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TAMIRACE FAKHOURY-MÜHLBACHER

Power-Sharing Systems: Theoretical Approaches and Case Studies

A Conference Report



Centre International des Sciences de l'Homme
International Centre for Human Sciences
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Contents

Objective	5
Theorising Consociationalism	7
Democracy by Negotiation: West-Middle European Experiences	13
The Swiss Formula Revisited	15
A Borderline Case: Malaysia - A Consociational Democracy?	18
Revisiting the Lebanese Formula	20
Can an Imposed System Work? The Case of Bosnia-Herzegovina	24
Sharing Power? The Case of Iraq	27
An Alternative to Power-Sharing: Depoliticising Ethnicity in South Africa	31
Defusing Communalism: The Case of India	36
Round Table: Sharing or Changing Power?	38
Appendix: Participants	41

The Fourth Byblos Autumn School (September 5 to 15, 2006) was held at the institute of Wiesneck in Kirchzarten (Germany). In cooperation with the Political Science Departments of Cairo University, Université Saint Joseph, Notre Dame University in Beirut and res gerendae in Freiburg, the Autumn School was funded by DAAD (German Academic Exchange Service). This academic platform brought together a group of political scientists, academicians, researchers and students.

Power-Sharing Systems: Theoretical Approaches and Case Studies

A Conference Report

TAMIRACE FAKHOURY-MÜHLBACHER

Objective

The power-sharing model has been linked to plural, segmented, and deeply divided societies in which linguistic, economic, racial, ethnic, or religious dividing lines have threatened the rise of a stable democracy. Despite its various advantages, the model has been criticised for various reasons. Main criticisms target its inability to bring about political steadfastness and its obstinate attempt to sustain artificial divisions which could have withered away under different circumstances.

This year, the fourth Byblos Autumn School (September 5 to 15, 2006, Wiesneck) revisited the consociational theory and its application to divided societies. First, it explored the theoretical aspects of the power-sharing approach and the different scholarly approaches that help understand consociational theory. Then it probed into controversial case studies in which different patterns and modes of consociationalism have been applied. The Autumn School tested to what extent the consociational approach could so far regulate and contain conflicts, and whether this approach - as a normative and prescriptive cure for unstable societies - has been able to

survive the turn of the 21st century. It also explored to what extent imposed power-sharing systems could work, and what role the regional and international environments played in promoting or thwarting consociational solutions. Moreover, alternatives to pure consociational models that succeeded in defusing inter-ethnic tensions were critically examined.

In the final evaluation session, the merits and flaws of the model were contrasted, and suggestions to improve the normative and predictive aspects of the model were examined.

In cooperation with the Political Science Departments of Cairo University, Université Saint Joseph, Notre Dame University and res gerendae in Freiburg, the Autumn School was funded by DAAD (German Academic Exchange Service). This academic platform, in which various academics and students from various backgrounds met, consisted of presentations followed by intensive work groups in which polemical aspects of power-sharing were discussed.

Theorising Consociationalism

Tamirace Fakhoury-Mühlbacher

Arnold Bergstraesser Institute, Freiburg im Breisgau

In the 1960s, the assumption that democracy can only be reconciled with majoritarian models was strongly challenged and revisited. Inspiring a plethora of writings which revolutionised system typologies, the consociational approach claims that the quintessence of democracy could be safeguarded in divided societies through a balanced division of power. According to this approach, Western-style models and majoritarian party-systems do not fit multi-ethnic states divided along ethnic, linguistic or religious lines. An alternative model, which helps reconcile fragmentation with stability should be applied to these fragmented societies.

While Val Lorwin used the expression “segmented pluralism”¹ to describe this approach, Gerhard Lehmbruch called this peculiar form of democracy “proportional” or “concordant” democracy.² The most popular expression “Consociational democracy” was developed by Arend Lijphart as an alternative typology to centripetal and centrifugal democracies.³ Defined as a political mode in which political elites aim at establishing a political culture characterised with coalescence and accommodation, consociational democracy claims that stability can be reached in divided societies despite centrifugal cleavages.

It is noteworthy that the smaller European countries - the Netherlands, Belgium, Switzerland, and Austria - constituted the crux of consociational studies. These territories first taxed as unexplored territories were depicted later on as successful examples of power-sharing democracy.

The consociational model, which inspired various thinkers from the 1960s on, was later extended to plural societies in the Third World, such as Lebanon, Malaysia, South Africa, Ghana and India. This theory acquired with time a universal and prescriptive touch, and was analysed from different angles.

First, power-sharing was depicted as a pattern related to the nature of cleavages and communal segmentation in a plural society. The analysis of segmental pillars and

¹ Val R. Lorwin, “Segmented pluralism,” *Comparative Politics* (1971): 141- 175.

² Gerhard Lehmbruch, *Proporzdemokratie: politisches System und politische Kultur in der Schweiz und in Oesterreich* (Tübingen, Ger.: Mohr, 1967); “A Non-competitive Pattern of Conflict Management in Liberal Democracies: The Case of Switzerland, Austria and Lebanon” in *Consociational Democracy: Political Accommodation in Segmented Societies*, ed. Kenneth McRae (Toronto: McClelland and Stewart, 1974) 90-97.

³ See for example Arend Lijphart, “Consociational Democracy,” *World Politics* 21 (1969): 207-225.

their cleavage lines shed light on aspects of division and integration in a segmented society. Second, consociationalism was directly linked to elite behaviour and to what Lijphart calls "the self-negating prophecy." Aware of the underlying centrifugal threats, the elites can purposefully create channels of cooperation and transcend destabilising structures that threaten to fling the system into unruly waters. In other words, elites develop and internalise conflict-regulating strategies to counteract the dangers of division.

Third, the consociational mode has been associated with past patterns of bargaining and accommodation. Thus, power-sharing trends can be traced back to traditions embedded in history.

Despite the multiplicity of approaches, Lijphart's model based on elite behaviour has been considered as one of the most successful theoretical benchmarks adopted by 'consociationalists'.

According to Lijphart, the voluntary variable of elite coalescence replaces the variable of political culture in a consociational model. Defining this democratic genre as a "government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy,"⁴ Lijphart was praised for introducing the factor of political engineering through which segmental leaders could deliberately alter the course of events and transform cleavages into pillars of integration.

For consociational democracy to succeed, Lijphart outlined four prerequisites based on elite active behaviour and accommodation: Leaders should be aware of the dangers lurking beneath the system, they should commit to preserving the system, they should be able to surpass segmental cleavages at the top, and they should be able to work out appropriate solutions to various communal problems.

Lijphart also came up with a list of favourable conditions to consociational democracy which he considered as tentative:

- The presence of an absolute majority is a clear obstacle to power-sharing;
- When groups are about the same size, inter-elite negotiations are easier;
- The presence of too many groups makes negotiations more difficult;
- External dangers promote internal cohesion;
- Overarching loyalties such as nationalism reduce inter-segmental tensions and animosities;
- Large socio-economic differences increase hostilities;
- If the population is relatively small, then the decision-making process is less complicated;

⁴ Lijphart, *Democracy in Plural Societies: A Comparative Exploration*. New Haven: Yale University Press, 1977.

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- The geographical concentration of segments reduces tensions;
 - Traditions of compromise encourage power-sharing.

In his book *Democracy in Plural Societies*, Lijphart defined four consociational devices or tools which help identify and characterise the model:

- A grand executive coalition represents different societal segments;
- Mutual veto, defined as a 'negative minority rule' allows groups to defy decisions detrimental to their interests;
- Proportionality rules are the governing principle in political representation, civil service appointments, and allocation of public funds;
- Segmental or cultural autonomy allows each group to run its own affairs and preserve cultural distinctiveness.

In his recent writings, Lijphart considers grand coalition and segmental autonomy as the two core components of consociational democracy, and argues that proportionality and mutual veto act as complementary characteristics which improve the quality of power-sharing and concomitantly enhance inter-communal cooperation and cultural autonomy.

Consociational prerequisites, factors and tools help delimit and differentiate the model, which, despite these indicators, remains a flexible typology able to take on different and flexible institutional and political structures.

Lijphart also emphasises that consociational democracy does not aim at reducing pluralism but at recognising it so that it evolves into a constructive element of democracy. He strongly defies deterministic approaches which argue that a stable democracy cannot take roots in deeply divided societies. Even though he concentrated first on the Dutch example of pillarisation, he later tackled various consociational cases in Europe and in deeply divided societies of the Third World. Arguing in 1977 that the consociational approach should be considered as a serious option for multi-ethnic societies, he identified Lebanon's and Malaysia's power-sharing model as yardsticks against which prospects for the emergence of consociational democracy in other societies could be evaluated.

With time, Lijphart's model acquired a normative, empirical and prescriptive value which conferred to the model a universal and 'absolutist' touch. Hence, one of Lijphart's most famous arguments is that consociational democracy becomes necessary in extremely fragmented states as no other democratic alternative could be seriously taken into consideration.

Even though the consociational approach is considered as an ambitious typological construct applicable to divided societies usually threatened by internal discord, war or partition, the model has been severely criticised for various methodological, theoretical and empirical reasons. These critiques have obliterated the value of the model and have highlighted its various inherent flaws. The most damaging criticism revolves

around Lijphart's 'self-negating prophecy.' Thus, according to some scholars, the enlightened role of the elite is overexaggerated and downplays historical and structural determinants which might play a more decisive role when it comes to establishing the power-sharing model. Various analysts have thus pondered whether some cultures are internally predisposed to power-sharing and whether there are different cultural configurations in which consociational solutions are inevitably doomed to collapse.

The consociational model has also been criticised for its lessened democratic element. Some observers questioned whether the power-sharing model built on elite supremacy and predominance over the followers really takes into consideration important democratic criteria.

Furthermore, controversial debates hover around the normative and prescriptive values of the model. Thus, successful consociational cases, in which solid links between stability and democracy have been empirically tested, are indeed rare. This draws one's attention to the limited and narrow margins of the model's applicability.

Another scholarly reservation about the model is that the adoption of power-sharing devices may exacerbate inter-segmental conflicts and tensions instead of dampening and pacifying them.

Moreover, the claim that elites are always enlightened and that they act in the best interest of their society is also controversial. Hence, Lijphart's variable of elite engineering cannot provide a sufficient tool for crafting stability in a deeply fragmented society. An arising question is whether consociational models only work when inter-segmental conflicts and hostilities are not very intense. In this case, it is not the elite variable that facilitates consociational engineering but the existence of deeply ingrained mechanisms and internalised trends of inter-communal bargaining. Besides, a power-sharing democracy seems to function only when the surrounding environment is relatively calm. In deeply divided societies situated in turbulent regions, consociationalism is more bound to external variables than to domestic dynamics.

A supplementary critique hinges on the relevance of consociational democracy as an independent typology. First, the fact that consociational elements in countries such as Netherlands and Austria have withered makes the model tantamount to a temporal and intermediate arrangement. Second, the fact that there are many democracies which have power-sharing features but which do not fully approximate the consociational model makes one wonder whether consociational democracy is a stable typology. More seriously, Lijphart's argument that deeply divided societies have the option between consociational democracy and no democracy at all has been challenged by various scholars. Some have advanced the thesis that a kind of 'control model' whereby one group dominates could also induce stability.⁵ Others claim that increasing overarching loyalties and introducing vote-pooling cooperative measures

⁵ Ian Lustick, "Stability in Deeply Divided Societies: Consociationalism Versus Control," *World Politics* 31 (1979): 325-344.

could enhance inter-segmental cooperation, and stabilise the society without introducing the consociational model per se.

Although the consociational theory is indeed a breakthrough in system typologies, it fails to meet scientific criteria. Thus, its semantic field remains hazy and full of ambiguities. For instance, no thorough studies have been made on how various kinds of cleavages and various cleavage intensities impact consociationalism. Also, consociational literature has been criticised for its exaggerated use of impressionistic notions that have not been tested empirically. Many analysts argue that Lijphart's model is not really reliable, and that his case studies remain selective. Because of the weak scientific character of the model, consociational theory lacks precise tools of verifiability and has a rather restrained predictive potential.

A major inconsistency in the consociational theory is the unclear relationship between Lijphart's favourable factors and the model itself. The arbitrary and evasive character of these factors makes them devoid of meaning and applicability. Upon examining a certain case, one cannot really verify to what extent favourable factors have contributed to the emergence and maintenance of consociational models, for these factors, according to Lijphart, may or may not have been propitious.

What adds confusion to the status of the favourable factors is that various scholars emphasised different conditions or prerequisites responsible for consociational ventures. In addition, unlike Lijphart who argues that these favourable conditions are not binding, others lay emphasis on the determining character of the conditions, and assert that these factors are necessary to shaping and fashioning consociationalism. These analysts downplay Lijphart's voluntaristic stances that rely on the elite variable, and elaborate on the crucial and determinative status of favourable factors. An additional confusing question relates to the vague positioning of the elite variable. If favourable factors, as Lijphart ascertains are not binding, how does one predict elite behaviour or motives in order to evaluate the chances of consociationalism?

The relationship between democracy and consociationalism is another controversial aspect that needs to be addressed. The theory does not say much on the democratic components of consociationalism and on the dynamics of power-sharing trends. In most studies, democracy is taken for granted as an accompanying feature, yet it is well known that there could be consociational elements in a non-democratic regime. It is noteworthy that consociational theory remains a static theory in comparison to more recent theories on democratisation and system transition. In fact, there are no precise tools in consociational literature to assess whether a consociational system is democratic or not. Consociational democracy ends up being a catch-all term that does not differentiate between democratic and power-sharing aspects in a particular system. For more conceptual and empirical clarity, it is essential that the interrelationships between democratic and consociational components in the system be defined.

In the light of these critiques, one is compelled to revisit the prescriptive potential of power-sharing democracy, and its applicability to deeply divided societies. The danger of portraying the model as the only solution to post-conflict fragmented states should not be underestimated. Also, more scientific and empirical analysis should be invested in order to investigate the link between different kinds of cleavages, their degree of intensity and consociational outcomes.

These critiques notwithstanding, consociational solutions remain efficient political forms that could heal the wounds of war and help forget conflicts. They can also stabilise some extremely divided societies that have otherwise no chances of steadfastness. In societies deeply marked with serious identitarian conflicts and organised along steep cleavages, a power-sharing democracy could help pacify fault lines and mitigate tensions even if temporarily. Moreover, the flexibility of the model which lays emphasis on elite crafting leaves much room for political creativity and institutional engineering. This is why it is advisable to recommend consociational democracy - not as a universal elixir or medicine for all plural societies - but as a tailored solution applicable to specific cases.

Democracy by Negotiation: West-Middle European Experiences

Professor Dr. Gerhard Lehbruch
University of Konstanz

Unlike Lijphart who has mostly focused on the elite variable to explain consociational developments in plural societies, Lehbruch explores in this presentation power-sharing experiences in Central West Europe from a 'culturalist' and historical perspective. He demonstrates how traditions of accommodation have conditioned the rise of consensual or negotiated democracies in the region.

Whereas the emergence of the modern English and French states has been influenced by the centralisation of political power, the political process in countries, such as Germany, Switzerland and the Netherlands, has been shaped by inherited patterns of bargaining. In other words, historical trends of negotiation deeply marked the institutional paths of development in Central West Europe, an approach that demarcated itself from the French and English models of the homogeneous state.

To understand the present political process in Central West Europe, it is important to analyse the historical period during which this region was part of the Holy Roman Empire. One notices that these countries inherited common features inspired from the Constitution of the old Empire, which was a loose conglomeration of lands in which no trends of centralisation prevailed. Characteristics of corporate representation of cities and practices of bargaining among different communities during this period were transmitted across centuries, and have indelibly marked the states' developmental patterns.

These traditions of bargaining ingrained in history were part of a repertory of strategies used for solving political problems. Different groups had to come to terms with each other, and conduct negotiations aimed at organising political and social life. In Switzerland, for example, despite pronounced trends of spatial decentralisation, remote valleys had to conclude common agreements in order to counteract external threats. In the Netherlands, communities had also to negotiate in order to reach package deals.

The German political system, which is strongly based on elite accommodation, has also been shaped by previous patterns of negotiation. The Augsburg and Westphalian Peace treaties, designed to relieve tensions and remodel political boundaries, devised practical ways to divide the old Empire on the basis of parity between Catholics and Protestants. The German traditions of accommodation deeply marked by these peace accords reflect an earnest concern to work out inter-communal arrangements that are not dictated by the state.

The principle of bargaining acted as a historical thread which helped communities share power in a friendly way. These patterns of negotiation were based on a genuine need of mutual deliberation and deterrence. With time, these strategies of reciprocal toleration, which established political equilibrium among contending powers and mitigated hostilities, permeated the political process and became institutionalised features of political life. Lehmbruch alludes to the embedded historical rituals of consensus, be it religious or political, in German history to prove how consensus moulded political evolution. In the 19th century, for instance, the reorganisation of the German territory was based on the need to accommodate established religions, integrate communal spaces in a common public sphere, and empower consensual political spaces.

These patterns of negotiation evolved gradually into internalised conflict-regulating strategies to manage rivalries and conflicts. In the second half of the 19th century, during the period of the gradual democratisation of the state, the system of communal pillarisation was institutionalised in Germany and in the Netherlands. Again, under the Weimar Republic in Germany, one notices a deep concern to accommodate different segments in self-administering bodies. - Despite the gradual erosion of segmental pillarisation in the Netherlands, consensual strategies still prevail among elites and organisations, and are not expected to wither any time soon.

To explain why and how trends of negotiation became internalised political devices, Lehmbruch alludes to the factor of foreign intervention which strongly shaped consensual practices in Germany and Switzerland. Religious rivalries have lured Swiss Catholics at one time to seek allies in Austria. Yet, the recognition that foreign alliances could threaten national integrity convinced them to give up external loyalties. This trait has deeply marked the emergence of the Swiss neutrality.

Moreover, in Germany where religious equilibrium constituted the core of social and political life, communal groups decided to forsake foreign alliances and prevent external meddling in order to maintain domestic balance. This desire of emancipation from foreign entanglement was strongly dictated by the urgency to preserve intrinsic trends of negotiation. As a result, the notion of preventive alignment emerged to safeguard these acquired strategies of bargaining.

In his conclusion, after elaborating on the 'histeriography' of Central West Europe and demonstrating how daily aspects of political and communal life enhanced national coalescence, Lehmbruch infers that power-sharing and collective bargaining did not mechanistically emerge but resulted from historical developments that conditioned collective behaviour. These trends of negotiation have also helped pacify cleavages and de-politicise religiosity in the region.

To describe the present political systems in Central West Europe, Lehmbruch prefers to use today the inclusive term of "democracy by negotiation" rather than the notion of consociationalism. According to him, "democracy by negotiation" depicts the complex patterns of democratisation that these states have gone through in order to settle their internal problems and structure their pluralism.

The Swiss Formula Revisited

Professor Dr. Karl Schmitt
University of Jena

The Swiss case has been regarded as the best example of consociational democracy, because it approximates the pure model. However, if one revisits Swiss history, one could easily infer that Switzerland was not born as a consociation. It took in fact 100 years for Swiss consociationalism to evolve. It was only in the 1950s that the model started really developing.

Switzerland was originally a loose alliance of small republics, and a big agglomeration of rural areas. Under the Holy Empire, Swiss cities, which did not pay taxes, were able to maintain some regional autonomy. After the 30 years war, the Swiss region was no longer part of the Holy Empire. Following the French revolution and the Napoleonic wars, the Congress of Vienna declared Switzerland as a conglomeration of individual and loose units. The 25 cantons had an assembly of ambassadors. No overarching authority prevailed, and the capital was not fixed.

In the 19th Century, the process of industrialisation acted as an incentive for the modernisation and the organisation of the confederation of cantons. A liberal movement, which tried to promote the idea of one Swiss nation, took the lead. Nonetheless, at this stage, conflicting interests clashed: The rural areas wanted to keep their autonomy, and the cities aspired for a nation-state. A civil war erupted between the urban Protestant areas and the central Catholic cantons. After the urban cantons had won the war, the 1848 constitution established the first pillars of a Swiss state. A government and a parliament were formed, and a central capital was designated.

Schmitt remarks that Switzerland fulfills to a great extent the prerequisites for a stable consociation. Most areas are homogeneously Catholic or Protestant, and linguistic borders are well-delineated. Lijphart's four devices of consociational democracy constitute the main regulators of political life in Switzerland. The grand executive coalition is the Federal Council composed of the seven members of the governmental departments. Proportionality regulates representation, and recruitment patterns manage and balance linguistic cleavages. The principle of proportionality is observed at the federal level, in the parliament, in administrative posts, expert committees, in the parliament.

Mutual veto can be detected in various political mechanisms. For example, in the legislative council, one of both Chambers can block a decision. Direct democracy also safeguards constitutionalism. Hence, it is impossible to alter the constitution without a popular vote. In order to protect the Catholic minority, a double majority - the majority of the voters who agree to change the constitution and the majority of the cantons - is needed to change constitutional elements. These mechanisms and important con-

stitutional veto elements ensure that the central government does not monopolise excessive power, and does not undermine power-sharing.

High degrees of autonomy at the federal level make sure that segments run their own affairs in education, law, finance ... The cantons remain fundamental structural units and important political vectors that systematise consociational devices.

After detecting the power-sharing elements in the Swiss case, Schmitt asks how these devices came into place as they were at the beginning rudimentary and underdeveloped. In sum, what were the main guiding threads that led to the emergence of a steadfast consociational system?

First, it is significant to note that power-sharing mechanisms have not been designed by institutional engineers but resulted from long struggles and sequences of bargaining. Hence, consociationalism did not instantly emerge, but was the product of a ripening 100-year political process. Several phases and accords preceded the emergence of the magic formula of the Federal Council in 1959: The Constitutional Referendum (1848), the Legislative Referendum (1874), the Constitutional Initiative (1891), the establishment of the proportional representation in 1918, and the Treaty Referendum in 1948.

These instruments of compromise, which were part of popular initiatives to enforce constitutional rules, have slowly consolidated consociationalism. With time, different segments acknowledged that they had to give up some of their privileges to establish a democratic and stable state. At first, the Catholic minority blocked the legislative process, yet this made Switzerland ungovernable. The Liberals came also to the conclusion that they could not steer the navigating wheel alone, so they had to make concessions in order to unblock the system and prevent political stagnation. In addition, historical factors played a role in empowering overarching loyalties. As class struggles started looming, the Liberals allied with the Catholics to counteract the threat of the Social Democrats, but later on the Catholics became the allies of the Social Democrats in order to introduce proportional representation.

It is in fact these cycles of concessions and negotiations that led to the culmination of the consociational experience. The 1959 magic formula was not based on instant political engineering but on the past sequences of negotiations and struggles.

A distinguishing element which contributed to consolidating the consociational approach was proportional representation. The latter became with time an intrinsic part of an institutional setup which forced the majority to relinquish some of its prerogatives and establish a viable power-sharing machinery. The mere acknowledgment that the reluctant minority could block the system convinced the majority to adopt a conciliatory approach.

Despite the various merits of the Swiss consociational system, arising challenges undermine from time to time its efficiency. Although some political groupings are not satisfied, they have to make constant concessions to keep the system going. The compulsory need to play the power-sharing game at the expense of satisfaction acts

as a limitation, but is at the same time a guarantee of political continuity and accommodation. Reluctant groups know that they have to abide by the game so as to avoid exclusion. If they challenge the process and decide to act as oppositionists, they might not be able to rejoin easily the consociational machinery.

Schmitt comes to the conclusion that the Swiss system is so institutionalised that it reestablishes itself in crisis situations. Through institutionalisation and deliberation, internal tensions tend to be defused. Plus, the mere fact that radical changes cannot take place without the consent of a double majority shields the system from erratic threats. In other words, what really protects the consociational apparatus is the non-consociational element of the political system or the referendum which is maintained by the mechanisms of direct democracy. This deadlock-breaking device also saves the political system from immobilism.

A Borderline Case: Malaysia - A Consociational Democracy?

Professor Dr. Jürgen H. Wolff
University of Bochum

Although Malaysia is no real democracy, the system is endowed with various consociational features and devices. Wolff examines in this presentation to what extent the Malaysian system fits the consociational system.

The multi-ethnic society composed of the Malays, who form the absolute majority, and of Chinese and Indian minorities, is a deeply divided society in terms of ethnic, religious, and socio-economic cleavages.

Although the Malays are the poorest group in Malaysia, they consider themselves as the 'true sons and princes of the soil' and the traditional owners of the land. The richest group are the Chinese. It is worthy of note that the Malays owe their privileged status to some extent to the British colonial policy which bestowed upon them special prerogatives.

At first glance, it seems that the ethnic composition of the three groups is identical to the religious cleavages, but this is not entirely true. In fact, religious and ethnic dividing lines do not reinforce each other as there are many Muslims who are not Malays. On the other hand, by constitutional mandate, being Muslim is part of the legal definition of a Malay person. This complicated interplay of ethnic and religious variables makes the stratification of communal groups even more intricate.

In Malaysia, the development of ethnicity is not a self-evident given. Ethnic cleavages are the results of long historical processes which gave rise to a multi-dimensional society and which shaped languages and identities. British colonial times constituted critical junctures which affected the interrelationships between the Indians, the Chinese and the Malays. Although many inter-ethnic animosities shaped by historicity prevail today, the ethnic factor is considered as a natural effect of development.

The Malaysian political system reflects to a great extent this multi-cultural diversity. A federal constitutional monarchy, Malaysia is on the surface a democratic system.

The king or the federal head of the state, elected by the nine Malay rulers, has ceremonial prerogatives. The bicameral parliament consists of the Senate and the Chamber of Representatives, in which real legislative power is vested.

Although elections happen on a regular basis, polls cannot be considered as free and fair. A minority of voters may in fact determine the majority of seats in parliament. The size of the constituencies is extremely unequal, and individual votes do not have the same electoral weight. A marked preferential treatment of the Malay element and of the parties of the ruling coalition is evident. For example, in big constituencies, votes have occasionally much less influence in determining the composition of the

legislature. In addition, doubt hovers on the freedom and independence of the media. Parties are organised along ethnic lines, and are not able to play overarching functions. Also, voting obeys ethnic criteria. The victory of the dominating multi-ethnic alliance, a coalition of ethnic leaders shaping the political process, is guaranteed by ethnic gerry-mandering and electoral tampering. Given the unfairness of the voting system, it is improper to qualify Malaysia as a functioning democracy. It might be more accurate to define the political system, at the surface, as a coalitional consociation in which executive power is shared by different ethnic groups.

The first consociational device inherent to the system is the presence of a grand coalition or a majoritarian alliance which does not claim absolute power and in which ministers belong to the three racial groups. Although the Malay group has voluntarily integrated other groups in the government, this formal cooptation remains symbolic. In fact, political decisions taken at the governmental level favour the Malays as non-Malay leaders cannot really influence the decision-making apparatus. When it comes to sharing power, non-Malay interests and aspirations are relegated and rarely taken into consideration. It is true that the Chinese group dominates the economy, but it does not have much access to the decisional core of politics. The device of proportionality is also impaired. For example, Malays practically dominate the highest ranks of the civil service.

The political preponderance of the Malay segment obliterates additionally segmental autonomy. Although decentralisation of decision-making regulates political life, communities live increasingly in mixed areas to the extent that federalism has become to some extent displaced. In addition, the Federal States are either old Malay Sultanates or former British colonial territories, and hence, never meant to bestow self-administration to particular ethnic groups. Even though a sort of legal acknowledgement of non-Malay groups prevails, no authentic cultural autonomy allows minorities to run their own affairs.

In sum, Malaysia is impregnated with various consociational traits: One group refuses to claim the totality of power, and the power-sharing devices outlined by Lijphart characterise the system. Nonetheless, a closer look enables one to deduce that these devices of concordance remain shallow and underdeveloped. In the final analysis, the Malaysian consociational model approximates a power-sharing oligarchy in which groups unequally share the spoils of power.

Revisiting the Lebanese Formula

Professor Dr. Nawaf Salam
American University of Beirut

In the Middle East, ongoing debates on modernisation and primordial ties have inspired multi-faceted writings in politics and sociology. Core academic questions are whether modernism leads to eroding or reinforcing primordial ties. Most Arab states are today confronted with various problems stemming from their ambiguously defined communal structures. These problems hinge on how Arab states could integrate ethnic and religious minorities in their political systems and how they could regulate the unstructured aspects of pluralism currently contained by authoritarian apparatuses.

Lebanon has gone into an explicit recognition and accommodation of confessional groups in the political realm. Yet, the arising question is how well consociational engineering worked. In that regard, scholars are divided.

After a 15-year war, the Ta'if agreement attempted to restore power-sharing. It succeeded in silencing the guns, and introduced major political changes and constitutional reforms. These changes need to be understood and analysed against the backdrop of the underlying sectarian Lebanese culture. Thus, the relation between legislative and executive is less an expression of confessionalism than a reflection of the formula of power among communities and how they are shaped by regional alliances.

Upon analysing the pact's content, special attention is riveted on four main points:

The pact tries to solve Lebanon's highly contentious issue of national identity. In a consensual preamble, it declares Lebanon as a final homeland and confirms Lebanon's final Arab identity. Muslims commit thereby to Lebanon as a perennial identity, and Christians accept their obligations towards a shared Arab destiny.

The pact maintains the former confessional system, and introduces some fine innovations in the confessional domain. It affirms that religious denominations are the basic constituents of the system and that no party contradicting the pact of coexistence shall have any authority. The pact also aims at achieving a more balanced confessional system.

The Ta'if pact alludes to the necessity of establishing an institutional process that would lead to deconfessionalisation. A national committee is supposed to abolish confessional frameworks. However, this issue has been procrastinated.

In the pact, the core of power-sharing is transferred to the cabinet as a collegial body, and the principles of confessional collegiality and consensual decision-making are reinforced. Whilst the prerogatives of the parliament are strengthened, the president's authority is curbed. The pact also calls for Christian /Muslim parity in the

legislature and for a new electoral law. It introduces 31 constitutional amendments which were approved in 1990. However, many of these amendments have not entered into force, and this has undermined the pact's binding force.

From a retrospective point of view, many claims purported by Ta'if remain unachieved. Salam cites for example the reform of the judiciary branch, decentralisation, the gradual phasing out of confessionalism, and the adoption of a new electoral law. The discrepancy between the pact's intended achievements and political realities is best illustrated by the dysfunction of the cabinet and its inability to perform as a collegial forum.

In sum, the Ta'if pact contained sectarian violence, yet it could not contain sectarian jealousies. Ministers, who remain guardians of their confessions, do not prioritise constitutional and institutional rules. As a result of these dysfunctional practices, the incapacitated cabinet failed to become a policy-making organ. These deformations of power at the executive level led to the emergence of a Troika in the Second Republic: The president, the premier and the parliament speaker acted simultaneously as holders of offices and guardians of confessions. Another characteristic of the post-war period was continuous political bickering over public appropriations and civil service appointments.

During this period, Syria has acted as an arbitrator which constantly interfered to prevent deadlocks or tune power-sharing struggles. After Syrian pullout in 2005, the Lebanese system is in bad need of arbitrating mechanisms and constitutional reforms to address problems such as the system's tendency to immobilism, the formation of cabinets, and the relations between the executive and the legislative.

In short, 16 years after its ratification, one could easily say that the Ta'if agreement has been applied in an eclectic manner.

The post-war consociational model generally failed to defuse confessional animosities, and enhance communal satisfaction with the political formula. The post-Ta'if order led to the increase of Christian disenchantment with political practices, and could not satisfy the Shi'ite establishment's demands. The dialectic of confessional jealousies led to a situation where confessions are no longer satisfied with their representation in the cabinet.

Lebanon's confessional machinery attracts attention to the limitations of power-sharing frameworks in which communities share the spoils of power. An arising question is whether Lijphart's consociational model engenders "more consensus-breaking than consensus-making".

After evaluating the shortcomings of confessionalism, Salam asks whether the time for abrogating such a system has come. A secular Lebanon, he argues, should theoretically promote national as opposed to parochial interests. Yet, in practice, deconfessionalisation has been perceived as an attempt to establish a majoritarian democracy based on numerical superiority whereby small communities become permanent

political minorities. He argues that the reinforcement of Islamism in the Middle East has accentuated the Christian community's fears and intensified its grievances.

In the long run, even if deconfessionalisation is gradually implemented, the problem is to what extent it can be genuinely carried out. Can confessional leaders start such a venture? Moreover, as political confessionalism has been reinforced in the post-war period, deconfessionalisation can no longer be forcibly abolished. Even a smooth process of deconfessionalisation might turn out to be problematic.

The negative effects of political confessionalism and the exacerbation of sectarianism are visible in many domains:

- Despite the elimination of sectarian identities from identity cards, individuals are compelled to make their confessions known to justify their eligibility to political offices. Segmental allegiances have been continuously reinforced by the political process whilst national identity has been "unremittingly debilitated";
- Political power revolves around the repartition of the spoils of power: Who can get what? Prefixed quotas have thwarted the reform of the system, and transformed communities into static political moulds. In the final analysis, confessionalism ends up breeding frustration because of its discriminatory nature;
- The confessional system has allowed the interference of religious leaders and the politicisation of religion through Friday preaching or Sunday sermons;
- It has undermined public merit and reinforced clientelism and nepotism;
- It has inhibited accountability in civil service appointments;
- It has eroded neutrality and undermined state institutions as the latter are earmarked to certain confessions. The "confessionalisation of political offices" has replaced the principle of "confessional equilibrium";
- The confessional system in which communities determine the system has crippled state authority and maintained deadlock and fragmentation;
- The confessional abuse of public funds and the weak notion of "public property" have led to a deficient concept of civility;
- In foreign politics, confessionalism has made Lebanon vulnerable to external powers as sects have been striving to reinforce their internal status by attracting foreign support.

Despite the detrimental effects of such a rigid system, the debate over the abrogation of confessionalism remains inconclusive. First, the abstract discourse of deconfessionalisation has not materialised. Some traditional leaders may still claim to support full secularisation, yet they remain reluctant when it comes to relinquishing their confessional power. Furthermore, Muslim and Christian political elites have maintained a double-faced rhetoric on the matter.

In the end, it is clear that deconfessionalisation cannot be introduced by confessional leaders. A gradual phasing out of confessionalism is contingent upon the development of social forces and pressure groups. The empowerment of civil society organisations, cross-cutting institutions, trade unions and business groups could possibly provide efficient vectors for a successful process of deconfessionalisation.

Last, Salam outlines a theoretical three-phased vision for a deconfessionalised Lebanon. He argues that this gradual process of deconfessionalisation entails radical political and institutional reforms. The first stage is based on the following reforms:

- Introducing a bicameral system of representation in the parliament;
- Deconfessionalising civil service and administrative posts;
- Introducing a system of rotation in high-level executive posts (commander of the army, director of the Central Bank, president of the Lebanese University...);
- Transforming the Constitutional Council into a national and non-confessional platform whose aim is to ensure accountability and transparency in state institutions;
- Preventing the confessionalisation of the socio-economic council.

In the first stage of the process, parity would be maintained in the cabinet. The office of the presidency would be open to all Christian segments, and the premiership would be open to all Muslim confessions. The speaker of the parliament would be appointed on a national and non-confessional basis. In the second stage, alternance of power at the highest executive level would be introduced. In the third stage, all executive political offices would be deconfessionalised, but parity would be maintained in the cabinet.

The vision of a Lebanese republic, free of confessional shackles, remains however contingent on the emergence of a non-confessional civil society and on the empowerment of state institutions and authority. This process, which has to start at one point or another, should contribute in the long run to nurturing the democratic legitimacy of the system and to the refinement of the Lebanese model as a fine example of coexistence.

Can an Imposed System Work? The Case of Bosnia-Herzegovina

Karim El Mufti

Université Paris I - La Sorbonne

Bosnia-Herzegovina possesses today the features of a consociational micro-laboratory in South Eastern Europe. After the Dayton Agreement, this deeply divided society has been so far able to regulate its ethnic and religious cleavages by adopting an extremely complex power-sharing framework tutored by the international community.

As the Yugoslav federation broke down in the 1990s and Croatia and Slovenia declared their independence, inter-ethnic turbulences inside Bosnia led to open warfare from 1992 to 1995. Bosnia's three constituent communities, the Muslims, the Croats and Serbs, were divided on the path to independence and autonomy. Several lingering problems, such as the status of minorities, threatened to tear the fragmented nation asunder.

Inter-ethnic tensions were dampened with the signing of the internationally-sponsored Dayton Agreement in 1995. This pathbreaking covenant shaped the political future of the republic, and paved the way for the emergence of a power-sharing system. Controversy hovers on whether this enforced system could in the long run stabilise the divided society.

As inter-communal conflict affected the demographic map and ethnic cleansing turned multi-confessional localities into mono-confessional districts, post-war Bosnia had to undergo several political, territorial and cultural changes. Presently divided into two entities, the Federation of Bosnia and Herzegovina and the Republika Srpska, the country evolved into a very sophisticated example of an imposed consociational model. How did such a complicated system come into place?

Although it silenced the guns, the Dayton Agreement could not constitute a state-building instrument. The subsequent process of power-sharing could be more described as state shaping than state-building. Its most negative results were ethnic cleansing and the rise of a weak and loose state. It is noteworthy that the agreement created a multi-layered asymmetric federation. Thus, whereas the Federation of Bosnia and Herzegovina, which is divided into various cantons, represents a "federation within a federation", the Republika Srpska, commonly called the Serb republic and composed of municipalities, is a "state within a state".

The consociational devices of grand coalition, proportionality, and group autonomy characterise political and societal structures. The presidential office rotates among the three constituent groups. The parliament, which consists of the House of Peoples and the House of Representatives, takes into consideration the multi-confessional composition of the federation. Its representatives are elected on a proportional basis from

the Federation of Bosnia and Herzegovina and the Republika Srpska. Furthermore, most of the decisive powers are delegated to the constituent entities.

The nature and intensity of cleavages also play an important role in shaping consociational interrelationships. In addition to the ethnic cleavages, sharp religious dividing lines separate the Catholics from the Muslims.

The complexity of internal power-sharing mechanisms is accentuated by the role of international actors and organisations which play a central role in synchronising power-sharing components. Consociational institutions have been to a large extent defined and fashioned by international actors and committees which "even revoked deals, and dismissed elites who constituted an obstacle to the implementation of the Dayton Agreement." The Office of the High Representative, which remains a safeguard against destabilisation, is a highly influential external agent endowed with various executive and legislative powers. In addition to its decision-making prerogatives, it can even manipulate power-sharing outcomes by discarding elected incumbents.

The proliferation of international organisations holding decisive functions within the federation, and the internalised influence of external agents make of Bosnia-Herzegovina an example of a somehow powerless consociational system in which sharing power is to a great extent dispersed and diluted.

It is noteworthy that the Dayton Agreement prompted internal elites to reach consensus and defuse tensions. Patterns of bargaining became intrinsic features of the political system. Still, despite the integrated characteristics of consensus and deliberation, power-sharing remains a "political compass" and is to a large extent the outcome of an imposed strategy. Ethnicities are somewhat lured into this complex consociational mechanism.

Although the political system has substantially evolved since 2005 and elites are slowly appropriating and internalising the consensus model, many challenges loom large. In fact, misgivings concerning the future and role of power-sharing cannot be discarded. There is no doubt that incentives - notably the path to the European Union and the military membership to NATO - motivate internal elites to cooperate with the international community. Yet, it is undeniable that an international arbitrator has so far maintained and consolidated the power-sharing games. In the wake of the transitional phase which would lead to self-governance in the federation, internal threats might hinder the rise of a strong state. While the international actors feel that the state should be the only central authority holding the pieces of the federation together, doubt hovers whether a centrist approach could function or whether power-sharing would even become more diluted. After the multi-ethnic alliance SPD had lost ground, the rise of nationalist parties augurs an era of intensive confrontation between the ethnicities and the federation.

By June 2007, the Office of the High Representative should be closed, and the OSCE responsible for monitoring the polls will downsize its forces so as to empower

Bosnians to run elections more autonomously. Moreover, central institutions are being established and strengthened in order to allow a smooth transfer to political autarchy.

This "smell of change" has triggered some internal turmoil. Bosnia today is re-entering a phase of instability as inter-elite and inter-communal tensions are on the rise. The nationalists, who are fiercely challenging the post-Dayton consociational debate, are eager to alter some system components. Disagreements over consociational governance once the international arbitrator retreats might change or at least influence the current political configuration.

The rising inter-ethnic suspicions, which threaten to deepen cleavages, suggest that inter-communal reconciliation has not really materialised. With the suggestion for an independence referendum in the Republic of Sprska, an additional Pandora's Box has been opened.

The imposed power-sharing system has so far been able to hold the pieces of the fragmented federation together. If patterns of negotiation are not discontinued, Bosnia might evolve from an imposed to a less monitored power-sharing system. Nevertheless, the question that arises is whether "this dilution of power to the extent of dissolution" is a viable option for the fragmented federation in which ingrained traditions of consociationalism remain superficial. Another concern is how much leeway for power-sharing engineering the constituent entities have in order to regulate inter-elite tensions and prevent cleavages from exacerbating.

Sharing Power? The Case of Iraq

Coralie Hindawi

Arnold Bergstraesser Institute, Freiburg im Breisgau

The Iraqi case is a case of an externally and illegally imposed change of power after decades of authoritarian rule. This abrupt system change, which resulted from an externally-led military intervention, was followed by a premeditated attempt to introduce some power-sharing arrangements among Iraqi communities.

Upon analysing power-sharing trends in post-Saddam Iraq, one is confronted with the difficult task of reconciling theory and pragmatic power-sharing aspects in the deeply divided society. In the quest for a stable political organisation, some consociational features have been finally adopted. But the question is whether the arrangement that has been introduced in Iraq can be really qualified as power-sharing.

In March 2003, despite early warnings and alternative institutional design proposals (for example a majoritarian system characterised with power-sharing electoral incentives or a non-ethnic federalism), power-sharing structures were introduced. Portrayed as a way out of civil war and as a post-conflict solution, the consociational approach has been however very controversial. With the establishment of the Iraqi Governing Council in July 2003, proportionality rules have been adopted, and, for the first time in the history of Iraq, communalism has become the formal organising principle of politics. This imposed communal approach contrasts with the emergence of a genuine consociationalism based on patterns of inter-elite bargaining.

In March 2004, a transitional administrative law came into effect, and a parliamentary system was established. A federalism, which empowered group autonomy, has also been introduced. Checked majority requirements in the parliament were supposed to prevent one community from taking the lead.

During the sovereignty transition phase, informal power-sharing traits at the executive level were instituted. In the presidential council, for instance, the Sunni president ruled with Shiite and Kurdish deputies.

In January 2005, in preparation for the general elections for a transitional assembly, pure proportional representation in a single national electoral district was introduced. Informal power-sharing patterns in the grand coalition were reinforced. Whereas the president was Kurdish, the prime minister was Shiite and the parliament speaker was Sunni.

However, patterns of deliberation and consociational accommodation were not able to establish communal symmetry. In practice, what resulted did not approximate an inclusive balance of power. The Sunni community was notably relegated in the draft of the constitution at such a determining phase.

In October 2005, the constitution was still incomplete, and major pillars of constitutional arrangements were still undeveloped. Many contested issues, such as the statute of Kirkuk or the distribution of resources, impeded accommodation. These flaws notwithstanding, a federal parliamentary bicameral Republic was founded. Nevertheless, an obvious gap between drafting and practical implementation ensued.

Although the constitution has a democratic façade, it does not incorporate many power-sharing devices. For instance, at the national level, a majoritarian system with quite few measures to protect minorities has been introduced. Although the parliament retains important power, real prerogatives can be monopolised by a small gentry of elites who tactically decide on crucial issues. The principle of proportionality is inherent to the system, yet there are limited measures to ensure proportional representation of the major communities in the political process. It is however important to mention that the objective of a communal distribution in the army and security apparatuses is the only aspect of proportional representation mentioned in the constitution.

In terms of group autonomy, Kurdish is recognised as an official language and used at a national level. All Iraqis are supposed to be religiously and culturally autonomous, but the articles pertaining to individual and group rights remain until now theoretical and ambiguous.

The new Iraqi constitution has also established federalism at the state structure. This extremely broad federal frame could however give way to a loose and defacto confederation based on confession or ethnicity. In other words, it could pave the way for a dangerous formation of 'super-regions' which may exacerbate cleavages rather than pacify Iraq.

In fact, many uncertainties on the ways of sharing power linger. The text of the constitution opens a Pandora's Box, and cannot guarantee an equitable distribution of power, notwithstanding the fact that consociational implementation does not only depend on constitutional documents.

After analysing power-sharing devices in the post-Saddam political system, Hindawi evaluates prospects for stability in turbulent Iraq. Ideally, the aim of power-sharing democracy is to transform plural cleavages into useful frames for a stable democracy, however is this the case?

Iraq today is neither a democracy nor a stable state, and is not apparently on the way to becoming one. Explosive confessional strife has left the country prisoner to a vicious circle of violence.

More than three years after the US-led invasion of Iraq, it remains extremely difficult to assess the impact of power-sharing devices and rule out whether they had been positive or negative. Some remarks seem however pertinent.

A stream of the research on power-sharing considers that communal power-sharing tends to sharpen cleavages. An emerging question is whether Iraq is a classical example of this phenomenon or whether power-sharing ingredients have been intro-

duced in a deformed way. One could also ask whether the Iraqi society was inevitably condemned to civil war?

Irrespective of these speculations, the circumstances under which power-sharing has been introduced do not seem propitious for the establishment of a balanced and viable consociational system. A quick evaluation of political practices allows one to infer that minority veto rights lack, and the inclusion of all major groups in the political process especially during the crafting of the constitution did not take place. On top of that, power-sharing elements are not clearly defined in the constitution.

It seems that this aborted and limited introduction of power-sharing together with the simplistic understanding of Iraq and the major errors committed by the occupation administration, such as the policies of de-Baathification, contributed to sharpening dividing lines. In the end, power-sharing has become a self-fulfilling prophecy of sectarianism. The elections that have been held so far have been characterised by a strong sectarian dimension.

One should also not forget the new socio-political realities shaped by the episodes of ethnic cleansing which have led to the emergence of mono-confessional areas. Today, shared Iraqi spaces have become rare, and a common sphere of citizenship lacks.

Early warnings that Iraq embodied conditions for a "conflictual politicisation of ethnicity" (Andreas Wimmer, May 2003) have in one way or another become true. It is indeed disappointing to observe today that previous proposals - which advocated a system based on electoral incentives of cooperation and a mild federalism limited to fiscal and territorial features that does not coincide with ethnic boundaries - have been ignored. Analysts have also warned against the convening of elections too early before state building.

After this rather grim perspective, can one consider power-sharing as a way out of civil war in Iraq?

Power-sharing based on communal belonging turned out to be conflict-laden. Alternatives to communal segmentation, which would not intensify ethnic-sectarian boundaries and weaken state authority, would have been preferable. Prerequisites would have been the reconciliation of the three major groups with a unified national project before the precipitated crafting of a state model.

In her conclusion, Hindawi remarks that power-sharing was not sufficiently and properly applied. Nevertheless, since power-sharing structures have already been introduced, one has to find out efficient ways to rectify the situation. A proposal would be to concentrate on stabilisation rather than forceful democratisation.

The Iraqi case inspires many theoretical and analytical questions: Can an imposed system secured from the outside work? Where does legitimacy and authority reside as the state resembles now more a protectorate than a sovereign polity? What about the

unstable regional context? Would not regional disturbance add to the burdens of the divided society?

In the end, more research is needed to know if and to which extent the introduction of power-sharing based on communal belonging did contribute to the rise of sectarian violence in Iraq. More knowledge about these questions would help evaluate whether power-sharing arrangements could play a role in the stabilisation of Iraq. One thing seems however sure: In open conflicts, power-sharing can hardly be more than a small part of the solution. It is more adequate to envisage today consociationalism as a partial element in the global approach of conflict-regulation in war-torn Iraq.

An Alternative to Power-Sharing: Depoliticising Ethnicity in South Africa

Professor Dr. Valerie Møller
University of Grahamstown

Professor Dr. Lawrence Schlemmer
Mark Data, Cape Town

This presentation is divided into two parts. The first part concentrates on the general social and political landscape in South Africa and deals with arising socio-economic challenges. The second part tackles ethnicity and politics in South Africa in a consociational perspective.

South Africa sees itself today as the Rainbow Nation or the land of miracles. Although both are metaphors, they illustrate to some extent the recent political developments which marked a historical watershed in the country. The metaphor of the Rainbow Nation stands for the pact of coexistence and peace between black and white people, and represents the ideal value to which South Africans subscribe.

In time, the myth of the Rainbow Nation, so carefully cultivated during the Mandela presidency (1994-99), has faded and has become more of a moral reference standard. The question of whether deracialisation has really occurred and how South Africans are faring is really a quality-of-life question. Ordinary South Africans see the impact of recent changes in their society on their personal lives against the backdrop of the new policies adopted in the democratic era.

The post-apartheid transition period has not been easy. Although all South Africans registered satisfaction for the first time immediately after the landmark 1994 elections, levels of satisfaction among black South Africans have returned to earlier low levels. Nevertheless, recent studies suggest that political freedoms continue to satisfy and an appreciation of democratic freedom transcends everyday economic concerns that have not been fulfilled under democracy.

This general satisfaction with political rights notwithstanding, racial tensions hides under a different cloak. A recent title in the media captured the situation succinctly: 'Apartheid's gone but poverty remains'. Although the benefits of democratisation, housing and infrastructure development programmes are visible countrywide, material privilege is still racially defined. Indicators of material quality of life closely reflect the earlier racial hierarchy. In fact, "who gets what" marks the new phase of democracy in South Africa.

While macro-economic policies have earned international recognition for introducing economic stability, progress in bringing the election promises of 'a better life for all' have been slow. For example, economic growth has not translated into jobs. The

highest percentage of unemployment is still among the black population, particularly among the youth who have been hardest hit by the legacy of educational neglect under apartheid. Substantial investments in education have failed to produce sufficient skilled workers to meet the needs of a growing economy. The formerly politicised black youth now have material aspirations that are not being met.

Some two million new houses have been built since 1994 but freedom of movement has created havoc with infrastructure development programmes. South Africans are migrating to urban areas to find work and access better services which has led to the mushrooming of shanty towns and an increase in urban poverty.

The stigma of the past is acutely felt by the socially excluded and unemployed. The government has increased social spending to relieve some of the burden of poverty. And the prospects of increased economic growth has given new impetus to job creation initiatives. Worker rights have made significant progress, but the gains may have been at the expense of the jobless as the new enlightened labour regulations have also created disincentives to hire more staff. Affirmative action and black economic empowerment policies have not yet succeeded in eliminating social exclusion but may have slowed investment in business. Importantly, new forms of tension between the state and citizens have emerged. In the run-up to the 2006 elections, a wave of dissatisfaction with corruption and nepotism has highlighted disillusionment with democracy's capacity to deliver services and the good life to the people.

In sum, the most serious problems threatening the South African nation are the discrepancies between rich and poor and not between the black and white populations. The stigmatising polemic of poverty and the inequality that poverty has caused have become core themes dominating post-transitional debates.

Furthermore, preoccupied with promoting reconciliation policies in the mid-1990s, the government has ignored other festering problems such as the HIV/AIDS epidemic. Although antiretroviral programs have brought some hope, they currently only reach some 15% of the people living with AIDS.

Pending challenges revolve around eradicating poverty, implementing reconstruction and development projects as well as meeting rising expectations. As patience is wearing thin, the government is contemplating how to find sustainable solutions for joblessness and social exclusion in order to keep the myth of the Rainbow Nation alive.

In the second part of the presentation, Schlemmer deals with aspects of ethnicity in South Africa and examines whether identity has been depoliticised. Defining consociationalism as a way to manage diversity and polarising aspects of identity in order to prevent conflict, he examines to what extent South Africa functions as a consociational system. He also attempts to answer the question as to whether or not stability in South Africa would have been facilitated by a more clearly defined system of racial power sharing after the transition to democracy.

Analysing the nature and intensity of national cleavages makes it clear that although a black middle class is growing rapidly and class inequality is supplanting racial inequality in objective terms, at a subjective level ethnic and racial sentiment is nevertheless reinforced by class cleavages simply because the highly visible majority of poor people are black. In addition, sharp ideological and doctrinal contrasts, most significantly between African nationalism, left-leaning democratic centralism, individually oriented liberalism and a remnant of an earlier Afrikaner nationalist "Volksstaat" ideology among a minority of white Afrikaners, have prevented the emergence of an overarching political culture and tradition.

On the other hand, many integrative aspects lay solid foundations for the South African nation. South Africa has a powerful integrating corporate economy, and associated with this strong market-based economy, liberal values are influential in both the old and the emerging middle classes. Hence there is a weakening of socio-political fundamentalism, and hence the consolidation of peaceful social relations. Equally important is the fact that racial and religious cleavages do not reinforce each other, since 70% of the population is Christian, and inter-race links between and within religious umbrellas can be detected. Even at the highest tide of conflict over power, political dividing lines were and are not significantly exacerbated by socio-cultural and confessional divisions.

Major factors in South Africa's political transition contributed to the favourable climate for stability. International pressures and within them economic sanctions were more effective than armed struggle in putting pressure on the apartheid system, and hence very few South Africans in opposing political camps were actually involved in militant confrontation. In spite of imposed sanctions, the economy was not crippled, and the promise of prosperity after a settlement prevailed. The end of the cold war also brought about a new phase. With the Soviet Union in collapse, the U.S. and the UK no longer needed to play Godfather in South Africa, and relaxed their vigilance to allow domestic actors such as the churches, civil society, and political parties to start working on peaceful reconciliation. Of course, the epitome of this transition was the release of great conciliator, Nelson Mandela.

In addition, the re-entry from exile and rise of the African National Congress (ANC) permitted the establishment of a new concept of diversity. This essentially manipulative and cooptive concept was based partly on the Soviet approach to nationalities, and partly on Anglo-Saxon "multiculturalism" resulting in an approach that accepts socio-cultural differences but stops short of accepting any rights of cultural minorities to power in the form of self-determination. The ANC was able to contain dissent among former opponents of apartheid by forging a political alliance with the Communist Party, the trade union federation Cosatu, and the SA National Civic Organisation associations and by coopting traditional leaders who became state employees. This highly controlled concept of pluralism was a way to manage conflict over interests and to mitigate divisions by (over)-emphasising convergent loyalties.

With careful analysis one can find mild consociational elements in the constitution that have the effect of protecting current minority rights and redressing majority losses during apartheid. However, this constitutional feature is in fact a “creative contradiction” allowing the government to favour redress over current rights when it chooses to do so. Hence minority rights in the constitution are highly qualified.

Marginal elements of power sharing can also be detected in the bargaining council for business, labour and government (NEDLAC), and during the initial phase of National Unity government. Although there is a Proportional List System governing electoral outcomes that theoretically strengthens minority party leverage, this is effectively neutralised by population asymmetry - an overwhelming black majority - and racial voting. There are also no significant mutual veto or blocking powers. Devolution is very limited, and local autonomy is contained and restricted to service functions.

Therefore, even though some weak consociational elements characterise the system, it might be more accurate to talk about a system of cooptation rather than power sharing. Striking examples are the failed attempt to establish a consensus government in the period following the 1994 settlement and the sidelining of NEDLAC - the bargaining council for business, labour and government. Consensual elements have not been able to countervail majority voting. There is a special state council on language rights (PANSALB) but its is almost completely ignored by government. The constitution remains a basic safeguard through its protection of individual rights, but the government has in a way co-opted the constitution through the selective application of its provisions.

Despite these rather partial and selective assimilative patterns, political and economic stability holds. Business interests are protected and promoted subject to the acceptance by business of “charters” requiring black co-ownership and rapid advancement. Despite the capital drain of black empowerment, the economy thrives on commodity demand. In addition, the black middle class has been growing rapidly (45% growth per annum in 2004-2006), and black insider elites flourish. Despite symbolic losses related to their status and cultural heritage, whites are not getting poorer. So from a distance, the new democracy is a success story and the rainbow still glows.

Nevertheless, beyond the rainbow and the current international commodity boom, negative indicators point to looming hurdles. Increasing inequalities are obvious (“Gini” coefficients of inequality 1996-2005: overall: from 0.60 to 0.65, Africans: 0.53 to 0.64). Despite providing the highest level of welfare support in the developing world, unemployment (including those who have given up looking for work) is persistently around 40%. Moreover, only 7% of schools perform well, and nearly 80% are dysfunctional. A huge skills deficit is expected to cut back the growth, including the growth of the black middle class. State administration fails the poor, and over 50 riots and demonstrations over poor service delivery before the 2006 local elections were reported. These hard economic and social realities have led to a general sense of disenchantment.

On top of this, race tensions have re-emerged, but in a different pattern from the past. In surveys Black South Africans claim more race discrimination from other blacks than from whites (40% versus 27%). Competition for jobs and housing creates tension between coloured and Africans, and high rates of violent crime undermine trust in the society at large.

Would a more clearly defined consociational system involving racial power sharing been more efficient in stabilising South Africa? It would have removed some of the uncertainties to which minorities are subject, but given the expectations of the former victims of apartheid, it would have risked serious early race conflict. Instead, the government that emerged from the transition used its majority to force through rapid racial transformation, and as a consequence was able to some extent to buy off black elite frustration while at the same time stifling white reactions.

By co-opting, controlling and even smothering the diversity of interests, the system was able to preserve stability in the short run, perhaps even into the medium term. Yet, having "engineered" ethnic peace, the government now faces the challenge of micro-managing a highly complex society and political economy. After having truncated the status of the most skilled segments of the population - the minorities - the government now has to focus on stimulating cross-racial cooperation to improve administration, attract lost skills, boost investment and create jobs. Failures in these crucial fields will re-politicise race, language, traditional leadership and trade unions, building a potential for future instability. There is thus a very practical need for a new consensus or a "post-settlement-settlement" that lends stability to a society with persisting serious socio-economic problems. A touch of informal consociation would overcome cynicism among minorities and enrich administrative and political talent. Neither democracy nor socio-economic stability has been fully consolidated, and a new consensus at the elite level might allow South Africa to face a very complex future with greater resilience.

Defusing Communalism: The Case of India

Clemens Jürgenmeyer, M.A.

Arnold Bergstraesser Institute, Freiburg im Breisgau

The complex Indian model has been tackled from different perspectives. Lijphart, for instance, tried to prove in 1996 that India fits the consociational type of democracy, yet ironically enough the case outgrew or bypassed the model.

The arising question is how to define the sophisticated nature of the Indian political system. In fact, is India a majoritarian, a consensual or a consociational system?

The British colony that became independent in 1947 has inherited from Britain a multiplicity of legacies that made its core political structures very close to the Westminster model. These similarities with the British model have ensured a certain political continuity with past patterns reflected in the constitution and in political practices. This commitment to past structures and the ingrained power-sharing features have made the Indian case more ungraspable than analysts normally think. How to categorise the model?

According to Lijphart, a majoritarian system functions as a competitive and adversarial system. This style of governance opposed to consensus rule faces problems in deeply divided societies because the model reinforces divisions and polarises the society into clear winners or losers. The Westminster model is best suited for homogeneous states while consociational democracy is best applicable to heterogeneous societies.

Against the backdrop of these definitions, India stands out as an interesting anomaly. This extremely heterogeneous and multi-religious society in which 21 languages are officially recognised casts doubt upon the consociational model as a pure typology.

According to the power-sharing theory, consociational accommodation should be the only adequate political setup that could be applied so as to manage unruly cleavages. In spite of its extreme heterogeneity, India is no impressive case of consociationalism because the institutions shaping the political system have both majoritarian and consensual traits.

On the one side, India is no pure example of a majoritarian system, because the parliament does not enjoy absolute sovereignty. Embedded institutional features of power-sharing ensure communal veto powers. Also, the groups' predisposition to bargaining and negotiation is inherent to Indian political patterns. This predilection of consensus can be traced to the intrinsic heterogeneous patterns structuring the Indian society. No party can prevail or exert power without taking into consideration alternative strategies or other communities' interests. For example, the major party, the Indian National Congress, is a plethora of regional groups. At the same time, this

grand coalition remained a dominant party which rules India for the most part since independence.

The fact that this party has dominated the political system subverts the device of proportionality essential to consociational systems. In addition, veto rights exist in a rudimentary form, and are not clearly defined. The majority party can push for its interests irrespective of the opposition. Yet, it is worthy to mention that in-built patterns of negotiation and accommodation oblige different parties to reach compromises on various issues. Moreover, the framework of the constitution sets clear-cut political boundaries that the parliament cannot transgress. This "basic structure doctrine" determines power plays and power-sharing margins.

All in all, the Indian institutional setup differs from the parameters outlined by Lijphart. Although the core structure of the Indian system resembles more a majoritarian system, institutional veto rights ensure the participation of all substantial groups. In addition, the Indian political constellation entails compromise and policies of negotiation, which are not necessarily the direct outflow of embedded institutions but the natural result of social and cultural diversity. Ironically enough, the institutional makeup is supposed to facilitate the dominance of one party. Still, an exclusive group monopoly cannot prevail, for the heterogeneity of the country makes it advisable to seek for deliberative democratic patterns in order to accommodate influential groups. Groups bargain for their own enlightened self-interest as plurality is an incentive for cooperation. Whether a purposive rational elite voluntarism motivates consensus depends on the prevailing political constellation and circumstances.

India has experienced after its independence different political scenarios ranging from majoritarian styles of governance to more diversified forms of coalition government. In the end, the pluralism of the subcontinent has taken the upper hand, and has set the tone for a style of politics inclined towards consensus democracy. It is remarkable that the surviving and amazing Indian democracy cannot be understood in the sole dichotomy of majoritarian versus consensus systems. The "functioning anarchy", which runs counter to scholarly expectations, oscillates between the two typologies. On the one hand, centrist features of Indian parliament are counter-balanced by politics of negotiation preventing extreme parties to monopolise power be it Maoist insurgents or Hindu nationalists. The resilience of such a democracy in the Third World defies the prejudice that poor countries cannot afford democracy.

Round Table: Sharing or Changing Power?

Professor Dr. Theodor Hanf (Moderator)

Arnold Bergstraesser Institute, Freiburg / American University of Beirut

The power-sharing model, which has lent itself to various terminological definitions and institutional structures, is essentially an attempt to sustain a democratic system of checks and balances in which power is shared among different communal groups. Power-sharing approaches were mostly applied to societies in which segments are separated by cultural markers. In some cases, these approaches succeeded in dampening hostilities, and provided a temporary *modus vivendi* for a tension-free coexistence.

Despite its high degree of sophistication, the power-sharing approach has however failed to tackle core issues related to communal segmentation and to the varying intensity of cleavages. Societal dividing lines can be informal, institutionalised, politicised; they can also be transitory or not easily graspable. Religious markers in Northern Ireland have been severely politicised whereas religious cleavages in the Netherlands were able to withstand the danger of politicisation. In fact, cleavages do not obey specific and predictable patterns of politicisation, and tend to change from one case to the other and according to the self-perceptions of different communities. The consociational theory fails to address these crucial issues and does not provide self-reliant frameworks to analyse these controversies.

Moreover, power-sharing systems are not easily definable. Some are informal and some are deeply institutionalised. For example, whilst the consociational pact in pre-war Lebanon was a gentleman's agreement, it has become an integral part of the constitution in the wake of the 1975-1990 war. Doubt prevails whether the consociational approach is enough specialised and multi-layered to deal with informal and deeply-rooted power-sharing modes.

In addition, the devices of power-sharing democracy seem to escape categorisation, and are not as mechanistic as the theory claims. The way segmental autonomy or proportionality is applied depends on the segmentation of the social groups, the degree of politicisation of cultural markers, and the degree of system institutionalisation.

This leads one to wonder what the crux or distinguishing feature of power-sharing is. In this respect, Hanf argues that the substantial and determining consociational device is the minority veto principle. He also suggests that more theoretical and empirical research should be invested to find out how this device regulates and shapes consociationalism. Thus, veto powers have throughout history modelled the degree of consociationalism, and the outcomes of power-sharing. In the European Union, for instance, a pre-emptive system has been developed in order to avoid the veto. While

each actor possesses this luxury, an exaggerated use of this "concurrent majority" principle could derail power-sharing mechanisms. An illustrative case of this deformation is present consociationalism in Lebanon. After Syrian withdrawal, Lebanon's power-sharing institutions have become inoperative because of the unrestrained use of communal veto rights.

An additional question that the consociational theory has so far failed to answer is whether power-sharing is related to engineering or whether it is an intrinsic aspect of political culture: Does instant political engineering count or do earlier traditions of bargaining overrule "the self-denying prophecy"? Is it possible to sustain a power-sharing system when traditions of accommodation are weak? Is it reliable to create a consociational system out the blue? In West Central Europe, a political culture of bargaining has shaped power-sharing practices, and has modelled degrees of communal segmentation. One could infer that power-sharing emerged more smoothly in countries characterised with traditions of accommodation, yet one cannot exclude the possibility that political engineering might succeed even when previous habits of bargaining lack. Which factors determine the success or failure of the power-sharing venture?

The normative dilemma of power-sharing systems is another problematic aspect of the consociational approach. Any kind of communal pluralism needs surely political organisation, yet consociational engineering always undermines individual merit for the benefit of collective justice. Emerging questions are to what extent disequilibria have to be balanced, and to what extent power-sharing systems could approximate models of democratic perfection.

Moreover, interesting observations are how to determine the typology of power-sharing systems and how to find out whether they are fully-fledged or partial, final or temporary. Upon comparing power-sharing systems in an international perspective, how can one delimit the distinguishing characteristics that contribute to the resilience of consociational systems? Are these characteristics institutional, cultural or political?

Other analytical gaps in the consociational theory issue revolve around the methods used to organise and shape communal segmentation. A power-sharing balance in a divided society might be based on the size and numbers of constituent communities, but it can also be the result of a strategic plan which does not strictly take into account numerical considerations. In case the communal balance of power is demographically organised, is it possible to alter this balance without risking civil unrest and how? If the balance of power is organised according to a system of parity, how to accommodate changing realities in communal segmentation?

It is also significant to draw attention to some simplistic aspects in the consociational theory. In a power-sharing model, the intrinsic 'nuisance value', in which one group attempts to block the other's project, cannot be underestimated. Lijphart's technical approach to communal veto-powers disregards the cultural and endogenous elements of communal 'nuisance' embedded in fragmented societies. Furthermore,

the model pictures the elites as an enlightened class and takes for granted the deference of followers who blindly accept the elites' decisions. Yet is this oversimplified 'elite-follower' picture real?

It is also noteworthy that consociational theory does not elaborate much on crisis management. In deeply fragmented societies where communal cleavages can be easily politicised, is it possible to intervene in order to prevent cleavages from exacerbating? At which point and how? One can always wait for the salience of cleavages to decrease and depoliticise with time, but is it possible to bring about such changes consciously? Which determining factors could possibly influence the acuity of inter-communal conflicts?

These speculations prompt one to ponder on the links between power-sharing and civil war. Do power-sharing solutions bring about a sustainable peace or are there alternatives to pure power-sharing models? If power-sharing is a benign post-conflict settlement or a civilised form of cease fire, is it a sustainable process and to what extent can it act as an intrinsic device of conflict-regulation? It is known that power-sharing solutions have been applied in countries after civil war or as deliberate attempts to prevent war. Paradoxically enough, the deliberate attempt of power-sharing can also ignite war. The example of Iraq in this case is particularly alarming.

Furthermore, no substantive correlations have been detected between socio-economic policies and their maldistribution on the one hand and the failure of power-sharing systems on the other hand. It seems however that communities' perceptions of their socio-economic status do impact and shape outcomes of power-sharing. Empirical research on these matters remains marginal and inconclusive.

Last, imposed or enforced power-sharing systems and their chances of success have been also discussed. The element of foreign intervention and the impact of external elites seem to play a particularly important role in the maintenance of power-sharing systems. If the environment is friendly, it is more likely that consociational approaches succeed even if power-sharing is imposed (e.g. Bosnia versus Iraq.)

An arising question is whether consociationalism is essentially determined by binding prerequisites. Although Lijphart argues that no conditions are binding, it seems of prime importance to study the circumstances as well as the internal and external configuration before imposing consociational solutions in war-torn or unstable countries.

In the final analysis, while consociationalism has survived as a theoretical panacea for fragmented societies, its controversial application threatens its usability. Focusing on empirical indicators and detecting decisive factors which shape consociational outcomes may ameliorate the normative aspects of the theory. Political scientists are advised to come up with contextually relevant power-sharing models without falling into the trap of generalisations.

Freiburg im Breisgau

Appendix

Participants

Jocelyne Boustany Khairallah, Lebanon
Arda Freij Dergarabedian, Jordan
Tamirace Fakhoury-Mühlbacher, Germany
Prof. Dr. Dominik Hanf, Belgium
Prof. Dr. Theodor Hanf, Germany/Lebanon
Dr. Adnan Hayajneh, Jordan,
Coralie Hindawi, Germany
Clemens Jürgenmeyer, M. A., Germany
Prof. Dr. Assad Khairallah, Lebanon/Germany
Prof. Dr. Gerhard Lehmbruch, Germany
Eman Marei, Egypt
Dalal Mawad, Lebanon
Prof. Dr. Valerie Møller, South Africa
Sara el-Mokdad, Lebanon
Christiane Mouradikian, Lebanon
Zeyad A. Mousa, Egypt
Karim El Mufti, France
Jihad Nammour, Lebanon
Prof. Dr. Ibrahim Othman, Jordan
Anne-Marie Perucie, Lebanon
Rehab Sakr, Egypt
Prof. Dr. Nawaf Salam, Lebanon
Prof. Dr. Lawrence Schlemmer, South Africa
Prof. Dr. Karl Schmitt, Germany
Prof. Dr. Jürgen H. Wolff, Germany
Samar Sassine, France
Eugene Sensening-Dabbous, Lebanon
Yossra Mohammad Taha, Egypt
Mayssoun Zein al-Din, Germany
Miriam Younès, Germany/Lebanon
Zeyad Moussa, Egypt