset (ed.), *The Encyclopedia of Democracy* (Washington DC: Congressional Quarterly Press, 1995), 863–64; Andrew Reynolds, *Electoral Systems and Democratization in Southern Africa* (Oxford: Oxford University Press, 1999), 108–10.

25 Horowitz, *A Democratic South Africa?* 176.

26 Larry Diamond, 'Toward democratic consolidation', in Larry Diamond and Marc F. Plattner (eds), *The Global Resurgence of Democracy* (Baltimore MD and London: Johns Hopkins University Press, 1996), 239.

27 See Stephan Haggard and Steven B. Webb, *Voting for Reform: Democracy*, *Political Liberalization and Economic Adjustment* (New York: Oxford University Press, 1992); Stephan Haggard and Robert Kaufman, *The Political Economy of Democratic Transitions* (Princeton NJ: Princeton University Press, 1995).

28 See Benjamin Reilly, *Democracy and Diversity: Political Engineering in the Asia-Pacific* (Oxford: Oxford University Press, 2006).

Further reading

Donald L. Horowitz, *Ethnic Groups in Conflict*, (Berkeley CA: University of California Press, 2000)

Pippa Norris, *Electoral Engineering: Voting Rules and Political Behavior* (Cambridge: Cambridge University Press, 2004)

Benjamin Reilly, *Democracy and Diversity: Political Engineering in the Asia-Pacific* (Oxford: Oxford University Press, 2006)

—*Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001)

Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington DC: United States Institute of Peace Press, 1996)

24 Power sharing

Stefan Wolff and Karl Cordell

Power sharing: an intellectual and empirical history

John Stuart Mill's scepticism with regard to the possibility of democracy 'in a country made up of different nationalities' (Mill 1861: 230) is perhaps the best-known and most widely cited scholarly reflection of a phenomenon empirically all too often observable as violent ethnic conflict. Yet, Mill's scepticism has not, to date, resulted in either ever more homogeneous democratic states or in an inability of heterogeneous countries to become democratic polities. Rather, Mill's dictum has been taken up as a challenge by scholars and practitioners of institutional design in divided societies to find ways in which democracy and diversity can be married in stable and democratic ways. The answers given in theory and practice are vastly different, and a debate thus continues unabated over which institutional design is best able to provide sustainable democracy in ethnically heterogeneous societies. One such answer is 'consociational democracy', prominently associated with the work of Arend Lijphart, as well as more recently with that of John McGarry and Brendan O'Leary. Lijphart began to examine this particular type of democratic system in greater detail for the first time in the late 1960s, when making reference to the political systems of Scandinavian countries and of the Netherlands and Belgium (Lijphart 1968, 1969). He followed up with further studies of political stability in cases of severely socially fragmented societies, eventually leading to his ground-breaking work *Democracy in Plural Societies* (Lijphart 1977). The phenomenon Lijphart was describing, however, was not new. As a pattern of social structure, characterising a society fragmented by religious, linguistic, ideological, or other cultural segmentation, it had existed and been studied (albeit not as extensively) long before the 1960s. These structural aspects, studied among others by Lorwin (1971), were not the primary concern of Lijphart, who was more interested in why, despite their fragmentation, such societies maintained a stable political process, and identified the behaviour of political elites as the main, but not the only, reason for stability. Furthermore, Lijphart (1977: 25–52) identified four features shared by consociational systems – a grand coalition government (between parties from different segments of society), segmental autonomy (in the cultural sector), proportionality (in the voting system and in public sector employment), and minority veto. These characteristics, more or less prominently, were exhibited by all the classic examples of consociationalism: Lebanon, Cyprus, Switzerland, Austria, the Netherlands, Belgium, Fiji and Malaysia. Some of these consociations – Switzerland, Austria, the Netherlands, and (so far) Belgium – have provided long periods of democratic political stability, while others – Lebanon, Cyprus, Fiji and Malaysia – have not. Lijphart also established conditions

conducive to consociational democracy. These included overarching, i.e. territorial, loyalties, a small number of political parties in each segment, segments of about equal size, and the existence of some cross-cutting cleavages with otherwise segmental isolation. This latter point is important, as the absence of cross-cutting cleavages seems to be a commonality in those countries in which consociation has not succeeded. In addition to Cyprus and Lebanon being examples of failed consociation, Belgium's most recent experience of protracted government formation brings it close to failure, albeit clearly not with the same violent aftermath that consociational failures in Cyprus and Lebanon had. It is striking to note that in all three examples society had become polarised around a single fault line: respectively an ethno-religious, linguistic and religious cleavage.

Lijphart's assumptions and prescriptions did not, of course, go unchallenged. He and other advocates of consociational approaches to the political accommodation of cultural diversity responded in two ways – by offering a robust defence of their views and by gradually developing consociational theory further. Lijphart himself engaged his critics most comprehensively in his book *Power Sharing in South Africa* (1985: 83–117) and in his contribution to Andrew Reynolds's *The Architecture of Democracy* (Lijphart 2002: 39–45). In the latter, he also offers a substantive revision of his original approach, now describing power sharing and autonomy (i.e. grand coalition government and segmental autonomy) as primary characteristics, while relegating proportionality and minority veto to 'secondary characteristics' (2002: 39). Yet, in relation to his grand coalition requirement, Lijphart maintains his earlier position that such executive power sharing means 'participation of representatives of all significant groups in political decision making' (2002: 41).

Subsequent developments of consociational theory, especially by John McGarry and Brendan O'Leary (McGarry 2006; McGarry and O'Leary 2004a, b; O'Leary 2005a, b), whilst acknowledging the importance of Lijphart's oeuvre, have made one important modification in particular in this respect. O'Leary contends that 'grand coalition' (in the sense of an executive encompassing all leaders of all significant parties of all significant communities) is not a necessary criterion; rather, he demonstrates that what matters for a democratic consociation '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' (O'Leary 2005a: 13, and below).

In order to appreciate fully the current state of consociational theory, it is useful to examine John McGarry and Brendan O'Leary's *The Northern Ireland Conflict: Consociational Engagements* (2004a, a collection of their joint and individual writings on this conflict from 1987 to 2002), in particular its co-authored introduction on the lessons that Northern Ireland holds for consociational theory more broadly. The arguments put forward by McGarry and O'Leary here have also been rehearsed elsewhere (e.g. McGarry and O'Leary 2006a,b; 2009a, b). These arguments are offered arguments as a basis for a broad discussion among scholars on the merits of consociation (and other techniques of conflict settlement).

Northern Ireland and its 1998 Agreement, McGarry and O'Leary maintain, 'highlights six important weaknesses in traditional consociational theory' (McGarry and O'Leary 2004b: 5). These are the failure to address the role of external actors; the trans-state nature of some self-determination disputes and the necessary institutional arrangements to address them; the increasing complexity of conflict settlements in which consociational arrangements form an important element but require complementary mechanisms to

deal with 'the design of the police, demilitarization, the return of exiles to their homes, the management of prisoners, education reform, economic policy, and the promotion of language and other group rights' (2004b: 13); terminological and conceptual inaccuracies, primarily associated with Lijphart's grand coalition requirement; the merits of preferential proportional electoral systems, e.g. Single Transferable Vote (STV); and the allocation of Cabinet positions by means of sequential proportionality rules, i.e. the d'Hondt mechanism. In dealing with these weaknesses, McGarry and O'Leary offer both refinements of, and advancements to, traditional consociational theory. The refinements relate, first, to the technical side of consociational institutions, where the authors recommend STV instead of List-Proportional Representation as an electoral system, as it militates against the proliferation of micro-parties. Second, McGarry and O'Leary elaborate the usefulness of sequential proportionality rules, such as the d'Hondt mechanism or the Sainte-Laguë method, in the allocation of Cabinet positions in order to avoid protracted bargaining between parties and increase parties' incentives to remain part of cross-communal coalitions.

Before considering the remainder of O'Leary and McGarry's recommendations, it might be useful to pause at this juncture and consider the practical implications of their recommendations as applied to Northern Ireland, a case that has informed much of their writing. Examination of election results indicates that what may be of crucial importance is not so much the employment of STV or List-PR, but how the remainders are calculated. Although the electoral system employed in Northern Ireland Assembly elections is designed to be inclusive, it inadvertently contributed to the demise of the Ulster Democratic Party and failed to foster the Progressive Unionist Party as a serious political force within wider Unionist politics. In turn it would not be unreasonable to suggest that continued Loyalist violence was legitimised in the eyes of core supporters of such groups, by virtue of the fact that the (aforementioned) parties had links with the Loyalist paramilitaries and had no (sub-) national platform on which they could articulate their grievances.

That to one side, and to return to the main theme, the advancements to traditional consociational theory offered here, as well as elsewhere in their recent writings (e.g. O'Leary 2005a, b; McGarry 2006), are a significant step forward in that they address both long-standing criticisms of consociationalism and a gap between consociational theory and conflict resolution practice. McGarry's and O'Leary's observations on external actors bring consociational theory in line with an established debate in international relations on the role of third parties in conflict resolution (see, for example, contributions in Otunnu and Doyle 1998; Walter and Snyder 1999; Thakur and Schnabel 2001; Carment and Schnabel 2003; Diehl and Lepgold 2003; Pugh and Singh 2003; Weller and Wolff 2008; Wolff and van Houten 2008). Equally important, their discussion of the provisions in the 1998 Agreement that go beyond domestic institutions and address the specific 'Irish dimension' of the Northern Ireland conflict reflect a growing awareness among scholars and practitioners of conflict resolution that many ethnic conflicts have causes and consequences beyond the boundaries of the states in which they occur and that, for settlements to be durable and stable, these dimensions need addressing as well. In the case of the 1998 Agreement for Northern Ireland, McGarry and O'Leary highlight three dimensions: cross-border institutions which formalise co-operation between the Northern Ireland Executive and the Irish government (the so-called North–South Ministerial Council) and renew British–Irish intergovernmental co-operation (the British–Irish Intergovernmental Conference); the

explicit recognition by the two governments of the right to self-determination of the people in Northern Ireland and the Republic, i.e. the possibility for them to bring about, in separate referendums, a united Ireland if that is the wish of the respective majorities; and new institutions of regional co-operation, incorporating the UK and Irish governments and the executive organs of the other two devolved regions in the United Kingdom and its three dependent island territories in the Channel and the Irish Sea.

These arrangements have earlier precedents in the history of conflict settlement in Northern Ireland, but they are not unique to this case alone. Institutions of cross-border co-operation have been utilised as part of comprehensive peace settlements elsewhere as well – for example, in South Tyrol and Bosnia and Herzegovina – and exist, of course, in less conflict-prone situations as part of arrangements between sovereign states and/or sub-state entities – for example, in the European Union's Euro-regions. If we elaborate these points, we find that the diverging fortunes of South Tyrol and Bosnia and Herzegovina vindicate O'Leary and McGarry's point about the importance of external actors. The positive support given by both Italy and Austria to the Autonomy Statute for South Tyrol has been crucial in the process of facilitating the accommodation of South Tyroleans within wider Italian society, and in diffusing what could have become a very nasty conflict. With regard to Bosnia and Herzegovina, we find the opposite to be true. Here, the relevant kin states, namely Croatia and Serbia, pay little more than lip service to the agreements that established their neighbour and, consciously or otherwise, encourage separatism that could still bring about the collapse of state structures in Bosnia and Herzegovina. As for the European Union, it is an example of one of the more successful cases of regional integration (albeit among 'equal' partners at the state or sub-state level), while the Nordic Council offers arrangements similar to the British–Irish Council in bringing together sovereign states and self-governing territories within them (cf. Danspeckgruber 2005; Nauclér 2005).

As far as the possibility of future status changes are concerned, such possibilities are not unique to Northern Ireland or indeed the 1998 Agreement. In recent Northern Ireland history a so-called border poll took place in 1973 but was almost completely boycotted by nationalists and republicans. There had been an initial British commitment to hold such polls at ten-year intervals, but this was unceremoniously and quietly abandoned when it was seen to have inadvertently strengthened the hand of hard-liners within the Unionist spectrum. Farther afield, the people of the Autonomous Republic of Gagauzia in Moldova would have a one-off opportunity to exercise their right to (external) self-determination if Moldova were to join Romania. The Comprehensive Peace Agreement for Sudan offers the people in the South a referendum on independence after six years (cf. Weller 2005), while the Bougainville Peace Agreement includes a clause that envisages a referendum on independence to be held in Bougainville after ten to fifteen years. Crucially, in all these situations, and including Northern Ireland, the signatory parties have committed to respecting the outcome of these referendums.

A final, and perhaps the most significant, advancement of consociational theory is McGarry and O'Leary's contention that Lijphart's grand coalition requirement is overstated, as 'what makes consociations feasible and work is joint consent across the significant communities, with the emphasis on jointness' (McGarry and O'Leary 2004b: 15). On that basis, they distinguish 'unanimous consociations (grand coalitions), concurrent consociations (in which the executive has majority support in each significant segment) and weak consociations (where the executive may have only a plurality level

of support amongst one or more segments)' (ibid.). The subsequent assertion, also repeated in other writings, that '[c]onsociations become undemocratic when elites govern with factional or lower levels of support within their segments' (McGarry and O'Leary 2004b: 15) is not fully convincing either theoretically or empirically, however. Theoretically, assuming that 'support' means electoral support, a consociation is democratic or not if its executive emerges in free and fair elections, not if it fulfils certain numerical tests. Implicitly, what seems to be at stake is less the democratic credentials of the arrangement, but its consociational nature, especially the criterion of jointness, as jointness, more generally, implies equality and co-operation across blocs and some genuine consent among the relevant mass publics for a democratic consociation and thus excludes just any coalition, as well as co-optation of unrepresentative minority 'leaders.' By extension, an arrangement in which elites govern with low levels of support from within their segments might also prove less stable compared to one in which an executive can rely on broader levels of support. This was certainly true of Lebanon by the early 1970s, where for a variety of reasons the unreformed consociational mechanisms that had been in place since independence from France could no longer satisfy significant sections of Lebanese society.

Insisting that plurality support is a minimum requirement for democratic consociations is also empirically not without difficulties. In South Tyrol, for example, the only formal requirement for the provincial executive is that it must reflect the numerical strength of the linguistic groups as represented in the provincial parliament. This means that an Italian party with less than plurality support can become a coalition partner of a German party as long as it sends sufficient numbers of Ministers into the provincial Cabinet that reflect the total numerical strength of all Italian parties in the provincial parliament and provided that this government commands the required majority in parliament.

The more recent writings by Lijphart, McGarry and O'Leary also indicate a clear move from corporate toward liberal consociational power sharing. Corporate consociationalism, however, is still evident to some extent in political practice: for example, Bosnia and Herzegovina, under the original Dayton Accords, Northern Ireland under the 1998 Agreement, Lebanon under the National Pact and under the 1989 Ta'if Accord, Cyprus under the 1960 constitution and proposed (but rejected) Annan Plan all display features of predetermined arrangements based on ascriptive identities. The main difference between the two is that a 'corporate consociation accommodates groups according to ascriptive criteria, and rests on the assumption that group identities are fixed, and that groups are both internally homogeneous and externally bounded,' while 'liberal … consociation … rewards whatever salient political identities emerge in democratic elections, whether these are based on ethnic groups, or on sub-group or trans-group identities' (McGarry 2006: 3; see also Lijphart 1995; O'Leary 2005a). This is another important modification of consociational theory that addresses one of its more profound, and empirically more valid, criticisms, namely that (corporate) consociations further entrench and institutionalise pre-existing, and often conflict-hardened, ethnic identities, thus decreasing the incentives for elites to moderate (e.g. Horowitz 1985: 566–76, 1991: 167 ff., 2003: 119). Once again Lebanon provides a useful example. Here ethno-religious identities are so entrenched within the fabric of the state that it is virtually impossible legally to leave one community and join another. Similarly, although in Northern Ireland the Good Friday Agreement of 1998 has certainly delivered at one level, at another it has not. While political institutions,

contrary to many predictions, continue to function, social segregation remains high. In fact, given the political programmes of the two governing parties and their mutually exclusive ideological profiles, it makes little sense for them to promote integration, as opposed to co-operation across the divide. In the case of Lebanon in the 1970s, elites both fed and succumbed to pressures from below, eventually causing the collapse of political institutions, the state itself, and ultimately civil war. There is no sign of this being apparent in Northern Ireland. However, as stated, neither is there any real sign that mental and physical barriers are diminishing.

Beyond power sharing? The complementarity of power sharing with other conflict settlement approaches

Territorial self-governance is an accepted feature within the liberal consociational approach emphasising that the self-governing territory should define itself from the bottom up, rather than be prescribed top-down. In the context of Iraq, for example, McGarry (2006: 6–7) explains how this process has been enshrined in the Iraqi constitution:

> Kirkuk can choose to join Kurdistan if its people want. Governorates in other parts of the country are permitted to amalgamate, forming regions, if there is democratic support in each governorate. In this case, a twin democratic threshold is proposed: a vote within a governorate's assembly and a referendum. … It is also possible for Shi'a-dominated governorates that do not accept SCIRI's vision to remain separate, and, indeed for any governorate that may be, or may become, dominated by secularists to avoid inclusion in a sharia-ruled Shiastan or Sunnistan.

Liberal consociationalists also support the principle of asymmetric devolution of powers, i.e. the possibility for some self-governing entities to enjoy more (or fewer) competences than others, depending on the preferences of their populations (cf. McGarry 2007). However, in order to be genuine, self-governance needs to be complemented with what liberal consociationalists term 'shared rule', i.e. the exercise of power at and by the centre and across the state as a whole. Yet we must distinguish between theory and practice. For example, Russia is characterised by asymmetric devolution of powers and indeed purports to be federal in character. However, the practice of politics in Russia tells us that presidential (and prime ministerial) caprice and whim count for more than does the constitution. While grand coalitions, proportionality and minority veto rights continue to be favoured by liberal consociationalists, when it comes to power sharing the emphasis is on co-operation and consensus among democratically legitimised elites, regardless of whether they emerge on the basis of group identities, ideology or other common interest. They thus favour parliamentary systems, while acknowledging the merit and frequency of collective or rotating presidencies in existing functioning consociations, proportional (PR list) or proportional preferential (STV) electoral systems, decision-making procedures that require qualified and/or concurrent majorities, and have also advocated, at times, the application of the d'Hondt rule for the formation of executives (cf. Lijphart 2004; O'Leary 2005a; O'Leary et al. 2005; see also Wolff 2003).

This means that liberal consociationalists prefer what O'Leary refers to as 'pluralist federations,' in which co-sovereign sub-state and central governments have clearly

defined exclusive competences (albeit with the possibility of some concurrent competences) whose assignment to either level of authority is constitutionally and, ideally, internationally protected, in which decision making at the centre is consensual (between self-governing entities and the centre, and among elites representing different interest groups), and which recognise and protect the presence of different self-determined identities (O'Leary 2005b). This preference for pluralist federations, however, remains context-dependent, and is not per se part of liberal consociational thinking. In some circumstances, e.g. where ethnic communities are not ethnonationalist (i.e. demanding their own governance institutions), it is quite possible that a unitary state with power sharing at the centre will suffice as a mechanism to settle conflicts.

In order to protect individuals against the abuse of power by majorities at the state level or the level of self-governing entities, liberal consociationalism offers two remedies – the replication of its core institutional prescriptions within the self-governing entity, and the establishment and enforcement of strong human and minority rights regimes at both the state and sub-state levels. Canada provides us with a good example of such practices. Not only is the state federal, but Quebec enjoys a unique relationship with the remainder of the federation, and with the creation of Nunavut special (administrative) provision for at least some of Canada's indigenous peoples exist within a federal framework that is reinforced by a robust minority rights regime. As the example of Canada further shows, the rights of communities – minorities and majorities alike – are best protected in a liberal consociational system if its key provisions are enshrined in the constitution and if the interpretation and upholding of the constitution are left to an independent and representative constitutional court whose decisions are binding on executive and legislature (cf. O'Leary 2005b: 55–58).

Key to liberal consociational prescriptions of institutional design in divided societies is, therefore, the emphasis on the protection of self-determined (rather than predetermined) identity groups through ensuring both their representation and effective participation in decision making especially in the legislature and executive. The underlying assumption here is that representation and participation together will ensure that different identity groups recognise that their aims can be achieved, and interests protected, by political means and do not require recourse to violence. This point reinforces our earlier comment that consociations are most vulnerable either to violence or effective disintegration when the consociation has been constructed in a society that lacks cross-cutting cleavages.

The examples of Belgium and Lebanon are instructive with regard to this point. Although both possessed the ingredients necessary for the development of cross-cutting cleavages, both failed to do so. Instead society became polarised around two major fault lines. In the case of Lebanon civil war resulted, and in the case of Belgium it could be argued that a post-consociational system is now in place that has full separation as its probable logical conclusion.

A striking feature of contemporary conflict resolution *practice* is that a large number of actual and proposed settlements involve a broad range of different conflict settlement mechanisms compatible with liberal consociational prescriptions, as empirically illustrated by Weller and Metzger (2008) and Wolff (2008a, b, 2009a, b, in press). This reflects the assumption that a combination of consociational and other mechanisms can indeed provide institutional solutions that are both acceptable to negotiators and conducive to accommodating conflict parties in an institutional framework in which they can settle their disputes by peaceful means. The need to combine a range of different mechanisms has been increasingly understood by practitioners of conflict resolution and

has led to an emerging practice of conflict settlement that can be referred to as 'complex power sharing'. The term 'complex power sharing' was first used and conceptualised in a research project funded by the Carnegie Corporation of New York ('Resolving Self-determination Disputes through Complex Power Sharing Arrangements'). There, complex power sharing regimes were distinguished 'in that they no longer depend solely on consociational theory, or solely upon integrative theory', involve international actors that 'are often key in designing, or bringing experience to bear upon, the structure of the eventual agreement, or its implementation' and 'consider a far broader range of issues … and … address structural issues as diverse as economic management, civil–military relations and human and minority rights, and…do so at many different levels of government', thus recognising 'that at different levels of government, different strategies may be more, or less, applicable, and consequently more, or less, successful, in engendering peace and stability' (Kettley et al. 2001: 4–5; Weller 2008). In a somewhat similar vein, O'Leary (2005a: 34–35) uses the term 'complex consociation'.

Complex power sharing, thus, describes a practice of conflict settlement that requires a relatively complex institutional structure across different layers of authority from the centre down to local government units and that cannot be reduced to autonomy/ (ethno-)federation, (traditional) models of power sharing, centripetalism or power dividing, but rather represents a combination of them. Bosnia and Herzegovina provide us with a good example of such practices, and also neatly illustrate the short-term advantages and long-term drawbacks of such practices. However, liberal consociationalism, both as a theory and as a set of policy prescriptions, is open to incorporation of elements from other approaches, including, for example, centripetalism and territorial pluralism. Within a liberal consociational framework, there is room (and a recognised need) for a range of strategies not traditionally part of the core consociational prescription, including a strong role for judicial entrenchment and enforcement mechanisms, and universally applicable and enforceable human rights legislation. Liberal consociationalism is also open to a vertical division of power on the basis of non-ascriptive, i.e., non-ethnic, criteria without ruling out that self-determined entities on that basis emerge and desire territorial or corporate self-governance.

Yet, liberal consociationalism is not synonymous with complex power sharing, even though it offers a promising point of departure for a new research agenda on conflict resolution theory. In order to make a significant contribution to existing debates, a theory of complex power sharing would need to accomplish several tasks. First, most existing theories of conflict resolution are consequence-focused, i.e. they seek to explain why certain institutional designs offer the prospect of sustainable peace and stability, while others do not. They do this by offering normative and pragmatic accounts of the desirability and feasibility of particular institutions in divided societies, but these are not always, let alone successfully, grounded in theories of conflict, nor are the assumptions made about the drivers of conflict always fully spelt out. Yet it is essential to understand the causes of conflict before viable prescriptions for its resolution can be offered. This is not to suggest that any single theory of conflict will be able to explain every distinct conflict, but rather that more reflection is needed about what institutions can address what causes. Fear requires a different response than deprivation, and people driven to violence by their desire for power need to be dealt with in a different way than those who fear the loss of their culture.

In other words, a theory of complex power sharing would need to explain why we find empirically a greater mix of institutions than existing theories recommend.

Factoring in causes of conflict is one aspect of this, but two others are equally important. The first one has been examined at some length already and relates to the process of settlement, that is, the structure of negotiations and the nature of the different actors participating in them (e.g. Horowitz 2002, 2008; Eklund et al. 2005; Galbraith 2005). The second one is a more careful consideration of 'objective' factors that might privilege certain institutions in their presence. For example, as O'Leary and McGarry illustrate in the case of Northern Ireland, the fact that this region is territorially distinct and clearly delineated, ethnically mixed, and that its two major groups have strong preferences for links with different actors outside their region, created a path toward a regional consociation embedded in two cross-border arrangements – the North–South Ministerial Council and the Council of the British Isles (cf. McGarry and O'Leary 2004b). McGarry et al. (2008) also briefly discuss structural conditions under which integration (in this chapter's terminology: mechanisms of centripetalism and power dividing) and accommodation (in this chapter's terminology: mechanisms of territorial self-governance and power sharing) are appropriate conflict settlement strategies, while Wolff (in press) develops an argument based on structural factors more systematically and applies it to a broader range of cases.

Apart from the question why complex power-sharing settlements emerge, a proper theory of conflict resolution also needs to be able to explain why they fail or succeed, i.e. it needs to identify the conditions under which they can provide long-term peace and stability in divided societies. Ultimately, this can only be done empirically and thus requires a definition of what can be considered complex power-sharing settlements, the identification of relevant cases, and their analysis against standards of success and failure. On the basis of such a comprehensive theory of complex power sharing that enables us to understand why they emerge and why they succeed or fail, sensible policy recommendations for conflict settlement can be made.

References

Carment, D., and Schnabel, A. (eds.) (2003) *Conflict Prevention: Path to Peace or Grand Illusion?* Tokyo: United Nations University Press.

Danspeckgruber, W. (2005) Self-governance plus Regional Integration: A Possible Solution to Self-determination Claims. In M. Weller and S. Wolff (eds.) *Autonomy, Self-governance and Conflict Resolution: Innovative Approaches to Institutional Design in Divided Societies*. London: Routledge, pp. 26–48.

Diehl, P. F., and Lepgold, J. (eds.) (2003) *Regional Conflict Management*. Lanham MD: Rowman & Littlefield.

Eklund, K., O'Leary, B., and Williams, P. R. (2005) Negotiating a Federation in Iraq. In B. O'Leary, J. McGarry, and K. Salih (eds) *The Future of Kurdistan in Iraq*. Philadelphia: University of Pennsylvania Press, pp. 116–42.

Galbraith, P. W. (2005) Kurdistan in a Federal Iraq. In B. O'Leary, J. McGarry and K. Salih (eds.) *The Future of Kurdistan in Iraq*. Philadelphia: University of Pennsylvania Press, pp. 268–81.

Horowitz, D. L. (1985 [2000]) *Ethnic Groups in Conflict*. Berkeley CA: University of California Press.

— (2002) Constitutional Design: Proposals versus Processes. In A. Reynolds (ed.) *The Architecture of Democracy*. Oxford: Oxford University Press, pp. 15–36.

— (2008) Conciliatory Institutions and Constitutional Processes in Post-conflict States. *William and Mary Law Review* 49, 1213–48.

Kettley, C., Sullivan, J., and Fyfe, J. (2001) Self-determination Disputes and Complex Power Sharing Arrangements: A Background Paper for Debate. Cambridge: Centre of International Studies. Available at http://www.intstudies.cam.ac.uk/centre/cps/download/background1.pdf (accessed 4 March 2009).

Lijphart, A. (1968) Typologies of Democratic Systems. *Comparative Political Studies* 1 (1), 3–44.

— (1969) Consociational Democracy. *World Politics* 21 (2), 207–25.

— (1977) *Democracy in Plural Societies*. New Haven CT: Yale University Press.

— (1985) *Power Sharing in South Africa*. Berkeley CA: University of California Press.

— (1995) Self-determination versus Pre-determination of Ethnic Minorities in Power Sharing Systems. In W. Kymlicka (ed.) *The Rights of Minority Cultures*. Oxford: Oxford University Press, pp. 275–87.

— (2002) The Wave of Power Sharing Democracy. In A. Reynolds (ed.) *The Architecture of Democracy: Constitutional Design, Conflict Management and Democracy*. Oxford: Oxford University Press, pp. 37–54.

— (2004) Constitutional Design for Divided Societies. *Journal of Democracy* 15 (2), 96–109.

Lorwin, V. R. (1971) Segmented Pluralism: Ideological Cleavages and Political Cohesion in the Smaller European Democracies. *Comparative Politics* 3 (January 1971), 153–56.

McGarry, J. (2006) Iraq: Liberal Consociation and Conflict Management (draft working paper, MS in author's possession).

— (2007) Asymmetrical Federal Systems. *Ethnopolitics* 6 (1), 105–16.

McGarry, J., and O'Leary, B. (2004a) *The Northern Ireland Conflict: Consociational Engagements*. Oxford: Oxford University Press.

— (2004b) Introduction. Consociational Theory and Northern Ireland. In J. McGarry and B. O'Leary, *The Northern Ireland Conflict: Consociational Engagements*. Oxford: Oxford University Press, pp. 1–60.

— (2006a) Consociational Theory, Northern Ireland's Conflict and its Agreement, Part 1, What Consociationalists can learn from Northern Ireland. *Government and Opposition* 41 (1), 43–63.

—(2006b) Consociational Theory, Northern Ireland's Conflict and its Agreement, Part 2, What Critics of Consociation can learn from Northern Ireland. *Government and Opposition* 41 (2), 249–77.

McGarry, J., O'Leary, B., and Simeon, R. (2008) Integration or Accommodation? The Enduring Debate in Conflict Regulation. In S. Choudhry (ed.) *Constitutional Design for Divided Societies: Integration or Accommodation?* Oxford: Oxford University Press, pp. 41–88.

McGarry, J., and O'Leary, B. (2009a) Power shared after the deaths of thousands. In R. Taylor (ed.) *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*. London: Routledge, pp. 15–84.

—(2009b) Under friendly and less friendly fire. In R. Taylor (ed.) *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*. London: Routledge, pp. 333–88.

Mill, J. S. (1861) *Considerations on Representative Government*. New York: Liberal Arts Press.

Nauclér, E. (2005) Autonomy and Multilevel Governance: Experiences in Nordic and Continental European Cooperation. In M. Weller and S. Wolff (eds) *Autonomy, Self-governance and Conflict Resolution: Innovative Approaches to Institutional Design in Divided Societies*. London: Routledge, pp. 98–116.

Noel, S. (ed.) (2005) *From Power Sharing to Democracy: Post-conflict Institutions in Ethnically Divided Societies*. Montreal: McGill-Queen's University Press.

O'Leary, B. (2005a) Debating Consociational Politics: Normative and Explanatory Arguments. In S. Noel (ed.) *From Powersharing to Democracy*. Montreal: McGill-Queen's University Press, pp. 3–43.

— (2005b) Powersharing, Pluralist Federation, and Federacy. In B. O'Leary, J. McGarry and K. Salih (eds) *The Future of Kurdistan in Iraq*. Philadelphia: University of Pennsylvania Press, pp. 47–91.

O'Leary, B., Grofman, B., and Elklit, J. (2005) Divisor Methods for Sequential Portfolio Allocation in Multi-party Executive Bodies: Evidence from Northern Ireland and Denmark. *American Journal of Political Science* 49 (1), 198–211.

Otunnu, O. A., and Doyle, M. W. (eds) (1998) *Peacemaking and Peacekeeping for the New Century*. Lanham MD: Rowman & Littlefield.

Pugh, M., and Singh Sidhu, W. P. (eds) (2003) *The United Nations and Regional Security: Europe and Beyond*. Boulder CO: Lynne Rienner.

Taylor, R. (ed.) (2009) *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*, London: Routledge.

Thakur, R., and Schnabel, A. (eds) (2001) *United Nations Peacekeeping Operations: Ad Hoc Missions*, *Permanent Engagement*. Tokyo: United Nations University Press.

Walter, B., and Snyder, J. (eds) (1999) *Civil Wars*, *Insecurity and Intervention*. New York: Columbia University Press.

Weller, M. (2005) Self-governance in Interim Settlements: The Case of Sudan. In M. Weller and S. Wolff (eds) *Autonomy*, *Self-governance and Conflict Resolution: Innovative Approaches to Institutional Design in Divided Societies*. London: Routledge, pp. 158–79.

— (2008) Settling Self-determination Conflicts: An Introduction. In M. Weller and B. Metzger (eds) *Settling Self-determination Disputes: Complex Power Sharing in Theory and Practice*. Leiden: Nijhoff, pp. xi–xvii.

Weller, M., and Metzger, B. (eds) (2008) *Settling Self-determination Disputes: Complex Power Sharing in Theory and Practice*. Leiden: Nijhoff.

Weller, M., and Wolff, S. (eds) (2008) *Institutions for the Management of Ethnopolitical Conflicts in Central and Eastern Europe*. Strasbourg: Council of Europe.

Wimmer, A. (2003) Democracy and Ethno-religious Conflict in Iraq. *Survival* 45 (4), 111–34.

Wolff, S. (2003) *Disputed Territories: The Transnational Dynamics of Ethnic Conflict Settlement*. New York: Berghahn.

— (2008a) Complex Power Sharing as Conflict Resolution: South Tyrol in Comparative Perspective. In J. Woelk, F. Palermo and J. Marko (eds) *Tolerance through Law: Self-governance and Group Rights in South Tyrol*. Leiden: Nijhoff, pp. 329–70.

— (2008b) Power Sharing and the Vertical Layering of Authority: A Review of Current Practices. In M. Weller and B. Metzger (eds.) *Settling Self-determination Disputes: Complex Power Sharing in Theory and Practice*. Leiden: Nijhoff, pp. 407–50.

— (2009a) Complex Power Sharing and the Centrality of Territorial Self-governance in Contemporary Conflict Settlements. *Ethnopolitics* 9 (1), 27–45.

— (2009b) Peace by Design? Towards 'Complex Power Sharing'. In R. Taylor (ed.) *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*. London: Routledge.

— (2010) Consociationalism, Power Sharing, and Politics at the Centre. In R.A. Denemark (ed.) *The International Studies Encyclopedia*. London: Blackwell Publishing. Available at http://www.isacompendium.com/subscriber/tocnode?id=g9781444336597_chunk_g9781444336975_ss1-20 (accessed 5 March 2010).

— (in press) The Relationships between States and Non-state Peoples: A Comparative Context for the Kurds in Iraq. In R. Lowe and G. Stansfield (eds) *The Kurdish Policy Imperative*. London: Chatham House.

Wolff, S., and van Houten, P. (2008) The External Management of Peace Settlements: International Organisations and Conflict Resolution in the Western Balkans and the Former Soviet Union. Paper presented at the annual meeting of the International Studies Association forty-ninth annual convention, San Francisco. At http://www.allacademic.com/meta/p253851_index.html (accessed 4 March 2009).

Wolff, S., and Weller, M. (2005) Self-determination and Autonomy: A Conceptual Introduction. In M. Weller and S. Wolff (eds) *Autonomy*, *Self-governance and Conflict Resolution: Innovative Approaches to Institutional Design in Divided Societies*. London: Routledge, pp. 1–25.

25 Playing the ethnic card

Liberal democratic and authoritarian practices compared

Sandra Barkhof

In this chapter we shall focus on analysing the differences between liberal democratic and authoritarian systems with regard to ethnic policy. In particular we will stress the persistence of authoritarian practices with regard to ethnicity and ethnic minorities in both established liberal democracies and in 'new democracies', especially the ones that have emerged from former Eastern Europe communist systems. We shall explore the extent to which the 'ethnicity card' is used and manipulated by the established elites to further their own interests and goals. Finally, this chapter will discuss the role of ethnic movements in the transition from authoritarian to democratic rule.

Liberal democracies and authoritarian systems: some comparisons

It has been argued elsewhere in this volume that one of the basic principles of liberal democracy is equality, whereby each member of a liberal democracy has essentially the same protected rights, freedoms and liberties including the freedom of speech, press, religion, assembly and so forth. At the other end of the political spectrum we find authoritarian regimes, which are usually characterised by infringements of these civil liberties and political rights. Authoritarian regimes often implement some sort of limitations on political competition (indeed such competition might be missing completely), overt use of coercion, and often an important role for ideology. In between the idealised notions of 'democracy' and 'autocracy', which hardly ever exist in their pure form, we find various political systems that need to be classified as hybrid or transitional systems. Some states can be described as 'semi-authoritarian', which may respect some civil liberties but have only 'show' elections. Others are often referred to as 'competitive authoritarian regimes', which (in contrast to true authoritarian regimes) actually have weak legislatures that serve as focal points for opposition (Way 2006: 148). Some states, including many of the new states emerging from the former Soviet Union, especially in Central Asia, still linger in a transitional phase between the former authoritarian communist system and an aspired-to democratic system (whereby sometimes this 'aspiration' is little more than a legitimisation for continued authoritarian practices, as shall be discussed below). On the other hand, while some authoritarian systems use limited 'liberal' policies such as mass participation to legitimise their rule, many of the established Western liberal democracies feature exclusive or restrictive political policies that clash with their general liberal democratic framework. We shall discuss examples of this in relation to ethnic minority policy in this chapter.

Ethnic minorities and authoritarian systems

Authoritarian states are often unable to cope with ethnic tensions or conflict in non-violent ways. As pointed out above, authoritarian regimes lack meaningful competitive elections and division of power. Stability in these regimes means the rooting out of opposition and preservation of the privileges of the ruling elite. Their strategy with regard to ethnic minorities is often enforced assimilation or even expulsion or elimination of minority groups (non-nationals). Using such measures, strong autocratic regimes may be able, for some time at least, to suppress ethnic or ethno-national movements.

Authoritarian regimes can also be associated with minority ethnic dominance, whereby an ethnic minority occupies a privileged position and access to political power, which is exercised despite the fact that the ruling ethnicity is demographically outnumbered. The goal of such elites is to keep the circle of power as small as possible in order to maximise the benefits associated with that position of power. This includes suppressing the dominant ethnicity and excluding it from political power, a strategy that is becoming more and more difficult to sustain, given the general global trend towards democratic transition (Kaufmann and Haklai 2008: 746). Thus dominant minority regimes have become rarer and are now largely limited to authoritarian and semi-authoritarian regimes. Historically, some of these regimes emerged from colonialism, whereby either the white settlers formed this dominant minority or they appointed a favoured minority to have exclusive access to political power and administration. An example would be Iraq, where the British created Iraq out of three former provinces of the Ottoman Empire. They installed Faisal, an allied Syrian leader, as king and included the minority Sunni Arab elites in the administration, who then came to dominate military and administrative authority, at least until the revolution in 1958 (Farouk-Slugett and Slugett 1987: 12). Another example is of course South Africa, where the white settlers formed the privileged minority that dominated political power.

Maintaining minority dominance usually has to rely on extensive use of coercive measures and exclusion of the majorities from political decision-making and representation. Again, we can refer to South Africa, where under apartheid policies the large majority of non-whites were disenfranchised. Usually, such measures needed to go hand in hand with extensive military and security police presence to ensure the marginalisation of the rest of the population, including the suppression of any form of political opposition or activism. This policy has been more successful in some cases than in others. Maintaining a large-scale military and police presence costs money, and those regimes without the necessary resources struggled to maintain order and their position (Kaufmann and Haklai 2008: 751). Thus oil-rich regimes such as Saudi Arabia and Syria had more access to resources and thus fared better than, for example, Burundi, where numerous uprisings and revolts occurred until an internationally brokered agreement in 2003 (the Burundi Global Peace Accords of November 2003) paved the way for a fitful transition to a more democratic system (Rothchild 2007: 83).

Coercion, however, is not the only way to maintain minority rule. Many autocratic regimes have used concepts of national and ethno-national ideology to broaden their support base. The vehicle for this is often the construction of a one-party state with vast networks of associations to extend the outreach of the party and thus the ruling elite (similar to the fascist networks of Nazi Germany or Mussolini's Italy). Party membership and association can mean better access to social

welfare provisions, education, etc., thus providing incentives for people to identify with and support the state. The message used to legitimise the regime was often worded along nationalist or ethno-nationalist lines, thus using the 'ethnic card' as a tool to control the majority. To encompass both the minority and the majority ethnicity, it is necessary to appeal to a 'higher order'. For example, respective regimes in Iraq, Syria, Jordan and Egypt have often attempted to promote a pan-Arab identity, making their nation the leader for a wider idea. Such supra-ethnic ideologies are often coupled with a continued domestic suppression of the majority ethnicity (Kaufmann and Haklai 2008: 754).

Seemingly, some new states, especially parts of the former Soviet Union in Central Asia, have reverted to authoritarianism, partly because the legacies of commingled ethnic groups, convoluted borders and emerging national identities all posed severe challenges to the stability of Central Asia (Roudik 2007: 154). In addition, Schatz (2005: 232) points to the importance and continued significance of sub-ethnic clans and kinship politics, which further complicate the transition in the post-communist period. For example, Schatz (2005: 232) notes that sub-ethnic clans were among the main actors as Tajikistan descended into civil war in the 1990s, while in Uzbekistan local identities related to kinship dominate rural areas, thus adding to the multi-ethnic dynamic in the region.

To take the example of Uzbekistan, after the fall of communism, an authoritarian presidential system emerged. Some opposition parties were allowed to give the illusion of democracies, but these parties all supported the ruling party (People's Democracy Party, PDP). Other opposition groups including ethnic opposition groups have been restricted or prohibited, in order to ensure inter-ethnic 'harmony' in the country (Kubicek 1998: 32). The political elite hereby portrayed themselves as guardians of the motherland (although President Karimov announced in 2005 a move away from the presidential system, giving more powers to the Prime Minister and the other branches of government).

A similar situation arose in Kazakhstan, where the post-independence political system could at first be characterised as 'semi-democratic authoritarianism', although after 1995 most observers would describe it as a typical authoritarian regime as the consolidation of presidential power under Nazarbaev began (Oka 2009: 4). The emergence of a delegative democracy meant that an elected President ruled practically unrestricted, and many members of the ruling elite believe that popular participation is overrated and that the popular will should instead be shaped through ideological indoctrination (Brill Olcott 2002: 21). The argument is that democratisation would bring with it ethnic mobilisation, which might result in political instability, since the different claims of the various ethnic groups would be difficult to reconcile, especially given the acute socioeconomic crisis in many of the Central Asian states (Kubicek 1998: 35–36). Again, opposition including ethnic opposition has been curtailed to avoid ethnic or national tensions and conflict and to preserve national unity. Kazakhstan is unique among the former Soviet Republics as the only one without a majority nationality. After independence, the main risk to Kazakh domination of state organs was considered to be opposition by ethnic Russians (Oka 2009: 3). Considering that ethnic Kazakhs make up under half of the population, the ruling elite gave priority to the consolidation of the political community and creating Kazakh patriotism rather than to establishing democracy. Subsequently, the new constitution in 1993 defined the state as a 'self-determined Kazakh nation' (Alexandrov 1999: 99).

Ethnic diversity in liberal democracies

The basis of political systems or states is usually the 'nation', a somewhat contentious and ambiguous concept that has been analysed in greater detail in previous chapters. In modern European political theory, the constitutional concept of a sovereign nation has always been trapped between *ethos* and *demos*. In the political sense, the nation is the entity living in the state's territory and under its administrative control. This conflicts with the ethnic concept of nation, which reflects the differences and often tensions between different ethnic groups living in a state's territory (Přibáň 2004: 417). Ethnic minorities hereby often claim a nationality that is somewhat different from that of the core ethnic group in the state (Gallagher 2005: 32).

In general, there are different ways in which states can respond to ethnic diversity. Eide (2004: 60) broadly categorised these approaches as (1) assimilation and integration or (2) separation and exclusion. The former is normally associated with liberal democracies, the latter with authoritarian regimes. Ideally, the liberal democratic state should make no distinction between different ethnic groups, seeking to encompass all of them in the form of a common civil society whereby all members should share sovereignty as citizens eligible to vote and be represented in government. In addition, liberal democracies should protect ethnic minorities, either through positive minority rights and/or anti-discriminatory measures. The accommodation of ethnic diversity thus becomes an intrinsic part of the modern liberal-democratic reality (Přibáň 2004: 418–19). However, as Riggs (1995) points out, democratic government in itself does not automatically resolve ethnic conflicts, and liberal democracies, for various reasons, do not or cannot always adhere to the norms they aspire to as will be illustrated by the following examples.

Common strategies of ethnic policy in liberal democracies include seeking to assimilate minority groups by non-coercive means. An easy way to accommodate the concerns and issues of ethnic minorities is to empower them within the established political system and for example permit political organisation, thus paving the way for legislative representation. The success of ethnic minorities hereby depends to some degree on the political and electoral system. Political systems based on proportional representation usually make it easier for ethnic minorities to gain representation than those where only one candidate per district is elected (for example, 'first past the post' in UK national elections), especially if an ethnic minority is dispersed. Thus ethnic minorities have a greater chance of access to political power as part of a governing coalition in PR systems than in majoritarian systems (Koslowski 1994: 392).

Political representation, however, is a political right based on citizenship, and many liberal-democratic states employ citizenship laws that can lead to exclusion of ethnic minorities from political rights and political representation. In general, we need to distinguish between countries employing citizenship laws based on the principles of *jus sanguinis* (ancestral lineage) and those using the principle of *jus soli* (birthplace). Ireland and the United Kingdom are often cited as examples of countries using the principle of *jus soli* for both ascription of citizenship and naturalisation. On the European continent, as Koslowski (1994: 371) points out, *jus sanguinis* became the norm for ascription, although the rules governing naturalisation tended to vary greatly. Germany used to be a prime example of a liberal democracy (after 1949) where the principle of *jus sanguinis* (in place since 1913) governed both ascription of citizenship and naturalisation, leading to the existence of (1) an understanding of nationhood as an ethno-cultural concept and

(2) a growing number of permanent resident aliens without political citizenship rights. Since *jus sanguinis* also applied to naturalisation, 'alien' status was in effect hereditary; for example, the majority of the children of Turkish migrant workers born in Germany were unable to acquire German citizenship. Thus the German citizenship laws challenged the liberal-democratic framework of the state by denying political rights to a considerable ethnic minority despite the fact that many of Germany's 'aliens' belong now to the third generation born in Germany. As Radtke (1997: 253) explains, without political rights, the migrant workers (and their children) needed (German) advocates and became an enduring topic of discourse for the majority, who often labelled migrants as either illegitimate participants in the social welfare system or as victims of discrimination.

After 1992, Germany (and other EU member states based on *jus sanguinis*) were themselves challenged by the new EU citizenship which is, in the case of local and MEP elections, based on *jus soli*, that is, every EU citizen can vote for local and European elections in their EU country of residence, even if they are 'aliens' in that country and cannot vote there in national elections. In this changing European political climate, with its encroachment on national sovereignty and changing understanding of the role of the nation-state (at least within the European Union), it is perhaps not surprising that since the early 1990s there has been a general move towards some form of *jus soli* in many European countries. In Germany, as pointed out above, the existence of large numbers of permanent aliens led to demands for easier access to citizenship. As the *New York Times* (1997) stated, one in five babies born in Germany was 'foreign'. Thus, naturalisation policies were revised through the amended Nationality Act (2000) and the Immigration Act (2005). Now children born in Germany to foreign parents may acquire German citizenship if certain conditions are met, although they have to decide between the ages of eighteen and twenty-three whether they wish to retain German nationality or the nationality of their parents. Furthermore, foreigners have now the right to become naturalised after eight years of habitual residence (fifteen years previously) if they meet certain conditions, including adequate knowledge of the German language. In general dual nationality is not accepted, although certain exceptions apply.

On the other hand, however, some countries such as France have moved in the opposite direction. In France, ascription used to be based on *jus sanguinis*, while *jus soli* was used extensively in naturalisation, thus reflecting a more state-centred and assimilationist national self-understanding than in ethno-cultural Germany (Brubaker 1996: 169). Thus, a person born in France to foreign parents used to acquire French citizenship by virtue of place of birth. However, by the 1980s this policy led to the existence of large immigrant communities, generating a rightist campaign for more restrictive naturalisation laws. In 1993, the French government pushed through a bill that eliminated the automatic extension of French citizenship and nationality to children of foreigners once they reach the age of eighteen. Under the new legislation, children of foreigners have to apply for French citizenship between the ages of sixteen and twenty-one.

Citizenship policies are not the only form of disenfranchisement in liberal democracies, which can also occur through indirect measures including cumbersome electoral registration, disproportionate electoral districts (a feature of pre-1972 Northern Ireland), poll taxes or literary tests, as in the southern United States prior to 1965, which can make it difficult or near impossible for certain groups to vote or gain

representation. Such indirect techniques can maintain a de facto dominant ethnicity and discrimination against ethnic minorities or other foreigners. Both post-communist Latvia and Estonia have been criticised for denying citizenship and thus political rights to ethnic Russians who have failed to pass language tests or other bureaucratic hurdles (Jurado, in Kaufmann and Haklai 2008: 759–60).

Ethnic movements

On the other hand, because democracy permits freedom of speech and association, it also enables discontented people, including ethnic minorities, to organise themselves and lobby their interests. Thus ethnic movements tend to flourish in democracies, especially in new democracies where ethnic minorities have, for the first time, the opportunity to express their demands. Ethnic movements also have opportunities in weak authoritarian regimes, where the governing elite is unable to handle or suppress demands. In addition, ethnic movements tend to be especially active among ethnic groups living in enclaves (territorially concentrated). Here, the main aim of ethnic movements is often to achieve a degree of autonomy or self-determination.

An example is the German-speaking South Tyrol, which became part of Italy after the First World War. Since 1945, the German minority in South Tyrol has often been cited as one of the most successful forms of ethnic mobilisation, in the form of the Südtiroler Volkspartei (SVP, South Tyrolean People's Party). The SVP represented the German minority's fight against the enforced 'Italianisation' of the region and lobbied for the protection of German ethnic minority rights (although the German 'minority' continued to constitute around two-thirds of the population in South Tyrol after 1945). As Panayi (2000: 161) points out, the German population of South Tyrol became completely politicised in the process, and the SVP regularly took over 90 per cent of the German vote. A final agreement with the Italian government was signed in 1992, resulting in the autonomy of the region, an exemplary success for a regional ethnic movement in Europe which managed to safeguard its main aims (self-determination and language protection for the German ethnic group). Other examples of autonomy, whereby the ethnic group can administer its own domestic affairs, include, for example, the Swedish-speaking Åland islands in Finland, Greenland (granted autonomy by Denmark in 1979) and a number of regions in Spain, including the Basque and Catalan regions. Here again, we note the importance of ethno-nationalist political parties and movements in achieving ethnic minority rights.

New democracies and ethnic policy

So far, we have looked largely at established liberal democracies in Western Europe. There is, however, also a host of new democracies, which have emerged out of authoritarian regimes. Therefore, we shall now shift focus toward former Central and Eastern European communist countries. It is often argued that transitional regimes or newly democratised regimes, especially in multi-ethnic countries, are particularly prone to ethnic tensions as ethnic groups redefine their identity in political terms thereby challenging the existing elites and processes. Ethno-nationalist movements played an important role in the break-up of communism and the former Soviet Union. After 1985, there were protests in almost every Soviet Republic against official policies of Russification, including the suppression of local languages and cultures (Inder Singh

2001: 33). Perestroika allowed the expression of strong nationalist pressures, with some ethno-national groups such as Latvians, Lithuanians, Estonians or Georgians calling for independence. Ukrainian nationalism, for example, developed in stages during and since the Stalin era. In 1980 a Ukrainian Patriotic Movement was founded, and by 1989 around 30,000 national and cultural organisations had developed, many of them calling for independence (Panayi 2000: 165), which was achieved in 1991. In the three Baltic States, to give another example, popular ethno-nationalist movements and parties, such as the Estonian National Front or the Latvian Popular Front, played an equally important role in achieving independence.[1]

The emerging democratic systems in the former European communist bloc found themselves under pressure to condemn the abandoned past, codify future aims and principles and commit the nation and the new constitutional institutions to these principles (Přibáň 2004: 409). Part of this transitional process involved the rebuilding of political identities and civil society, which was necessarily composed of these new principles as well as older civil and ethnic traditions. An important part of the constitution-making processes and rebuilding of political identity was the rebuilding of national identity in the sense of a cultural and ethnic identity, much of which had previously been manipulated or suppressed by the communist regimes. Thus, in East Central Europe, we often find very close links between civil and ethnic politics.

For instance the new Hungarian constitution of 1989, although based internally on a civic concept of nationhood, also contains an article (Article 6/3) which makes a constitutional commitment to ethnic Hungarians living outside of Hungary's borders (causing negative reactions from surrounding states with large Hungarian minorities). In addition, in 1993, Hungary adopted new citizenship legislation based on the principles of *jus sanguinis* meaning that the main prerequisite for the acquisition of Hungarian citizenship would be Hungarian descent (although political rights were at the same time also guaranteed to ethnic minorities living in Hungary). The 'ethnic card' was played again under Prime Minister Viktor Orbán (1998–2002), when ethnic Hungarians living outside Hungary were granted special access to Hungary's social welfare. Originally intended to be a political symbol of the cohesion of ethnic Hungarians and their identification with the Hungarian state, the legislation was widely criticised by the EU and neighbouring countries due to its alleged inherent ethno-national discrimination and potential violation of other states' sovereignty. Nevertheless, the legislation came into force in 2002, albeit in slightly modified and limited form. Afterwards, the conservative party led by Orbán (after 2002 in the opposition) continued to campaign for granting Hungarian citizenship to ethnic Hungarians in neighbouring countries, although a referendum on this failed in 2004. As this example shows, Hungary's transition to liberal democracy remains influenced by ethnic concepts of the nation (Přibáň 2004: 424).

We have already discussed the role of ethnic movements and parties in securing or pressing for minority ethnic rights. A prime example for this in the new democracies of Eastern Europe would be the Slovak parties that emerged after the 1989 revolution in the former Czechoslovakia, demanding Slovak autonomy or even independence. The most prominent, the Movement for a Democratic Slovakia (MDS) negotiated the so-called 'Velvet Divorce' which came into effect in 1993. Shortly after the separation into the Czech Republic and Slovakia, both states drafted new constitutions, which displayed a different understanding of 'the nation'. In Slovakia, the constitution addressed primarily the ethnic Slovaks, thus opening opportunities for ethnic

marginalisation, which did occur under Prime Minister Vladimír Mečiar (1994–98), leader of the HZDS (Movement for a Democratic Slovakia), who used historical resentment and recent fears of Hungarian nationalism to isolate the Hungarian minority in Slovakia. Mečiar, whose party governed together with the extreme nationalists (the SNS) and the 'reds' (the extreme left Association of Workers of Slovakia), pursued a two-track ethnic minority policy. On the one hand they successfully negotiated reconciliation with Hungary, while internally a series of anti-Hungarian measures were passed (Fowkes 2002: 125). It was only after 1998 that more balanced legislation protecting ethnic minorities was implemented, based on the special section of the Slovak constitution which protects ethnic and minority rights. The example shows how Mečiar used the 'ethnic card' to address populist fears of Hungarian nationalism as part of a much bigger political agenda and political power struggles in Slovakia (Přibáň 2004: 426).

The Czech constitution of 1992 on the other hand largely ignores ethnic diversity[2] and defines nationhood almost exclusively in terms of citizenship and civil society while also including a section on the protection of ethnic and minority rights. It has been argued that this approach in itself was an 'ethnic card', played in view of the accession negotiations with the EU, which would have been hindered by ethnic conflict and ethno-national tensions. This civic interpretation of nation has not, however, prevented local discrimination against the Roma minority in the 1990s, which was highlighted by the so-called 'Bratinka report' in 1997, which identified anti-Romani discrimination as a crucial problem in the Czech Republic (Vermeersch 2006: 83). This illustrates that the adoption of a civic concept of nationhood does not necessarily prevent discriminatory policies, while on the other hand the adoption of an ethnic concept of nationhood does not rule out a co-operative and inclusive ethnic policy as in the case of Slovakia after 1998 (Přibáň 2004: 428). Nevertheless, Miller et al. (2001: 181) note that general inter-ethnic alienation was comparatively high in both the Czech Republic and Slovakia, with over 90 per cent of the population exhibiting unfavourable feelings towards the Roma.

As a final point, it must be noted that in some cases, where the transition to democracy has mobilised marginalised ethnic communities to pursue a more equitable treatment, this has led to the implementation of reactive policies by the established elites or more privileged communities. A frequent reaction is one of a turn toward neo-traditionalist or ultra-nationalist ideas and parties, sometimes aiming to subordinate minority communities. Explicit ethnic nationalism tends to persist mostly among far-right and ultra-nationalist parties who use the 'ethnic card' in the form of ethno-nationalist ideas largely to appeal to populist fears of immigration and multiculturalism. In Bulgaria, the far right Ataka (Attack) party has risen in popularity since 2005 (with the slogan 'Bulgaria back to the Bulgarians'), while in Romania, the Greater Romania Party has attracted many Romanian voters with its anti-minority slogans, attacking ethnic Hungarians, Roma, Jews and others. In Hungary, the far right Movement for a Better Hungary came in third in the European elections of 2009, and in Slovakia the Slovak National Party joined the ruling government in 2006.

Such a nationalist-rightist reaction, however, is by no means restricted to new democracies. We have already noted the role of rightist campaigners in changing citizenship laws in France from inclusive naturalisation to more exclusive policies. Similar rightist parties exist for example in the United Kingdom and Germany, lobbying for example for stricter immigration controls. In the Netherlands, the Dutch Freedom

Party with its anti-immigration policy was the second strongest party there in the 2009 European elections, and in the United Kingdom the British National Party won its first ever seat in the European parliament in the same election. Thus we witness a general rise of rightist nationalist parties across Europe, which is of course linked to the prevailing economic crisis. Rightist parties often use the 'ethnic card' in the form of arguments of 'ethnic minority threat to scarce economic resources' to mobilise voters, especially during times of economic downturn and in new democracies with weakly developed market economies. Stefanovic (2008: 1214) suggests that the success of the transition to democracy may be helped considerably by the development and maintenance of efficient welfare systems which might reduce the electoral appeal of authoritarian ultra-nationalists.

Conclusion

This chapter has analysed some aspects of ethnic policy in liberal democratic and authoritarian systems. We have seen that on the one hand, liberal democracy entails the policies of compromise and negotiation and thus in theory a reconciliation of ethnic and state claims (Brown 1996: 309). However, many liberal democracies operate ethnic policies that either directly or indirectly promote exclusivity. We must hereby distinguish between politically and ethnically exclusionary policies. Liberal democracies, especially majoritarian systems or those operating citizenship systems based on *jus sanguinis*, often produce more ethnically exclusive societies than some semi-authoritarian regimes. In addition, the 'ethnic card' is popular with both nationalist and liberal democratic elites and as we have seen, is used widely in the domestic context, for example during election campaigns, and within the international context in terms of foreign policy with regard to other states and indeed international organisations.

Notes

1 Although we should note that the restructuring and transition in the former Soviet Union has led to a new wave of ethnic tensions, as most of the newly independent states are themselves multi-ethnic. Recent tensions include the secessionist demands of South Ossetia (from Georgia), for example, and Chechnya (from Russia).
2 We should point out that the Czech Republic is ethnically rather homogeneous apart from its Roma minority.

Further reading

Cordell, K. (1999) Ethnicity and Democratisation in the new Europe, London, New York: Routledge

Daftary, F. and Troebst, S. (eds) (2005) Radical Ethnic Movements in Contemporary Europe, Oxford and New York: Berghahn

Fowkes, B. (2002) Ethnicity and Ethnic Conflict in the Post-communist World, Basingstoke: Palgrave

Guibernau, M. and Rex, J. (eds) (1997) The Ethnicity Reader, Oxford and Malden MA: Polity Press

Hutcheson, D. S. and Korosteleva, E. A. (eds) (2006) The Quality of Democracy in Post-communist Europe, London and New York: Routledge

Inder Singh, A. (2001) Democracy, Ethnic Diversity, and Security in Post-communist Europe, Westport CT: Praeger

Panayi, P. (2000) An Ethnic History of Europe since 1945, Harlow: Pearson

Bibliography

Alexandrov, M. (1999) Uneasy alliance: relations between Russia and Kazakhstan in the post-Soviet Era, 1992–97, Westport CT: Greenwood Press

All Hungary Media Group (2009) Orbán offers Hungarian citizenship to ethnic Hungarians in Ukraine, Politics.hu (30 March 2009), http://www.politics.hu/20090330/orban-offers-Hungarian-citizenship-to-ethnic-hungarians-in-ukraine

Auswärtiges Amt Deutschland (2009) Law on Nationality, http://www.auswaertiges-amt.de/diplo/en/

Bakalova, M. (2006) The Bulgarian Turkish Names Conflict and Democratic Transition, Innovation, European Journal of Social Science Research, 19: 3, pp. 233–46

Ball, A. R. and Peters, B. G. (2005) Modern Politics and Government, 7th edn, Basingstoke and New York: Palgrave Macmillan

Baradat, L. P. (2000) Political Ideologies. Their Origin and Impact, 7th edn, Upper Saddle River NJ: Prentice Hall

Birnir, J. K. (2007) Divergence in Diversity? The Dissimilar Effects of Cleavages on Electoral Policies in New Democracies, American Journal of Political Science, 51: 3, pp. 602–19

Blaszczynski, E. M. and Doran, P. B. (2009) Central Europe's Emerging Far Right, Center for European Policy Analysis, http://politicom.moldova.org/news/central-europes-emerging-farright-201440-eng.html

Brill Olcott, M. (2002) Kazakhstan: Unfulfilled Promise, Washington DC: Carnegie Endowment for International Peace

Brown, D. (1996) Ethnicity, Nationalism and Democracy in South East Asia, in: Hutchinson, J. and Smith, A. D. (1996) Ethnicity, Oxford and New York: Oxford University Press

Brubaker, R. (1996) Civic and Ethnic Nations in France and Germany, in: Hutchinson, J. and Smith, A. D. (1996) Ethnicity, Oxford and New York: Oxford University Press

Chukov, V (undated) Bulgarian Ethnic Model: A Pragmatical National Version of the Multiethnic dialog, http://crcs0.tripod.com/lgivl.html

Cordell, K. (1999) Ethnicity and Democratisation in the new Europe, London and New York: Routledge

Doran, P. B. (2009) Bulgarian election raises red flags, Guardian (18 July 2009), http://www.guardian.co.uk/commentisfree/2009/jul/18

Eide, A. (2004) The Role of the United Nations Working Group on Minorities, in: Council of Europe Publishing (ed.) Mechanisms for the Implementation of Minority Rights, Strasbourg: Council of Europe

Farouk-Slugett, M. and Slugett, P. (1987) Iraq since 1958: From Revolution to Dictatorship, London: Kegan Paul

Fowkes, B. (2002) Ethnicity and Ethnic Conflict in the Post-communist World, Basingstoke: Palgrave

Gallagher, T. (2005) Conflicts between East European States and Minorities in an Age of Democracy, in: Daftary, F. and Troebst, S. (eds) Radical Ethnic Movements in Contemporary Europe, Oxford and New York: Berghahn

Inder Singh, A. (2001) Democracy, Ethnic Diversity, and Security in Post-communist Europe, Westport CT: Praeger

Kaufmann, E. and Haklai, O. (2008) Dominant ethnicity: from minority to majority, Nations and Nationalism, 14: 4, pp. 743–67

Kavalski, E. (2007) 'Do not play with fire': The End of the Bulgarian Ethnic Model or the Persistence of Inter-ethnic Tensions in Bulgaria? Journal of Muslim Minority Affairs, 27: 1, pp. 25–36

Koslowski, R (1994) Intra-EU migration, citizenship and political union, Journal of Common Market Studies, 32, 3, pp. 369–402

Kowalev, V. (2003) Power and Ethnicity in the Finno-Ugric Republics of the Russian Federation, International Journal of Political Economy, 30: 3, pp. 81–100

Kubicek, P. (1998) Authoritarianism in Central Asia: Curse or Cure? Third World Quarterly, 19: 1, pp. 29–43

McIntosh, M. E. et al. (1995) Minority Rights and Majority Rule: Ethnic Tolerance in Romania and Bulgaria, Social Forces, 73: 3, pp. 939–68

Miller, W.L. et al. (2001) A Culture of Corruption: Coping with Government in Post-communist Europe, Budapest and New York: CEU Press

Mudeva, A. (2009) Cracks show in Bulgaria's Muslim ethnic model, Reuters (31 May 2009), http://www.reuters.com/article/worldNews/idUSTRE55001C20090601

New York Times (10 April 1997) Redefining German Citizenship

Oka, N. (2009) Ethnicity and Elections under Authoritarianism: The Case of Kazakhstan, IDE Discussion Paper No. 194, https://ir.ide.go.jp/dspace/bitstream/2344/837/1/194_oka.pdf

Panayi, P. (2000) An Ethnic History of Europe since 1945, Harlow: Pearson

Přibáň, J. (2004) Reconstituting Paradise Lost: Temporality, Civility, and Ethnicity in Post-communist Constitution-making, Law and Society Review, 38: 3, pp. 407–32

Radtke, F.-O. (1997) Multiculturalism in welfare states: the case of Germany, in: Guibernau, M. and Rex, J. (eds) The Ethnicity Reader, Oxford and Malden MA: Polity Press

Rechel, B. (2007) The 'Bulgarian Ethnic Model': Reality or Ideology? Europe–Asia Studies, 59: 7, pp. 1201–15

Riggs, F. W. (1995) Ethnonational Rebellions and Viable Constitutionalism, International Science Review, 16: 4, pp. 375–404

Ringold, D. (2000) Roma and the Transition in Central and Eastern Europe: Trends and Challenges, Washington DC: World Bank

Rothchild, D. (2007) Executive Power-sharing Systems: Conflict Management and Conflict Escalation? in: Guttieri, K. and Piombo, J. (eds) Interim Governments: Institutional Bridges to Peace and Democracy? Washington: United States Institute of Peace Press

Roudik, P. (2007) The History of the Central Asian Republics, Westport CT: Greenwood Press

Schatz, E. (2005) Reconceptualizing Clans: Kinship Networks and Statehood in Kazakhstan, Nationalities Papers, 33: 2, pp. 231–54

Smith, A. D. (2009) Ethno-symbolism and Nationalism, London and New York: Routledge

Stefanovic, D. (2008) The path to Weimar Serbia? Explaining the resurgence of the Serbian far right after the fall of Milosevic, Ethnic and Racial Studies, 31: 7, pp. 1195–1221

Strauss, J. (2000) Disillusioned Romania listens to Far Right, Telegraph (24 November 2000), http://www.telegraph.co.uk/news/worldnews/europe/romania

Tanner, M. (2000) Romania's far right enjoys huge poll surge, Independent (29 November 2000), http://www.independent.co.uk/news/world/europe

UK Home Office (2009) UK Border Agency, http://www.ukba.homeoffice.gov.uk/britishcitizenship

Vermeersch, P. (2006) The Romani Movement: Minority Policy and Ethnic Mobilization in Contemporary Central Europe, Oxford and New York: Berghahn

Way, L. A. (2006) The sources and dynamics of competitive authoritarianism in the Ukraine, in: Hutcheson, D. S. and Korosteleva, E. A. (eds) The Quality of Democracy in Post-communist Europe, London and New York: Routledge

Zeleza, T. and Eyoh, D. (2002) Encyclopaedia of Twentieth-century African History, London and New York: Routledge

Index

Page numbers in *italics* denotes a table