

Chapter 9

Conclusions: Lessons for public policy

In conclusion, what are the implications of this study for comparative research in the social sciences seeking to understand processes of democratization, as well as for practical reformers, NGOs, and agencies in the international community actively engaged in peace-building and promoting democracy? This chapter summarizes the main findings developed throughout the book and it considers further issues which skeptics could raise in response to the argument. One potential methodological criticism concerns the dangers of self-selection bias in the cases used for illustration and whether this invalidates the evidence. In addition, are power-sharing constitutions a practical and viable reform which should be advocated by domestic reformers and the international development community, as an effective strategy with a realistic change of success? There are many reasons for caution about this claim. In particular, it should be emphasized that many alternative political reforms should also be implemented, beyond those discussed within this study; opportunities for major constitutional reform often remain extremely restricted; the odds of success in generating durable ends to civil wars are daunting; and the conditions of deep-rooted poverty and fragile states make democratic development through power-sharing agreements extremely challenging. Reflecting upon these issues provides insights into the fundamental role, and also limits, of institutional reforms.

The impact of power-sharing arrangements

Power-sharing arrangements are understood here to include four features as the basic building-blocks, used singly or in combination. Proportional electoral systems with low vote thresholds and reserved seats facilitate the inclusion of minority parties in the legislature, opening the door to representation in multiparty coalitional cabinet government. Federal and decentralized arrangements allow minor parties to build a local power-base and a degree of regional autonomy in the communities where their support is most concentrated. In parliamentary monarchies, prime ministers face many checks and balances on their decision-making authority within cabinet and the legislature, including the ultimate sanction of removal from office. And an independent pluralistic news media in civil society, free of state control, scrutinizes the conduct of the powerful, expands transparency, accountability, and open government, and provides the foundation for informed choice by the electorate.

As outlined in the opening chapter, advocates make strong claims that power-sharing regimes encourage moderate and cooperative behavior among contending groups in divided societies.¹ Through inclusive processes in representative bodies, consociational democracies are thought to manage and contain ethnic tensions, armed uprisings, and inter-communal violence, helping to build peace and stabilize fragile democracies in plural societies. Rebel factions are

encouraged to lay down their arms and to contest power as political parties, gradually becoming integrated into the conventional process of bargaining and compromise. These assumptions have shaped constitutional agreements in many recent peace settlements, as exemplified by the Dayton agreement governing Bosnia-Herzegovina and the Good Friday agreement in Northern Ireland. They remain at the heart of constitutional talks and peace-building initiatives in many countries, such as Nepal, Sudan, and Sri Lanka, which are currently searching for a solution for deep-rooted armed conflict.² Despite the popularity of these ideas, theories about power-sharing constitutions always attracted many critics challenging the core claims, the precise classification of cases, and the consequences of these arrangements.³ Skeptics have emphasized the breakdown of these arrangements, such as in Lebanon and Cyprus. Controversy surrounding consociational theory has continued for almost forty years. Despite a wealth of case studies cited by both proponents and critics, many issues remain unresolved. Over successive elections, proponents argue that power-sharing regimes generally serve to reduce conflict in deeply divided societies by providing rivals with a stake in the government, thereby facilitating a durable constitutional settlement, political stability, and the underlying conditions under which democracy flourishes. In response, critics suggest, the incentives under power-sharing regimes can unintentionally serve to freeze group boundaries and heighten latent ethnic identities, thus failing to ensure the long-term conditions leading towards stability and democratic consolidation.⁴ This long-standing controversy generates important questions for scholarly researchers seeking to understand the underlying drivers of the democratization process. It raises even more pressing issues for domestic reformers and the international community trying to implement effective peace-settlements, rebuild failed states, and promote democratic governance.

The opening chapter outlined the theoretical reasons why power-sharing arrangements have been thought to generate incentives leading towards more stable processes of democratic consolidation, especially in plural societies divided into distinct communities. The study has presented the results of the systematic cross-national time-series analysis for patterns of regimes worldwide since the early-1970s, along with the selected paired case-study narratives, which point in a consistent direction. The cumulative results reinforce and confirm the advantages of power-sharing institutions which have often been assumed, irrespective of which particular indicators are selected to measure democracy, even with the controls used in the series of multivariate models. Societies which are deeply divided, whether by identities based on religion, language, region/nationality, ethnicity, or race, which are emerging from deep-rooted conflict should consider adopting power-sharing arrangements in democratic constitutional settlements.

Before examining the role of institutions, models have to control for broader conditions associated with democratic consolidation. Previous chapters confirmed the relationship between wealth and democratic consolidation in a variety of contexts and circumstances. The results of the analysis presented in this study lend further confirmation to the classic Lipset proposition that

democracies usually flourish in wealthy economies. Democracies are also more likely to be found in countries with a British colonial heritage, in regions where there are many other democracies and outside of the Middle East, in more homogeneous societies, and in nations with smaller populations. Nevertheless the relationship between the underlying characteristics and the type of regime remains probabilistic and it was found to explain, at most, between one half to two-thirds of the variance in democratization found during the third wave period. The case of South Korea plausibly fits the Lipset theory but, as Singapore shows, many important outliers remain.

Electoral rules are some of the most basic institutional features of a regime and these determine much else about how democracy works, including patterns of party competitions, levels of electoral participation and the representation of women and cultural minorities. The results of the analysis presented in this study confirmed that PR electoral systems are more democratic than majoritarian systems, especially in divided societies. The case studies of electoral reform in the UK and New Zealand suggested that either PR with low thresholds or positive action strategies (or both) can be used to facilitate the election of representatives and groups drawn from minority communities. The adoption of the Additional Member System in Scotland and Wales boosted the electoral success of nationalist parties in regional contests, with the Scottish National Party taking the reins of the regional government in a minority administration in 2007, although so far their increased support has not translated into greater representation in Westminster general elections. This process has also led towards greater party fragmentation in Scotland. In New Zealand, the Mixed Member Proportional electoral system strengthened the inclusion of Maoris, Asians and Pacific Islanders, although it has also facilitated the success of the New Zealand First party on a platform of cultural protection, and thus stirred up greater controversy about issues of Maori rights and multiculturalism.

Another critical aspect of constitutional choice concerns the type of executive. The idea that presidential democracies are less stable and more prone to regime breakdown has a long pedigree but the comparative evidence has been challenged by those who argue that there are many different types of presidential regimes, rather than just one category. Comparisons of the empirical evidence have usually been limited to historical patterns in Latin America and Western Europe, rather than considering types of executives found elsewhere. This study developed a new typology of executives, based on a few simple criteria, including the formal constitutional structure of a unified or dual executive, and the forms of selection and tenure for executives. The conclusions from the analysis using this typology are that parliamentary monarchies have a demonstrably better record at democratic consolidation, as many have commonly argued, compared with presidential republics. This is also true if the comparison is limited to elected presidential republics compared with parliamentary monarchies. Mixed republics – the type of executive which has proved most popular for many new constitutions during the last decade – display a somewhat inconsistent record. Nevertheless this type of executive has a poorer record

of democracy than parliamentary republics, according to the indicators provided by Freedom House and Polity IV. And presidential republics also have a poorer record than parliamentary monarchies according to direct indicators of crisis events, such as experience of coup d'état, political assassinations and riots. The reasons are that parliamentary systems are led by a prime minister who can be replaced without a major constitutional crisis if he or she loses backbench support, which provides an additional safety-valve. The incentives for cooperation and consultation between the executive and legislature are likely to promote accommodation and compromise in parliamentary systems, fostering stability. The dual executive found in parliamentary monarchies divides the ceremonial head of state from the prime minister, functioning as the effective head of government. This ensures state continuity even when governments collapse in crisis.

Parliamentary republics and proportional electoral systems generate horizontal checks and balances in the core institutions of state. By contrast, federalism and decentralization lead towards *vertical* power-sharing among multiple layers of government. processes of decentralization take diverse forms. Federalism is one important mechanism but fiscal, administrative and political decentralization can also transfer power to bodies in the public sector (local government elected officials and executive bodies), as well as those in civil society (non-governmental organizations, community, philanthropic, and voluntary associations), and in the private sector (such as through privatization and contracting out of services). The typology of vertical power-sharing constitutional arrangements used in this study defined *unitary* constitutions as those where the national government retains sovereignty over all sub-national tiers. In this system, the presidential executive branch, or the prime minister heading the largest party in the lower house of the national parliament, has both de jure and de facto authority to over-ride all other regulations, directives, and decisions emanating from sub-national units. Constitutions were classified as *federal* if governments had national and sub-national units, in a compound polity where each tier possesses certain autonomous functions. *Hybrid unions*, the intermediate category, represent those constitutions where some independent powers are granted for certain sub-national units or dependent territories, but where sovereignty remains ultimately with the central government. The results of the time-series cross-national analysis using this typology confirmed the claims that, compared with unitary states, federal arrangements were associated with a stronger performance of democracy, even after controlling for many other factors commonly linked with democratization. Moreover the illustrative cases drawn from South East Asia explain the underlying reasons why federal and decentralized vertical forms of power-sharing have helped democracy persist in India, despite the odds of a vast, poor and deeply-divided society, while it has foundered in neighboring Bangladesh.

The free press is one of the major institutions buttressing democratic transitions and consolidation. The cross-national time –series data demonstrates that the independent media

functions as another check and balance on the government executive, even after controlling for other democratic institutions. This relationship operates primarily through the roles of the media as watch-dog, civic forum and agenda-setter. The case studies Ukraine and Uzbekistan in post-Soviet Eurasia reinforce many of the claims about the role of independent journalism, showing how this mattered in facilitating the Orange Revolution in the former, while suppressing dissent in the latter. Policies which eradicate limits on the freedom information and communication, whether due to state censorship, intimidation and harassment of journalists, or due to private media oligopolies, therefore have important consequences by deterring transitions from autocracy.

Self-selection bias in the choice of cases?

The evidence used to support these arguments combines qualitative and quantitative analysis. One legitimate question which arises concerns the choice of cases for comparison in this book. Small-N qualitative case-studies have often been used to illustrate the pros and cons of power-sharing regimes. This approach is invaluable as a way to explore the complex processes of regime change, using historical narrative to describe detailed developments and specific practices within each nation.⁵ Cases help to develop grounded theories, to derive testable propositions, and to explore the underlying causal mechanisms driving processes of regime change. This approach is particularly illuminating by considering outliers which are atypical, such as the one-party rule persisting in wealthy Singapore in contrast to the persistence of Indian democracy despite widespread poverty, and the reasons why these nations deviate from the generally observed pattern.

This method is unable to resolve the debate between proponents and critics of power-sharing, however, since the potential danger of selection bias means that different cases can be cited on both sides of the argument. The paired examples used in this book were chosen to illustrate the underlying processes established in the broader cross-national time-series data but, arguably, other particular cases could always be used to challenge the argument. For every apparent success of power-sharing arrangements, there are other notable failures.⁶ Many historical examples can be cited, exemplified by Lebanon, where the 1943 National Pact divided power among the major religious communities, a system which collapsed in 1975 when civil war erupted. Other cases include Cyprus prior to 1963, when civil war led to partition between the Greek and Turkish communities. Another potential failure concerns the intricate consociational arrangements for power-sharing along ethnic lines developed in the new constitution for Bosnia and Herzegovina set up by the Dayton Agreement, which have been blamed for reinforcing ethnic divisions.⁷ Czechoslovakia also experimented with these arrangements briefly in 1989 to 1993, before the 'velvet revolution' produced peaceful succession into two separate states. Elsewhere, many peace-building negotiations and treaties have offered a degree of self-autonomy for rebel

groups and armed factions through regional government and decentralization, with different degrees of success.⁸

Elsewhere, even within the same region, power-sharing has been judged to have very different degrees of success, such as in the West African cases of Rwanda, the Democratic Republic of Congo, and Burundi.⁹ Given the mixed bag of positive and negative experiences in different nations, clearly the power-sharing arrangements compared in this study can not be claimed to be *sufficient* for containing communal violence and preventing outbreaks of open hostility, as multiple other factors may outweigh the institutional arrangements. Not surprisingly, given the complexity of the challenge, there is no single solution which can automatically be applied to guarantee peace-building operations will succeed. Constitutional design is more of an art than a science. Nor can it be claimed that power-sharing arrangements are *necessary* for containing potential sources of communal conflict; the outright suppression of ethnic identities and minority rights is another strategy employed by strong states, as illustrated by the containment of ethnic divisions in the Federal Republic of Yugoslavia prior to dissolution and the outbreak of the Balkan wars, the bloodiest conflicts in Europe since the end of World War II.¹⁰ The paired cases selected for comparison in successive chapters are striking illustrations of countries which are similar in many (although not all) important regards and yet which took divergent pathways in their political development, arriving at contrasting end-points today.

Nevertheless due to the methodological limitations of potential selection bias, case studies alone are unable to resolve the debate over power-sharing. Greater weight should be given to the more systematic evidence presented in this research, derived from the cross-national time-series data, covering all countries worldwide since the early-1970s. As Brady and Collier argue, it is the combination of econometric techniques and qualitative case-studies which becomes more powerful than either method used in isolation.¹¹ What this evidence demonstrates is that power-sharing arrangements increase the probability of democratic governance succeeding, even after controlling for factors such as economic development, ethnic heterogeneity and colonial background, all of which are also significantly associated with patterns of democratization.

Are power-sharing constitutional reforms a realistic strategy for reformers?

The last issue which needs to be addressed concerns the claim that power-sharing, even if effective in reducing or managing conflict, is not necessarily the most practical and realistic strategy to achieve a peace-settlement and consolidate democracy in divided societies. There are four reasons, in particular, offered to support this claim. The first emphasizes that there are many other types of initiatives which help to strengthen democratic governance, beyond the institutional reforms discussed here. The second stresses the rigidity of constitutional arrangements. The third concerns the fundamental difficulties of achieving any success in peace-building and resolving

conflict. The last is derived from the sequential arguments that the economic conditions and/or the basic functions of the state have to be established first before power-sharing arrangements can be implemented with any realistic chance of success. These are important considerations but these claims rest, ultimately, on flawed assumptions.

What of other strategies for strengthening democratic governance?

One potential issue which arises concerns the narrow institutional focus of the book. The study should certainly not be read as suggesting that these are the *only* constitutional reforms which are important for power-sharing agreements, still less that this is the only strategy possible for building sustainable democratic governance and resolving conflict. Of course many other political institutions associated with democracy and good governance, which are not discussed in this limited study, may also contribute towards dispersing decision-making in power-sharing regimes. Most notably, this includes the vital role of the independent judiciary and constitutional courts, functioning as a classic check on the executive, protecting human rights and establishing the rule of law as an essential function of the state. The bureaucratic structure of the public sector provides the chain of accountability for the delivery of public goods and services which stretches from public servants to elected leaders and thus to the electorate. Pluralistic competition among multiple voluntary groups, community associations, and new social movements is widely seen as critical for the vitality of civil society, as well as promoting bargaining and compromise among rival interests, and providing opportunities for civic engagement and voluntary community work. Positive action mechanisms such as legal quotas help ensure the inclusion of women and cultural minorities in public office, widening social diversity within legislatures and executives. Limits on the political powers and role of the security forces maintain the military, police and secret service under civilian control. The parliamentary voting rules and provisions for minority vetoes provide checks and balances within coalition multiparty governments. Reforms which promote transparency, such as rights to information laws, encourage open government, increase the ability of citizens and journalists to scrutinize the policymaking process, and reduce opportunities for corruption and malfeasance in public office. Liberalization through market mechanisms is another way of dispersing economic power and divesting patronage from state control, through a variety of privatization, private-public partnerships, deregulation, and contracting out policies. Central bank independence can be regarded as playing a similar role, through limiting state control of macroeconomic policy.

Reflecting recognition of these consideration, an emerging set of international norms and standards supporting democratic governance has been promoted by many global and regional bodies. The last decade has growing initiatives and a range of activities by national reformers, bilateral donors, regional multinational bodies, non-profit foundations, and democracy movements in many countries designed to strengthen and consolidate democratic institutions and

processes.¹² The international emphasis on strengthening democratic governance is reflected in the activities of regional multilateral bodies, including the Organization of American States, the European Union, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organization, the Commonwealth of Nations, the African Union, the Association of Southeast Asian Nations, and the Arab League.¹³ Major bilateral donors in the development community, such as USAID, Dfid in the UK, and CIDA in Canada have devoted growing resources to promoting democracy.¹⁴ Under the Bush administration, the notion of democracy promotion to root out extremism and violence has taken center stage in American foreign policy, but although the priority given to this idea has been higher than usual, this rhetoric reflects a long tradition within the United States.¹⁵ In the non-profit sector, the democracy promotion process is exemplified by programs run by the International Foundation for Electoral Systems (IFES), the Soros Foundation and Open Society Institute, the Forum of Federations, Transparency International, and International IDEA.¹⁶ Transnational activist networks and NGOs have also been very active, including those concerned with monitoring human rights, such as Amnesty International, the Committee to Protect Journalists, and Human Rights Watch, amongst others.¹⁷

Within the international community, the United Nations plays a lead role in this activity.¹⁸ The United Nations Development Programme spends approximately \$1.4bn per year in this area, making it the largest organization providing technical assistance on democratic governance worldwide. The UN Department of Economic and Social Affairs (UNDESA) works on issues of ethics and public administration, decentralization, and e-government. In the areas of human rights, UN Office of the High Commissioner for Human Rights (UN OHCHR) has the normative mandate and specific responsibility to monitor human rights violations. The Department of Political Affairs (DPA), specifically the Electoral Administration Division, has played an important in elections, while the UN Department of Peace Keeping Operations (DPKO) has focused on state building and transitional governance issues, along with the UNDP Bureau for Crisis Prevention and Recovery. The UN Capital Development Fund (UNCDF) has emphasized decentralization, local governance and micro-finance initiatives to achieve the Millennium Development Goals. The UN Office on Drugs and Crime (UNODC) has the normative mandate on corruption and helps build national capacities for the implementation and monitoring of the UN Convention against Corruption. On the issue of women's participation in political process, the UN Development Fund for Women (UNIFEM) is a key agency. UNESCO has led on activities promoting freedom of expression and protecting cultural diversity. The World Bank has emphasized the importance of strengthening 'good governance' to achieve sustainable development, emphasizing the principles of transparency, accountability and efficiency in the public sector, and the role of private-public partnerships in development. The World Bank has also pioneered work on indicators of good governance. Work by these organizations within the

United Nations therefore seeks to promote democratic governance and development assistance, both at global and at country-level, through multiple strategies and approaches.

Much of the emphasis of the international democracy promotion efforts has focused upon building civil society, including sustained efforts to strengthen voluntary associations, community organizations and interest groups, building social capital and networks which connect citizens and the state. Voter and civic education programs have played an important part of these activities. USAID, for example, one of the largest international democracy assistance agencies, spent over \$2.4 million on civil societies initiatives from 1990-2003, about 40% of its total budget on democracy assistance.¹⁹ Another major set of activities and programs have been devoted to promoting effective electoral systems and processes, including developing the capacity of electoral management bodies to administer elections, training professional staff, and sending international observers to monitor and report on standards.²⁰ Many foundations have also emphasized providing assistance for party building initiatives and programs, through strengthening party organizations and internal party democracy. The attack on corruption through strengthening transparency and integrity in government, as well as traditional work on public administration reform, has been given added impetus by development agencies concerned that basic public services will fail to be delivered, and aid will not meet its objectives, if there is widespread inefficiency, venality and malfeasance in the public sector. As discussed in chapter 7, one of the major trends in activities involves decentralizing government through strengthening local authorities and engaging local communities in development. Human rights watch monitoring is critical to bring the attention of the world to abuses of civil liberties, by international agencies and local NGOs, along with establishing human rights commissions, legal reforms, truth commissions and war crime tribunals. Law enforcement, the courts, and judicial agencies have also been strengthened, along with civilian control over the military.

All these initiatives, and many others, are part of the difficult long-term process of facilitating democracy and building capacity, especially in fragile and post-conflict states. The impact of each of these institutions on patterns of democratization remains to be classified and analyzed systematically in further research, beyond the limits of this study, to explore their role and relative importance in this process. The book does not claim to provide a comprehensive and thorough examination of *all* the diverse mechanisms of power-sharing. There is no simple set of institutional reforms which can reduce conflict and build peace without many other conditions. What is claimed here is that the four types of power-sharing arrangements within each state which are analyzed at the heart of this book are some of the most important building-blocks in any constitutional arrangements designed to build sustainable democracy, whether promoted by domestic reformers or influenced by the international development community. There are serious measurement problems in classifying and developing suitable comparative indicators for all these institutional arrangements with any degree of reliability, especially for longitudinal time-series

analysis. New work with a database classifying and comparing constitutional provisions is emerging which will eventually help to overcome some of these hurdles.²¹ It seems likely that other forms of power-sharing will probably have a similar impact on patterns of democratization to those we have studied here, using the same basic theoretical logic, although this remains to be confirmed in further research.

How often are constitutions amended?

Another related argument rests on the way that the institutional arrangements which define the role of the head of state and government, the federal division of powers and the basic type of electoral system, embodied in written constitutions or special laws, are relatively fixed and immutable. As such, even if reform is highly desirable, it is not a practical step which could be considered by practitioners. As a result, it could be concluded that alternative strategies such as providing technical support designed to strengthen grassroots NGOs in civil society, to provide civic education, or to facilitate community participation may prove more effective reforms which could be implemented by governments and supported by the international community to strengthen democratic governance in the medium to short-term.

As noted, the institutional features which are the focus of this study are only one way that democracy can be strengthened, and many other initiatives need to be implemented, especially in electoral democracies and countries which are in the process of deepening the quality of democratic governance. It is true that major constitutional reforms which generate regime change are relatively rare, especially in established democracies. Formal written Constitutions are often resilient pacts which are designed to be difficult to alter by formal amendment, especially where these documents are regarded as legitimate and an important symbol of the nation-state. At the same time, more minor reforms, for example adjusting detailed features of electoral systems and processes, such as the average district magnitude, the ballot structure or vote threshold, have been found to be far more common than is usually assumed, even within established democracies.²² The powers of the states and the federal government are often revised, including through the creation of new states to resolve communal conflict (such as in India), while further reforms for devolution and the decentralization of government is widespread in many nations. Although fundamental Constitutions are often enduring, a recent comprehensive review has compared all national Constitutions worldwide since 1789 and estimated that the average lifespan lasted only 16 years.²³ Wholesale constitutional revision is particularly common among newer democracies in Latin America. More minor constitutional amendments are often far more frequent, depending upon the requirements established for revision and the role of constitutional courts in this process. The establishment of a new constitution, specifying the core normative principles and the rules determining the structure of the state, represents an integral part of the peace-building process for newly independent nations, for 'failed' states where the previous

central authority has collapsed, and for societies emerging from civil conflict. As a result, understanding the options which are available for designing and implementing new constitutions is *vita*; once the rules of the game are negotiated and agreed, this will determine much else in the regime.

The odds of success?

Another critique emphasizes that most post-conflict agreements often have poor chances of success: for example Collier estimated that 40% of civil wars recur within a decade and thus, on average, a country that has terminated civil war can expect the outbreak of a new round of fighting within six years.²⁴ Research on civil wars suggests that cease fires imposed by external powers on a country after intense ethnic conflict seem least likely to survive and to provide durable peace-settlements, particularly once the outside powers withdraw and cease to enforce the arrangement.²⁵ Furthermore, in civil wars where third parties intervene by economic, diplomatic or military means, conflicts persists, except when the intervention clearly supports the stronger party, in which case it mostly shortens conflict. Compared to a peace agreement or a ceasefire, civil wars that end with an outright victory are three times less likely to recur, possibly because one party is sufficiently subdued or deterred from fighting again.²⁶

Given these patterns, it is true that institutional theories of power-sharing which focus upon societies such as Belgium, Switzerland or the Netherlands (or even Lebanon, South Africa, and Malaysia) may under-estimate certain practical realities about achieving durable agreements in contemporary societies, such as the DRC, Liberia, or Sierra Leone, which are emerging from decades of violent rebellion, prolonged militant hostilities, and armed uprisings. The initial period of state-building and controlling conflict is one fraught with considerable uncertainties and risks, where a few spoilers may use violent tactics to block full implementation of any constitutional settlement. If there is one outright victor at the end of a prolonged civil war, this may strengthen the chances of a durable peace, although, equally, it may make initial agreement to any negotiated power-sharing arrangement more difficult. Moving towards reconstruction and reconciliation is an even more challenging stage of conflict resolution.²⁷ Against this argument, it should be emphasized that both PR electoral systems and decentralized decision-making through territorial autonomy have been confirmed as important peace-building strategies, leading towards a lasting conflict reductions after civil war.²⁸ Again, no single strategy of reform can guarantee peace-building; there will be multiple cases of failure. Given the odds, the claim is not that power-sharing will guarantee the end of prolonged conflict or prevent its future reoccurrence. But the odds of power-sharing will improve under power-sharing constitutions such as federalism and decentralization, proportional electoral systems and parliamentary monarchy executives. The vast research on the many complex conditions leading towards the end of conflict has often examined the classic issue of whether democracy leads towards peace. International relations scholars

should place far greater emphasis on understanding the particular type of institutions which are agreed and implemented in any post-conflict constitutional settlement, issues which are surprisingly neglected in the peace-building literature.

Development first?

Lastly, the 'sequencing' argument argues that in practice the adoption of any power-sharing arrangements have to wait until the conditions are ripe, in particular until economic development or rebuilding the core functions of the state are achieved, where this is regarded as an essential foundation for achieving a sustainable democratic government. The continuing strong and robust relationship between wealth and democracy was confirmed in chapter 4, irrespective of the controls and the particular indicator of democracy which are selected in alternative models. Rich nations are not inevitably more democratic, as we observed earlier with the case of Singapore. Nevertheless in poorer nations it remains hard to generate the conditions of sustained economic prosperity which facilitate and buttress lasting institutional reforms.

The sequencing argument is also seen as a barrier to power-sharing agreements, where it is argued that first the state needs to be capable of maintaining security and basic services, prior to the stage of agreeing upon any power-sharing constitutional arrangement and then holding any democratic elections. The case of Iraq illustrates the complexities of this claim. Multiple reasons can be offered to help explain political failure in Iraq and this case draws attention to the limits of constitutional engineering alone. The design of the Iraqi constitution adopted in October 2005 contained many elements of power-sharing. This included the use of a closed list proportional representation electoral system for the 275 member House of Representatives, as well as positive action mechanisms used most successfully to achieve the election of women candidates. A multiparty coalition government was established with a mixed type of executive, where powers were divided between the prime minister, Nuri al-Maliki, and an indirectly elected 3-person presidential council, headed by Jalal Talabani. After the January 2005 elections, there were some initial hopes that the Shia and Sunni parties within the National Assembly and members of the coalition government would start to engage in an effective political process of bargaining and coalition-building. Instead the National Assembly and the coalition government headed by Prime Minister Nuri al-Maliki appeared to be immobilized from making any effective gestures to bridge the chasm which deepened between the Shia and Sunni communities. Widespread sectarian strife and carnage on the streets of Iraq accelerated after the election, despite the formal power-sharing arrangements.

The special circumstance of contemporary Iraq remains to be played out, along with the historical debate about the precise causes of the failure.²⁹ The role of the power-sharing arrangements in the constitutional settlement, however, is open to alternative perspectives. One perspective emphasizes that it was premature to sign a power-sharing constitutional settlement in

October 2005, along with holding popular elections a few months later, as these events occurred prior to establishing effective state institutions capable of maintaining security and delivering basic public services. In the sequencing view, the heart of the governability crisis in the Iraqi state arose from the complete collapse of both the administrative and coercive capacity, including its ministries, their civil servants, police force, and army, in part due to the radical policy of de-Baathification which deconstructed the machinery of state.³⁰ Delaying the elections and the implementation of the power-sharing arrangements until after basic public institutions had been rebuilt, in this perspective, might have prevented the legislative stalemate and lack of state capacity to deal with the conflict and violence which ensued.

Yet alternatively, it is also arguable that a more radical power-sharing agreement in Iraq could have worked better by building trust in the legitimacy of the new constitution and reducing popular resentment among the Sunni community, as well as greater autonomy for the Kurds in the north. This logic has led to a proposal to share the division of oil and gas revenues among rival communities and regions, to end laws preventing former Baathist party members from taking government jobs, and to consider further steps in the contentious issue of federalism.³¹ Historians will have to decide which interpretation provides the more accurate assessment once events have unfolded more fully. What can be concluded with greater confidence at this stage is that the power-sharing constitutional arrangements which governed the country after October 2005 have not proved capable of overcoming the deep divisions within the administration to produce a viable and legitimate state, capable of acting with unity to restore basic public services, let alone led to any rebuilding of security and cession of the broader conflict in society.

At the same time, despite these observations, it would be too pessimistic to conclude that reforms for more democratic governance should be delayed until the 'right' conditions are achieved. One reason is that this would unduly delay opportunities for democratic reform when they arise in many developing countries in Africa and Asia which are afflicted with deep and enduring poverty. The 2006 Millennium Development Goals Report suggests some significant signs of global progress in human development; rates of extreme poverty fell globally since 1990, from 29 to 19 percent of the world's population, largely due to economic growth in Asia.³² Universal primary education is in sight, with great strides registered in Southern Asia. Some countries have made rapid and sustained improvements in the lives of their citizens. But positive gains remain uneven worldwide and the situation in some other places has stagnated or even worsened. Estimates suggest that, based on projections from current trends, the world will fall short of achieving many of the key Millennium targets. More people now experience chronic hunger than in the early-1990s. Deaths and new infections from HIV are growing. Rapid deforestation continues. Half the population in developing countries still lacks basic sanitation. Surging economic growth has markedly improved the average GDP in China and India, but inequalities within each society have simultaneously worsened. Sub-Saharan Africa trails far

behind on multiple developmental indicators, where many countries remain mired in deep-rooted poverty, and social deprivation and poverty have worsened during the last two decades, not improved.³³ At the same time, democracies can persist and flourish in poorer nations, as illustrated by the cases of Benin, Mali and South Africa. It is a false and out-dated assumption that democratic institutions can only be developed successfully once a basic level of economic and social development is realized. Moreover the constitutional arrangements are often decided as part of any cease fire and negotiated or imposed peace-settlement, so that if the core functions of the state are rebuilt without an initial agreement to power-sharing among rival communities, it seems unlikely that this will happen once incumbents are entrenched in power or that the government which arises from this process will be based on any sense of popular legitimacy. While focusing upon understanding the outcome and impact of institutions, the book has not discussed how power-sharing arrangements are negotiated and agreed, a topic well deserving its own future study.

Therefore it should be recognized that power-sharing arrangements are the best chance of success for sustaining democracy, while recognizing that this claim should be interpreted cautiously, with many qualifiers. Many alternative political reforms should also be implemented, beyond those discussed here; opportunities for regime change often remain extremely limited; the odds of success in peace-building and peace-maintenance in fragile post-conflict states are daunting; and the conditions of enduring poverty and rebuilding the state make democratic development through power-sharing extremely challenging. Against the odds, the indicators of trends in democratization in this book demonstrate that there has been considerable progress around the globe from the early-1970s, with the start of the 'third wave' of democratization, to the end of the twentieth century. Still today many developing nations remain in the grey zone stranded between democracy and autocracy.³⁴ The world may be experiencing a recent backlash against democracy promotion; some major nations which had experienced periods of electoral democracy have regressed in recent years, whether afflicted by violence at the ballot box and outbreaks of rioting (Nigeria), problems of extreme party polarization and rampant corruption (Bangladesh), greater restrictions on human rights and civil liberties (Russia), limits on freedom of the press and an expansion of executive powers (Venezuela), and the suspension of democratic constitutional processes through outright military coups (Thailand, Pakistan, Fiji). In 2007, Freedom House reported that the proportion of 'free' countries has failed to increase during the last decade, while authoritarian rule has become further entrenched in some of the world's poorest countries, including in Zimbabwe, Burma, and Uzbekistan.³⁵ In this context, given the complexity of the challenge, no single initiative or program can succeed alone. Among the alternative strategies which can be used to assist and strengthen the democratization process, however, the evidence presented here indicates that reforms which promote and implement

power-sharing constitutional arrangements should be more widely recognized as one of the most promising avenues to contribute towards lasting peace settlements and sustainable democracy.

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² See, for example, V.K. Nanayakkara. 2006. 'From Dominion to Republican status: Dilemmas of constitution making in Sri Lanka.' *Public Administration and Development* 26 (5): 425-437; Andrew Reynolds. Ed. 2002. *The Architecture of Democracy: Constitutional Design, Conflict Management and Democracy*. Oxford: Oxford University Press.

³ See Rudy B. Andweg. 2000. 'Consociational democracy.' *Annual Review of Politics* 3:509-36. For an early and influential critique, see Brian Barry. 1975. 'Review article: Political accommodation and consociational democracy.' *British Journal of Political Science* 5(4): 194.

⁴ Donald L. Horowitz. 1985. *Ethnic Groups in Conflict*. Berkeley: University of California Press; S.G. Simonsen. 2005. 'Addressing ethnic divisions in post-conflict institution-building: Lessons from recent cases.' *Security Dialogue* 36(3): 297-318.

⁵ For a discussion of the pros and cons of case study methods, see Alexander L. George and Andrew Bennett. 2004. *Case Studies and Theory Development*. Cambridge, MA: The MIT Press.

⁶ Ulrich Schneckener. 2002. 'Making Power-Sharing Work: Lessons from Successes and Failures in Ethnic Conflict Regulation.' *Journal of Peace Research* 39 (2): 203-228.

⁷ Anna Morawiec Mansfield. 'Ethnic but equal: The quest for a new democratic order in Bosnia and Herzegovina.' *Columbia Law Review*. 103: 2051-20; Roland Paris. 2004. *At War's End: Building Peace after Civil Conflict*. New York: Cambridge University Press chapter 6.

⁸ For a discussion, see Roland Paris. 2005. *At War's End: Building Peace after Civil Conflict*. New York: Cambridge University Press; Paul Collier and Nicholas Sambanis. Eds. 2005. *Understanding Civil War*. Washington DC: World Bank; Michael W. Doyle and Nicholas Sambanis. 2006. *Making War and Building Peace*. Princeton: Princeton University Press.

⁹ Rene Lemarchand. 2007. 'Consociationalism and power sharing in Africa: Rwanda, Burundi, and the Democratic Republic of the Congo.' *African Affairs* 106 (422): 1-20. For an alternative interpretation, see also D.P. Sullivan. 2005. 'The missing pillars: a look at the failure of peace in Burundi through the lens of Arend Lijphart's theory of consociational democracy.' *Journal of Modern African Studies* 43 (1): 75-95.

¹⁰ G. Vuckovic. 1997. *Ethnic Cleavages and Conflict: The Sources of National Cohesion and Disintegration. The Case of Yugoslavia*. : Aldershot, UK: Ashgate Publishing Ltd.

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- ¹¹ Henry Brady and David Collier. 2004. *Rethinking social inquiry: Diverse tools, shared standards*. New York: Rowman & Littlefield Publishers.
- ¹² Thomas Carothers. 1999. *Aiding Democracy Abroad: The learning curve*. Washington DC: The Carnegie Institute for International Peace; Thomas Carothers. 2004. *Critical Mission: Essays on Democracy promotion*. Washington DC: The Carnegie Institute for International Peace
- ¹³ R. Young. 2003. 'European approaches to democracy assistance: learning the right lessons?' *Third World Quarterly* 24 (1): 127-138; Edwards R. McMahon and Scott H. Baker. 2006. *Piecing a Democratic Quilt? Regional Organizations and Universal Norms*. CT: Kumarian Press.
- ¹⁴ Steven E. Finkel, Anibal Perez-Linan, and Mitchell A. Seligson with Dinorah Azpuru. 2005. *Effects of U.S. Foreign Assistance on Democracy Building: Results from a cross-national quantitative study*. Washington DC: USAID.
- ¹⁵ Jonathan Monten 2005. 'The Roots of the Bush Doctrine: Power, Nationalism, and Democracy Promotion in U.S. Strategy.' *International Security*, 29(4): 112–156
- ¹⁶ Thomas Carothers. 1999. *Aiding Democracy Abroad: The Learning Curve*. Washington D.C.: Carnegie Endowment for International Peace; Peter Burnell. Ed. 2000. *Democracy Assistance: International Co-Operation for Democratization*. London: Frank Cass; Thomas Carothers. 2004. *Critical Mission: Essays on Democracy Promotion*. Washington DC: Carnegie Endowment for International Peace.
- ¹⁷ Hans Peter Schmitz. 2004. 'Domestic and transnational perspectives on democratization.' *International Studies Review* 6: 403-426.
- ¹⁸ Ramesh Thakur and Edwards Newman. Eds. 2000. *New Millennium, New Perspectives: The United Nations, Security and Governance*. New York: UN University; Edward Neuman and Roland Rich. Eds. 2004. *The UN Role in Promoting Democracy: Between Ideals and Reality*. UN University Press.
- ¹⁹ Steven E. Finkel, Anibal Perez-Linan, and Mitchell A. Seligson. 2005. *Effects of U.S. Foreign Assistance on Democracy Building*. USAID/Vanderbilt University.
- ²⁰ For case studies, see Joroen de Zeeuw and Krishna Kumar. 2006. *Promoting Democracy in Postconflict Societies*. Boulder: Lynne Reinner; Ted Piccone and Richard Youngs. Ed. 2006. *Strategies for Democratic Change: Assessing the Global Response*. Washington DC: Democracy Coalition Project.
- ²¹ Zachary Elkins, Tom Ginsburg and James Melton. 2007. 'The Lifespan of Written Constitutions.' For more details of this research project, see <http://netfiles.uiuc.edu/zelkins/constitutions>.

²² Josep M. Colomer. 2004. Ed. *Handbook of Electoral System Choice*. Basingstoke: Palgrave Macmillan; Michael Gallagher and Paul Mitchell. Eds. 2006. *The Politics of Electoral Systems*. Oxford: Oxford University Press.

²³ Zachary Elkins, Tom Ginsburg and James Melton. 2007. 'The Lifespan of Written Constitutions.' For more details of this research project, see <http://netfiles.uiuc.edu/zelkins/constitutions>.

²⁴ Paul Collier and Nicholas Sambanis. Eds. 2005. *Understanding Civil War*. Washington DC: The World Bank.

²⁵ William I. Zartman. 1995. *Elusive Peace: Negotiating an End to Civil Wars 1995-1996*. Washington, DC: Brookings Institution; Caroline Hartzell, Matthew Hoddie and Donald Rothchild. 2001. 'Stabilizing the peace after civil war: An investigation of some key variables.' *International Organization* 55(1): 183-208; Donald Rothchild. 2002. 'Settlement terms and post-agreement stability.' In *Ending Civil Wars*. Ed. Stephen Stedman, Donald Rothchild and Elizabeth Cousens. Boulder, Co: Lynne Rienner; Paul Collier and Nicholas Sambanis. Eds. 2005. *Understanding Civil War: Evidence and Analysis*. Volume 1. Washington DC: The World Bank.

²⁶ Robert H. Wagner. 1993. 'The Causes of Peace.' In *Stopping the Killing*, ed. Roy Licklider. New York, NY: New York University Press; Patrick M. Regan. 2002. Third Party Interventions and the Duration of Intrastate Conflict. *Journal of Conflict Resolution* 46, no. 1: 55-73.

²⁷ Oliver Ramsbotham, Tom Woodhouse and Hugh Miall. 2006. *Contemporary Conflict Resolution*. 2nd ed. Cambridge: Polity Press.

²⁸ Helga Malmin Binningsbø. 2005. *Consociational democracy and post-conflict peace: Will power-sharing institutions increase the probability of lasting peace after civil war?* Paper presented at the Norwegian National Political Science Conference, January.

²⁹ Possible reasons which have been suggested to explain the failure in of the Iraqi constitutional settlement include the slow pace of the program of social and economic reconstruction, inadequate humanitarian assistance and budgetary support, the role of the United States military occupation and the size of the stabilization force, the lack of multilateral support and the unwillingness of the international community to become engaged, the role of neighboring states and ongoing conflict in the region, the limited timetable for reconstruction and for constitutional debate, or, even earlier, the historical legacy of colonial rule and the drawing of national boundaries. For a discussion and comparison of the Iraq situation with earlier cases of US state-building and post-war reconstruction, see James F. Dobbins. 2003. 'America's Role in Nation-building: From Germany to Iraq.' *Survival* 45 (4): 87+.

³⁰ See, for example, Toby Dodge. 2007. 'The causes of US failure in Iraq.' *Survival* 49 (1): 85; Jack Snyder. 2000. *From Voting to Violence: Democratization and Nationalist Conflict*. New York: W.W. Norton; Edward D. Mansfield and Jack Snyder. 2007. *Electing to Fight: Why Emerging Democracies go to War*. Cambridge, MA: MIT Press.

³¹ Dawn Brancati. 2004. 'Can federalism stabilize Iraq?' *Washington Quarterly* 27 (2): 7-21.

³² United Nations. 2006. *The Millennium Development Goals Report 2006*. New York: United Nations. <http://www.un.org/millenniumgoals/>

³³ World Bank. 2004. *Human Development Report*. Washington DC: World Bank.

³⁴ Andreas Schedler. Ed. 2006. *Electoral Authoritarianism: The Dynamics of Unfree Competition*. Boulder: Lynne Reinner.

³⁵ Arch Puddington. 2007. 'The pushback against democracy.' *Journal of Democracy* 18(2): 125-137.