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Selected Annotated Bibliography:
Constitutional Design and Conflict Management

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INTRODUCTION

This selected annotated bibliography was prepared originally for the planning meeting of the CCAPS project on Constitutional Design and Conflict Management, held in Washington, DC, on June 30, 2010. It was researched and written primarily by Eli Poupko and is organized into the following three sections:

- *African* comparative constitutional design and conflict management.
- *Global* comparative constitutional design and conflict management (not Africa specific).
- Case studies of constitutional design and conflict management in Africa.

I. AFRICAN COMPARATIVE CONSTITUTIONAL DESIGN AND CONFLICT MANAGEMENT

Mozaffar, Shaheen, James R. Scarritt, and Glen Galaich. 2003. "Electoral Institutions, Ethnopolitical Cleavages, and Party Systems in Africa's Emerging Democracies." *American Political Science Review*, Vol. 97, No. 3, pp. 379-390.

Although it is commonly assumed that a large number of ethnic divisions in a society increases political fragmentation and thus makes democratization more difficult, the demographic distribution of most African ethnic groups interacts with electoral incentives in a way that is generally favorable for consolidation of democracy. A study of multiparty elections in 34 African countries between 1980 and 2000 shows that higher levels of ethnic divisions lead to smaller numbers of political parties, because of the need to form inter-ethnic coalitions to gain political power. While geographic concentration of ethnic groups does tend to increase political fragmentation, interactions with the size of electoral districts and the system for presidential elections can moderate this polarizing effect. Ethnic cleavages should be understood not as fixed, but as flexible and subject to strategic manipulation. Ethnic politics do not fundamentally threaten the stability of most African countries.

Mozaffar, Shaheen. 1998. "Electoral Systems and Conflict Management in Africa – A Twenty-Eight State Comparison." In Timothy D. Sisk and Andrew Reynolds. 1998. *Elections and Conflict Management in Africa*, pp. 81-98. Washington, D.C.: U.S. Institute of Peace.

Emerging electoral systems in Africa can be classified into three patterns: 1) the Anglophone pattern, favoring majority/plurality voting in single member districts; 2) the Francophone pattern, favoring proportional representation (PR); and 3) the Southern African pattern, favoring modified PR systems. In a study of electoral systems in 28 African states, PR is shown to provide better vote-seat

proportionality – i.e., a distribution of legislative seats that more closely mirrors the distribution of votes – and to encourage participation by more political parties. Although PR systems in Africa provide more equitable representation, PR may create problems for governmental stability and electoral accountability. Democratic institutions in Africa must be carefully crafted to promote sustainable democracy.

Reynolds, Andrew. 1999. *Electoral Systems and Democratization in Southern Africa*. Oxford University Press.

In comparative case studies of five Southern African countries, broadly inclusive institutions are found to reduce ethnic conflict and increase political stability, thereby providing a better foundation for long-term democratization than institutions that tend toward exclusion. For this reason, Namibia and South Africa – which have PR elections, parliamentary (or mixed) executives, and power-sharing institutions – have fared much better than Malawi, Zambia, and Zimbabwe, which have plurality elections, presidentialism, and other majoritarian institutions. In particular, plurality single-member district elections can lead to one-party rule and poor vote-seat proportionality. Similarly, the alternative vote would reduce the number of parties and undermine vote-seat proportionality if used in Southern Africa, due to high geographic concentration of ethnic groups in the region. List PR with a low threshold provides the best vote-seat proportionality and appears also to increase the societal salience of voting by reducing the frequency of “wasted” votes that have no effect on results. The single transferable vote also yields proportionate results and is not too complicated for voters in developing democracies. Full consociationalism with ethnic autonomy and veto power may be necessary for initial transitions from conflict situations, but longer-term stability is better served through crosscutting integrative institutions such as PR elections and inclusive cabinets, while avoiding majoritarian institutions such as a directly elected presidency.

Barkan, Joel D. 1998. “Rethinking the Applicability of Proportional Representation for Africa.” In Timothy D. Sisk and Andrew Reynolds. 1998. *Elections and Conflict Management in Africa*, pp. 57-70. Washington, D.C.: U.S. Institute of Peace.

Plurality voting in single-member districts provides more effective representation than PR in rural/agrarian societies, because PR party lists do not tie elected representatives to a particular geographic community and thus preclude the accountability necessary for consolidation of democracy in African states. Evidence from elections in Southern Africa shows little difference between single member districts and PR systems in achieving vote-seat proportionality.

Reynolds, Andrew. 1998. "Elections in Southern Africa – The Case for Proportionality, A Rebuttal." In Timothy D. Sisk and Andrew Reynolds. 1998. *Elections and Conflict Management in Africa*, pp. 71-80. Washington, D.C.: U.S. Institute of Peace.

Southern African cases (cited by Barkan) where plurality voting in single-member districts provides similar vote-seat proportionality to PR are not typical, as PR is shown to provide better proportionality across Africa and in established democracies. Plurality systems are also less likely to produce government turnover and thus can lead to *de facto* one-party rule. Better accountability through PR can be accomplished through smaller multimember districts and an open-list system that allows voters to choose from among candidates as well as parties.

Deng, Francis M. 2008. *Identity, Diversity, and Constitutionalism in Africa*. With the collaboration of Daniel J. Deng, David K. Deng, and Vanessa Jiménez. U.S. Institute of Peace.

Much of current African constitutionalism is a remnant of colonial heritage and fails to address specifically African problems. Western-oriented institutions promoting national integration and majority decision-making fail to recognize long-standing African cultural preferences for self-determination of communal groups, which typically make decisions by consensus. Institutional design for conflict management in Africa should consider increased decentralization and autonomy, emphasizing local control and community participation. A phased process beginning with accommodation through power-sharing may eventually lead to increased national integration, but the unity of the state should not be viewed as absolute, as there are cases where the principle of self-determination justifies secession.

Tull, Denis M. and Andreas Mehler. 2005. "The Hidden Costs of Power-Sharing: Reproducing Insurgent Violence in Africa." *African Affairs*, Vol. 104, No. 416, pp. 375-398.

In the post Cold-War period, the international community's support for inclusive power-sharing agreements as tools of conflict management in Africa has had an unintended side effect of encouraging violence as a means of political action. Recognition of insurgent groups by Western mediators seeking to resolve conflicts with limited engagement has encouraged resort to violence, while the relative lack of international support for democratization and electoral reform has discouraged groups from pursuing change peacefully through legitimate political processes. Prominent examples include the recognition of the Rwandan-backed RCD in the D.R. Congo war, and of the RUF rebels in Sierra Leone. The international community should instead have a general policy of excluding violent groups from negotiations, especially groups that have committed human-rights violations. Internationally backed criminal tribunals should be further empowered to investigate such abuses.

Lemarchand, René. 2007. "Consociationalism and Power Sharing in Africa: Rwanda, Burundi, and the Democratic Republic of the Congo." *African Affairs*, Vol. 106, No. 422, pp. 1-20.

Lijphart's full consociationalism – including autonomy, proportionality, and the minority veto – is the most promising solution to ethnic conflict in Africa, but it should be distinguished from hastily negotiated power-sharing agreements that do not have a supportive institutional structure. The 2005 Burundi constitution is a case where a consociational design has potential to provide democratic stability, but favorable social and political factors on the ground are still crucial for a successful outcome. The failure of the Rwandan power-sharing agreement in 1994 is an example where the institutional structure and underlying social cooperation were both lacking. The 2002 DRC agreement is another example of power-sharing without consociational design. Tull and Mehler argue that the ongoing DRC conflict supports their theory about the hazards of international support for incorporating rebels in power-sharing, but the DRC conflict might otherwise have been even worse. Tull and Mehler pay insufficient attention to internal factors, and the 2002 agreement was arguably not inclusive enough, especially given rapidly changing circumstances. The sheer size of the DRC, and the country's lack of reliable institutional structures, makes full consociationalism there difficult to achieve.

Osaghae, Eghosa E. 2004. "Federalism and the Management of Diversity in Africa." *Identity, Culture and Politics*, Vol. 5, Nos. 1&2, pp. 162-178.

Federalism remains a useful institutional design tool for political accommodation and conflict management in deeply divided African states, notwithstanding its relatively unsuccessful track record to date. Most federal systems in Africa resulted from devolutions of power by unitary states, not from aggregations of previously independent states, as in many Western federal systems. Thus, African federalism has focused too much on interests of the central government, rather than those of sub-state actors. For more successful design and implementation, federalism should be viewed as a framework of negotiation between the national government and sub-national actors, emphasizing mechanisms for power-sharing and autonomy, and employing sufficient flexibility to address changing circumstances. Federalism can thus be defined broadly to include any institutional structures for distributing power among subnational groups, not necessarily delimited territorially. The primary threats to federalism in Africa are weakness of the rule of law and excessive control by national elites. But true secessionist movements are relatively rare because most sub-state actors seek access to power and resources rather than full political independence.

Okidi, Charles O. 2007. "How Constitutional Entrenchment could Mitigate Conflicts and Poverty in Resource-rich African Countries." *Environmental Policy & Law*, Vol. 37, Issue 2/3, pp. 158-169.

Political issues related to natural resources are a major factor in creating conditions that lead to violent conflict and extreme poverty in Africa. Notwithstanding the history of international actors exploiting resources through unfair agreements with non-democratic leaders, the current problems can be traced primarily to the weak regulatory environment provided by domestic legal institutions. The case of Nigeria is a well-known example, but resource issues have also fueled conflicts in Kenya, Uganda, Tanzania, Liberia, Sierra Leone, and Chad, among other states. In order to prevent these problems in the future, detailed plans for managing natural resources should be constitutionally required to gain approval by a legislative supermajority. Pluralist multiparty government and a well-informed civil society can help ensure fair democratic decision-making on these issues.

II. GLOBAL COMPARATIVE CONSTITUTIONAL DESIGN AND CONFLICT MANAGEMENT (NOT AFRICA SPECIFIC)

Esman, Milton. 2004. "Ethnic Pluralism: Strategies for Conflict Management." In Andreas Wimmer et al., eds., *Facing Ethnic Conflicts: Toward A New Realism*, pp. 203-211. Lanham, MA: Rowman and Littlefield.

Institutional devices for mitigating ethnic conflict may either: 1) focus on strategies that attempt to reduce ethnically-based politics through overt or implicit assimilation; or 2) recognize ethnic divisions by providing for power-sharing arrangements with territorial autonomy or consociational participation. These two types of institutional structures may be implemented in varying combinations as deemed necessary for any particular context, and no single institutional design should be regarded as ideal for all cases of ethnic conflict. Given the deep entrenchment of many ethnic divisions, continuing institutional flexibility may also be necessary to prevent the resumption of hostilities.

Sisk, Timothy D. 1996. *Power Sharing and International Mediation in Ethnic Conflicts*. Washington, D.C.: U.S. Institute of Peace Press.

Power-sharing institutions may be either consociational – based on PR elections, government quotas, and in some cases ethnically-based federalism – or integrative, entailing vote-pooling systems, neutral government policies, and a unitary state or non-ethnic federalism. A combination of both approaches may be most useful for management of ethnic conflict, depending on the nature of societal divisions and political circumstances. Consociational institutions are often needed in early post-conflict situations before eventual transition to more integrative forms of power-sharing. Although international mediation of conflicts is not without risks,

Carefully formulated recommendations backed by diplomatic incentives can be helpful in structuring agreements. Power-sharing is likely to be successful only where it is supported by moderate political elites who represent mass constituencies.

Grofman, Bernard, and Robert Stockwell. 2003. "Institutional Design in Plural Societies: Mitigating Ethnic Conflict and Fostering Stable Democracy." In Ram Mudambi, Pietro Navarra, and Guiseppe Sobbrino, eds., *Economic Welfare, International Business and Global Institutional Change*. New York: Edward Elgar Press.

Democratic institutions as problem-solving tools for plural societies may be analyzed as public choices categorized across two dimensions:

| | Communal Institutions (perpetuating the importance of ethnicity but minimizing its consequences) | Integrative Institutions (minimizing the importance of ethnicity and/or fostering a multi-ethnic character to the state) |
|----------------------|--|--|
| Mass-oriented | Separate legal systems, schools Group rights Affirmative action | Individual rights Non-discriminatory distributions Language and cultural restrictions |
| Elite-based | Ethnic territorial autonomy Power sharing mechanisms List PR elections | Non-ethnic federalism STV or AV elections |

Considering tradeoffs along both these dimensions, optimal designs that minimize total political costs will often be found by combining various institutions from each of the four categories, as demonstrated by the hybrid solutions adopted in many plural societies. No single approach can be recommended for all cases, and power-sharing institutions in particular are not always necessary for democratic stability to emerge.

Lijphart, Arend. 2002. "The Wave of Power-Sharing Democracy." In Andrew Reynolds, ed., *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, pp. 37-54. Oxford University Press.

Management of ethnic conflict requires consociational institutional design that includes executive power-sharing and group autonomy. Critics are wrong to reject consociationalism as focused on elites, because majoritarian political institutions are likewise subject to elite control. The alternative vote does not provide any greater incentives for pre-electoral coalitions than do plurality or majority runoff systems, which also provide incentives to court votes across group lines. Presidentialism is not recommended as it creates a zero-sum game and makes it more difficult to form grand coalitions. Federalism is recommended whether groups are geographically concentrated or not. Also recommended are bicameralism, strong judicial review, fairly rigid constitutional amendment

procedures, and an independent central bank. Closed list PR with low electoral thresholds is the best system for ensuring vote-seat proportionality and the viability of multiple parties.

Horowitz, Donald. 2002. "Constitutional Design: Proposals Versus Processes." In Andrew Reynolds, ed., *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, pp. 15-36. Oxford University Press.

Although institutions of power-sharing and regional autonomy can sometimes be helpful for conflict management in deeply divided societies, consociational institutional design is not recommended for several reasons: It provides little motivation for ethnocentric majorities and elites to compromise; extremist factions often exclude moderates from coalitions and deny cultural autonomy to other groups; and post-election compromises are inferior to pre-election coalitions for addressing inter-group tensions. Instead, vote-pooling institutions such as the alternative vote can provide incentives for pre-election coalitions between different groups. Territorial devolution should be instituted early and should retain some degree of central control, because late devolution with too much regional autonomy can lead to secession. In practice, constitutions incorporate mixtures of these approaches and are driven heavily by local history and by the examples of foreign countries that are locally influential.

McGarry, John, Brendan O’Leary, and Richard Simeon. 2008. "Integration or Accommodation? The Enduring Debate in Conflict Regulation." In Sujit Choudhry, ed., *Constitutional Design for Divided Societies: Integration or Accommodation?* pp. 41-88. Oxford University Press.

Institutions for managing ethnic conflict are best understood through a framework of integration versus accommodation: Integrationists believe that conflict is best managed through public institutions that minimize group differences, while accommodationists believe that institutions should reflect and cater to these divisions. A continuum of approaches within and beyond these main categories is represented as follows:

| Assimilation | Integration | | | Accommodation | | | | Secession |
|--------------|-------------|---------------------|-------------------|--|--------------------|--------------------------------------|------------------------|-----------|
| | Republicans | Socialists | Liberals | Centripetalists | Multi-culturalists | Consociationalists | Territorial pluralists | |
| | Common good | Class consciousness | Individual rights | Electoral incentives for moderate coalitions | Cultural autonomy | Executive power-sharing; veto rights | Autonomy | |

Integration is more appropriate in states with cross-cutting cleavages or with small minority groups, while accommodation is more appropriate in states with large, geographically concentrated ethnic groups. Consociational institutions are necessary in deeply divided societies where integration or centripetalism are deemed politically unacceptable.

Pildes, Richard H. 2008. "Ethnic Identity and Democratic Institutions: A Dynamic Perspective." In Sujit Choudhry, ed., *Constitutional Design for Divided Societies: Integration or Accommodation?* pp. 172-201. Oxford University Press.

Institutions for managing ethnic conflict are too often focused on the situation at the time of drafting, and thus fail to account for the fluidity of ethnic identity and the ways that institutional structure can alter ethnic divisions over time. An example is the shift between linguistic and tribal identities in Zambia following changes in the structure of political competition, as documented by Daniel Posner. In a post-conflict situation, parties may reject institutions that aim at ethnic integration, but a consociational approach may entrench ethnic identities and perpetuate conflict. Instead of choosing between these two frameworks, constitutional design should respond to the need for change over time, starting if necessary with institutions of accommodation, but not foreclosing the possibility of later integration. More dynamic strategies include the following: 1) use of multi-stage processes that include transition periods or sunset clauses; 2) vote-pooling electoral systems; 3) cultural accommodation with political integration; 4) giving courts a role in modifying institutions; and 5) federalism, even with ethnically homogeneous districts.

Wolff, Stefan. 2010. "Building Democratic States after Conflict: Institutional Design Revisited." *International Studies Review*, Vol. 12, No. 1, pp. 128-141.

Skepticism about the role of power-sharing institutions in post-conflict situations is mainly a critique of the older corporatist model of consociational design. The new liberal consociationalism permits institutional change over time, accommodates social divisions beyond ethnicity, and emphasizes territorial autonomy. Comparative case studies will be more useful than statistical, large-n studies for drawing lessons to guide international efforts aimed at promoting conflict resolution and democratization.

Reilly, Benjamin. 2001. *Democracy in Divided Societies: Electoral Engineering for Conflict Management*. Cambridge University Press.

Centripetal institutional design through vote-pooling in preferential electoral systems, such as the ranked alternative vote, can provide significant incentives for political moderation and cooperation in ethnically divided societies. This approach is superior to the centrifugal consociational approach that typically utilizes party-list PR, which yields a political elite that mirrors rather than overcomes ethnic divisions. In divided societies, evidence indicates that preferential voting systems can promote moderation in political behavior. But these institutions are ineffective in places, such as much of Africa, where demographic and socio-cultural conditions inhibit the formation of ethnically heterogeneous electoral districts. Presidentialism – with a national electoral district – is not recommended as a solution to this problem. Trends toward urbanization could increase the usefulness of centripetal

models in the future.

Cornell, Svante E. 2002. "Autonomy as a Source of Conflict: Caucasian Conflicts in Theoretical Perspective." *World Politics*, Vol. 54, No. 2, pp. 245-276.

Although territorial autonomy has been widely proposed as a solution to ethnic conflict in divided societies, ethno-federalism may actually exacerbate social tensions and increase the possibility of violence and secession by fortifying ethnic identity and facilitating ethnic mobilization. A unitary state structure is preferable except in cases where control of territory has already changed hands. Evidence is provided from cases of regional minorities in the South Caucasus, where early Soviet grants of territorial autonomy are strongly correlated with late- and post-Soviet secessionist claims and armed conflict.

Lake, David A. and Donald Rothchild. 2005. "Territorial Decentralization and Civil War Settlements." In Philip G. Roeder & Donald Rothchild, eds., *Sustainable Peace: Power and Democracy after Civil Wars*, pp. 109-32. Cornell University Press.

Although territorial decentralization has strong support as an institutional structure for managing intrastate conflict, no durable civil war settlements were achieved through devolution in the second half of the last century. Moreover, most federal arrangements are ephemeral, giving way over time towards either increasing centralization or, oppositely, secession. While federalism provides long-term efficiencies over a unitary state, and may also provide an important short-term signal in a conflict situation about the willingness of a ruling majority to compromise, the inherent instability of post-conflict situations inhibits the utility of territorial decentralization for conflict management after civil war. International pressure for devolution may also be counterproductive, because local political actors do not trust central government concessions if they are compelled from outside.

Widner, Jennifer. 2008. "Constitution Writing in Post-Conflict Settings: An Overview." *William and Mary Law Review*, Vol. 49, Issue 4, pp. 1513-1541.

The process utilized in drafting a post-conflict constitution is expected to affect the chances of a successful outcome, measured as reduced violence and increased democratic institutional stability. Analysis of nearly 200 cases yields some evidence that more representative procedures yield better outcomes, but only if the preceding violence was low-level, whereas the overall effect is negligible. This finding may reflect operational problems in coding drafting processes and controlling for exogenous effects. Although it is difficult to identify specific best practices, scholars may still offer useful advice about the likely costs and benefits of different constitution-making processes.

Miller, Laurel, E. 2010. "Designing Constitution-Making Processes – Lessons from the Past, Questions for the Future." In Laurel E. Miller, ed. *Framing the State in Times of Transition: Case Studies in Constitution Making*. U.S. Institute of Peace Press.

Beyond the substance of constitutions, the process of constitution-making has important political implications, particularly when it is framed as an attempt at conflict resolution. There are no universal rules to follow, but rather the drafting and ratification processes should always be tailored to achieve and reflect a genuine political consensus. Cases of constitutional failure show that badly managed processes can hinder successful implementation of otherwise well-crafted democratic institutions, leading to increased conflict.

Norris, Pippa. 2008. *Driving Democracy – Do Power-Sharing Institutions Work?* Cambridge University Press.

Power-sharing institutions are preferable to power-concentrating institutions, especially for multi-ethnic societies transitioning to democracy. This is illustrated by the relatively successful democratic transition in Benin, where elements of consociationalism were introduced in the 1990s, versus the failure of democracy in neighboring Togo, which employed a purely majoritarian system. A study of 191 countries between 1972-2004, including selected case studies, finds that democratization is best facilitated by PR elections, a parliamentary system with a multi-party cabinet, a decentralized federal structure, and a free press.

III. CASE STUDIES OF CONSTITUTIONAL DESIGN AND CONFLICT MANAGEMENT IN AFRICA

Ejobowah, John Boye. 2008. "Integrationist and Accommodationist Measures in Nigeria's Constitutional Engineering: Successes and Failures." In Sujit Choudhry, ed., *Constitutional Design for Divided Societies: Integration or Accommodation?* pp. 233-257. Oxford University Press.

Nigerian constitutional design combines elements of both accommodationist and integrationist approaches to managing ethnic conflict in a way that has been somewhat successful, but which still faces major challenges, especially on the side of integration. Along with affirmative action policies for diversity in government positions, the federal structure and proliferation of subnational authorities have helped to quell – or at least quarantine – ethnic and religious tensions. However, the presidential electoral formula that was intended to encourage vote-pooling has not led to the formation of broad inter-ethnic coalitions, nor has it provided significant influence to minority groups, who remain politically and economically dependent on majority elites in control of the presidency and the country's oil wealth. Constitutional reform should aim to establish regional rotation of the presidency

and partial devolution of control over oil resources, although these changes will be very difficult politically.

Suberu, Rotimi T. and Larry Diamond. 2002. "Institutional Design, Ethnic Conflict Management, and Democracy in Nigeria." In Andrew Reynolds, ed., *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, pp. 400-428. Oxford University Press.

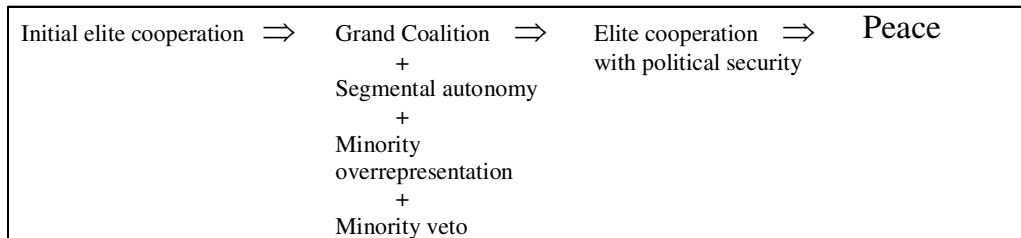
Constitutional design in Nigeria has tried an integrative approach to managing conflict through presidentialism and a federal structure that cuts across ethnic divisions, but the realities of centralized control during years of military rule and a majoritarian electoral system have worked to fuel ethnic tensions. Meanwhile, elements of a more accommodative approach have emerged from informal agreements for regional rotation of high offices. The deeper sources of conflict in Nigeria are tied to resource issues, so institutional reform must focus on limiting central power in addition to promoting ethnic accommodation. Recommendations include strengthening the judiciary and other nonpartisan providers of accountability, moving to a PR system of multi-member districts for Senate elections, and reducing the large number of states in the country to allow for a more effective federalism.

Posner, Daniel N. 2005. *Institutions and Ethnic Politics in Africa*. Cambridge University Press.

The formation of ethnic identities and the political conflicts that flow from them are primarily determined by institutional factors, not cultural or psychological influences. Ethnic identification should therefore be viewed as fluid rather than fixed, because actors adjust their identities to join the minimum winning coalition that provides them the greatest share of power. Evidence is provided by institutional changes in Zambia, where a change to one-party government and elimination of national constituencies caused identification to shift from the overarching ethnic level down to the local tribal level. A subsequent institutional change to multi-party elections and national contests yielded a return to language-based identification.

Sullivan, Daniel P. 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*, Vol. 43, No. 1, pp. 75-95.

Lijphart's theory of consociational design for conflict management can be illustrated as follows:



The failure of democracy associated with the 1993 military coup in Burundi can be understood by analyzing these sequential elements. There was initial elite cooperation leading to formation of a grand coalition. Ethnic autonomy was not granted, but separate institutions for Hutu and Tutsi would only have increased the risk of conflict given the absence of clear cultural differences between the groups. The reason for failure of consociationalism in Burundi was the lack of assurances for minority Tutsi of their adequate representation in state institutions, especially in security forces. Although there was no formal minority veto, Tutsi control of the military supplied a *de facto* veto power, which was exercised in the coup. The case illustrates the dangers of a military veto power, which suggests that even a political veto power could lead to the breakdown of government and should not necessarily be included in consociational designs.

Piombo, Jessica. 2009. *Institutions, ethnicity, and political mobilization in South Africa*. New York: Palgrave Macmillan.

Serious ethnic conflict occurs only where elites have incentives to utilize existing ethnic cleavages for political purposes. The two factors that determine these incentives are: 1) political institutions, especially the degree of centralization of power, and 2) the size and relationship of ethnic groups. In post-apartheid South Africa, violence was averted because power was effectively concentrated at the national level and because social divisions were such that mobilization along ethnic lines would not have yielded significant influence in the national legislature. List PR elections that were divided between a national district and large heterogeneous provinces also motivated competition to take place at the national level and largely discouraged racial politics, notwithstanding some claims to the contrary regarding opposition parties. But the wider lesson from South Africa is that to manage conflict one should look beyond electoral systems to the actual distribution of governing authority. Centralization of power can inhibit ethnic conflict in situations of high ethnic fragmentation, such as South Africa, or little ethnic fragmentation, such as Botswana.

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