POWER-SHARING: CONCEPTS, DEBATES AND GAPS

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Abstract

Academic literature tends to reflect the two main objectives of power-sharing: promoting the construction of sustainable peace and serving to structure the foundations for growth and development of democracy in divided societies. reflecting this, two dimensions and discourses of analysis and evaluation stand out: a classical dimension centred on power-sharing as theory and a normative proposal for democracy in divided societies, and another focused mainly on power-sharing as a meachanism of conflict management. This article aims to introduce the reader to discussions about power-sharing, reviewing and critically analysing power-sharing literature to show its gaps and tensions, as well as suggesting some points where one can continue the debate.

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Power-sharing: Introduction

The scientific literature dedicated to power-sharing emerged in the late 1960s as a normative proposal that aimed to provide democratic stability in divided societies[2] through the accommodation and inclusion of political elites along with incentives for the promotion of moderation and restraint. Driven mainly by the work of Arend Lijphart (1969; 1977a; 1977b) who defines power-sharing as a "government cartel of political elites"[3] that, in essence, is

> "*a set of principles which, when carried out through practices and institutions, provide each significant group in a society with representation and decision-making capacities in general affairs and a degree of autonomy on matters of particular importance to their group*" (Lijphart 1977a: 25).

The scientific literature on power-sharing corresponds, according to Horowitz (2005), with the study of the political conditions in which violence in multi-ethnic societies occurs and, therefore, the identification of requirements to manage and prevent such conflicts. Therefore, they are studies of political "engineering" with a view to design an inclusive and peaceful institutional framework in divided societies.

Power-sharing studies focus on structuring options of political systems that can manage and combat the destructive potential of inter-communitarian divisions (or its manipulation for political purposes). Timothy Sisk (1996: 5) defined the theory of power-sharing as

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[2] Divided society should be understood as a society that is multi-ethnic and, simultaneously, where ethnicity as well as identity questions configure a politically salient division. Reilly (2001:4)
[3] Originally, Lijphart (1969:216) wrote "*[...] consociational democracy means government by an elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy.*" The term *consociational* was, as Liphart (2008:6) explains later, replaced by power-sharing.

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> *"a set of principles that, when carried out through practices and institutions, provide every significant group or segment in a society representation and decision-making abilities on common issues and a degree of autonomy over issues of importance to the group"*.

In theoretical terms, power-sharing allows the pacification of clashing groups involved in historical antagonisms and discrimination, in order to enable the construction of just and stable societies through more inclusive political representation. However, the way power-sharing is achieved institutionally is variable and diverse (O'Flynn and Russell, 2005).

Thus, power-sharing theories must understand the study of structural conditions in which violence in divided and multi-ethnic societies emerge, as well as the subsequent institutional requirements to prevent such conflicts in a way that is democratically sustainable and inclusive. Often named "constitutional engineering studies", power-sharing theories have the objective of developing an institutional framework that effectively combats the politics of ethnic exclusion of majoritarian models in plural and polarised societies.

The dangers of tyranny of the majority

The different approaches of power-sharing theories — both in its dimension of democratic theory as well as conflict management) — share a mutual recognition of the limitations and dangers of (simple) majoritarian democracy in divided societies and advocate the benefits of political engineering in order to define more inclusive governance models that can mitigate latent conflicts. Both allude to the problems of exclusion in majoritarian systems, such as distortions in political representation and/or the potential of a "dictatorship of the majority", in which minority groups may be permanently unable to obtain political representation or access to political power:

> *"[…] ethnic parties developed, majorities took power, minorities took shelter. It was a fearful situation, in which the prospect of minority exclusion from government underpinned by ethnic voting was potentially permanent.* " Horowitz (1985: 629-630)

In the international context of the Second World War, newly independent countries had a tendency to assume the same constitutional rules previously established by the old colonial orders (Lijphart 2004). Power-sharing theories originated in this way, in product and response to independence and the difficulties in implementing and consolidating democratic processes in plural societies during the regression of the second wave of democratisation (Huntington, 1991).

The main premise set out by proponents of power-sharing relates to the disadvantages of the applicability of (simple) majoritarian democracy in divided and plural societies. This assumption is based on an empirical assertion that, in plural societies with

majoritarian political systems, some segments of society face potentially permanent political exclusion from the electoral game. Larry Diamond (1999:104) summarises the disadvantage of majoritarian models in divided societies, affirming that:

> *"If any generalisation about institutional design is sustainable (...) it is that majoritarian systems are ill-advised for countries with deep ethnic, regional, religious or other emotional and polarising divisions. Where cleavage groups are sharply defined and group identities (and inter-group insecurities and suspicions) deeply felt, the overriding imperative is to avoid broad and indefinite exclusion from power of any significant group."*

In a majoritarian democracy, divided societies tend to perceive electoral competition as a contest for possession and domination of the State and its resources, exacerbating the adversarial dimension of politics as well as its conduct. This perception tends to escalate during electoral periods, since access to political power can represent the guarantee of protection of rights and political, economic and even physical survival.

Robert Dahl (1973) refers to the concept of "mutual security" and emphasises its importance during electoral periods in ethnically divided societies, arguing that elections, being the primary forum for inter-group competition, need a minimum level of rights protection because a defeat in the electoral competition could pose a threat to survival. This notion of mutual assurance is, according to Dahl, a prerequisite for electoral competition in societies with deep divisions, and its absence underscores the nature of the zero-sum game of 'winner-takes-all' – a naturally adversarial political game.[4] Atuobi (2008), in his analysis of electoral violence on the African continent, states that electoral processes are moments where the stability and security of African States is undermined due to the threat of electoral violence, whose state is such that even elections considered fair and free are not immune to violence, before, during or after.

According to the proponents of "power-sharing" (Lijphart 1969, 1977a, 1977b and 2008; Horowitz 1985 and 1993), majoritarian models of multi-ethnic societies carry the risk of promoting the permanent exclusion of minorities from access to power (or access to the decision-making process), leveraging a situation of "tyranny of the majority" (where groups are permanently barred from the political decision-making process because of their demographic weight). However, this does not mean that the power-sharing model is anti-majoritarian, as Arend Lijphart explains (2008:12):

> *"Power-sharing democracy (of both the consociational and consensus subtype) is often described as non-majoritarian, and even anti-majoritarian or counter-majoritarian – and I have used*

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4   For the distinction between the adversarial nature of majority democracies and the "Coalescent" nature of power-sharing systems, please see Lijphart (1977). An example of the adversarial nature of a majority system can be observed in the main roots of conflict following the Kenyan general elections of 2007 (CIPEV, 2008), which deals with the history of several leaders and political elites, who exercised ethnic identity manipulation through mobilising their respective segment of the electorate (Mbugua, 2008). The adversarial nature of high-risk electoral competition and political conduct in Kenya was summed up in the title of a book by Michela Wrong (2009): "It's our turn to eat."

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those terms myself, too. In fact, however, power-sharing does not deviate much from the basic principle of majority rule. It agrees with that fundamental premise that majority rule is superior to minority rule, but it accepts majority rule as a minimum requirement: instead of being satisfied with narrow decision-making majorities, it seeks to maximise the size of these majorities. The real contrast is not so much between majoritarian and non-majoritarian but the between bare-majority and broad majority models of democracy".

The concept of power-sharing is intrinsically linked to the concept of democracy: like the democratic model, power-sharing seeks the inclusion of segments of society that are excluded from the political decision-making process. The democratic model is inherently considered as a fair and stable system of conflict management in post-war contexts and/or divided societies (Lijphart, 1977a and 2008)[5] for its capacity to transform ethnic or group violence into participation and peaceful political competition.

Nevertheless, such a democratic claim does not imply that power-sharing is only successful or unique to a democratic institutional framework: as an example, Milton Esman (1986) recalls that the Ottoman Empire − whose population was predominantly Muslim − accommodated non-Muslim communities for five centuries, guaranteeing them a degree of autonomy, self-determination and self-management. Similarly, some post-colonial autocratic African regimes have managed informally to balance the executive among various groups, so that power (as well as its access) and resources are distributed proportionally. Rothchild (1986) refers to these executives as "hegemonic exchange regimes", where a portion of State power and its resources are shared proportionately among groups, which is crucial to ensure a degree of balance and accommodation whilst controlling democratic freedoms (Rothchild, 1995).[6]

Two perspectives on power-sharing:
the no man's land between democratic theory and conflict management

The academic literature tends to reflect the two major objectives of the sharing of power − i) to promote the construction of sustainable peace and ii) serve as a structure for the foundation, growth and development of democracy in divided societies. Reflecting this, two dimensions and discourses of analysis and evaluation tend to stand out: a (classical) dimension centred on power-sharing along with a theory of democracy for divided societies, and another focused mainly on power-sharing and conflict management mechanisms.

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[5] Lijphart argues "*Not only have non-democratic regimes failed to be good nation-builders, they have not even established good records of maintaining order and peace in plural societies*" (Lijphart 1977a).

[6] Kenya during 24 years under the tutelage of Danial arap Moi is a good example of this proportional attribution of governmental and executive positions to different ethnic groups, even when it was a one-party State. The Kenyan government through several administrations often included representatives of various ethnic groups in different administrations, although the vast majority of power has always been entrusted to the ethnic group affiliated to the President (the most powerful position in the country's political structure) (Ng'weno 2009).

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Power-sharing as democratic theory

The debate about constitutional engineering in democratic theory revolves around two major philosophies: on the one hand, the theory of power-sharing, divided between the "consociational" – accredited to the pioneering work of Arend Lijphart (1977a 1977b; 1969;; 1985; 1990; 1996; 1999; 2004; 2008) – and the "integrative" or "structuralist" theory, which is more associated with Donald Horowitz (1985; 1990; 1991; 1993) and Timothy Sisk (1996); and, on the other hand, an alternative developed by Roeder and Rothchild (2005) of power-dividing[7] in line with the political-institutional framework of north American democracy. Hoddie and Hartzell (2005) raise caution, however, to the question of effects of sequential transition from a conflict situation to one of democratic peace through the mechanism/dynamic of power-dividing[8].

The "consociational" theory as advocated by Lijphart defines four basic principles[9], two of central importance, and two other of secondary relevance (Lijphart 1996: 258-268; 2008: 3-32):

1. A Grand Coalition (i.e. an executive comprising of representatives of the main religious and language groups);

2. Cultural autonomy to these groups (e.g., federalism; decision-making capacity on matters pertaining specifically to a group, etc.)

3. Proportionality in political representation;

4. Possibility of a minority veto regarding vital rights of minority groups.

Lijphart stresses that the institutions and the conduct that will incorporate these principles should be adopted according to the society. Given that each principle of the "consociational" theory can be applied for different models and formats, Lijphart recommends that this system includes the four basic principles. Lijphart also advocates the superiority of parliamentary models before presidential models[10] , as well as the preference for proportional electoral systems at the expense of majoritarian systems (such as the first-past-the-post model of Westminster). Although "consociational" democracy is not incompatible with presidential systems, electoral majoritarian systems and centralised governance structures, Lijphart considers that the most appropriate constitutional structure is provided by parliamentary regimes, proportional representation and, in the case of societies where there are geographical concentrations of ethnic or religious groups, federalism. Lijphart (2008) sets out some facilitative conditions favourable to "consociationalism":

– The absence of a solid majority who might prefer a majority system;

– Socio-economic inequalities (and to a lesser extent, linguistic and religious issues);

– Number of existing groups (complexity of negotiation);

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[7] For the purposes of brevity, this article does not focus on power-dividing and the evolution of the debate about constitutional engineering in divided societies.

[8] Initially increased measures of confidence (i.e. power-sharing institutions) are necessary, while the consolidation phase of a democracy is dominated by issues of stability, meaning that institutions of power-dividing are needed. To see more, please consult Roeder and Rothchild (2005)

[9] The first version of the definition of power-sharing by Lijphart in 1969 only included the first feature. The definition here is from his Indian case study of 1996, which contains a final formulation.

[10] About the limitations of presidential systems, also see Linz (1994).

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– Dimension of these groups (balance of power and importance of non-dominance);

– Existence of external threats (that promote internal cohesion);

– Pre-existing alliances and loyalties;

– In the case of existing geographical concentrations of groups, federalism facilitates segmental autonomy; and finally,

– Traditions of compromise and accommodation.

For his part, Horowitz (1985), through an "integrative" or "structuralist" approach[11], defended the adoption of five distinct mechanisms of the model presented by Lijphart to reduce conflict in multi-ethnic societies, namely:

1. The dispersion of power, often territorially (decentralisation), in order to avoid the concentration of power at a single point;

2. Devolution of power with the exception of certain places destined to have an ethnic basis in order to promote inter-ethnic competition at a local level;

3. Interethnic cooperation incentives, such as electoral laws that promote   pre-electoral coalitions;

4. Regulatory policies that encourage alternative social alignments, such as   class   or territory, thus the emphasis on cross-cutting social cleavages;

5. Reduce inequalities between groups by managing the distribution of resources.

It should be noted that some recommendations of Horowitz match Lijphart on certain topics: e.g., both advocate the federal model and reveal the importance of proportionality and ethnic balance. It is important, however, to take into account that all of them (the models of power-sharing to power-dividing) are ideal conceptual frameworks where empirical combinations of the three theories are possible.

Power-sharing as a mechanism of conflict resolution

> *"It is easy for you and me and many others to sit there, deliberate and criticise power-sharing but there's a big elephant in the room: if we did not have power-sharing in Zimbabwe and Kenya, flawed as it is, what other option would we have had?"* – Blessing Miles Tendi

If the majority of scientific literature (classical theories in particular) on power-sharing was being developed throughout the second half of the 20th century (especially in the

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[11] The classifications "integrative" and "structuralist" come from the criticism that Horowitz establishes, which states that the "consociationalist" theory should stop punishing political radicalism, while its proposal tends to reflect a promotion of moderation and cooperation in inter-group politics. Other proponents of the "integrative" option: Reilly (2001); Sisk (1996).

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1970s and 1980s), the debate on power-sharing was resumed at the turn of the century. However, this most recent literature is mainly focused on the sustainability of power-sharing applied as resolution mechanisms or conflict management. Such a resurgence has revealed new analyses concerning recent power-sharing that has, in turn, pointed in the opposite direction to that which the classical theories have defended. Indeed, several authors (Noel, 2005; O'Flynn and Russell, 2005; Spears, 2005; Hartzell and Hoddie, 2007; Jarstad, 2008; Mehler, 2009a and 2009b; Levan, 2011) argue that power-sharing has gone against classical literature and intended to:

– Drive anti-democratic and radicalised behaviour;

– Inhibit the transition from conflict management to conflict resolution by encouraging extremism;

– Stifle internal diversity and its recognition in favour of community identities and collective concerns;

– Show difficulty in recognising and dealing with cross-segmental identities;

– Left insufficient space for individual autonomy;

– Damage relationships of transparency and accountability;

– Increase the economic inefficiency of governments;

– Foster the conditions for government deadlocks and stalemates;

A. Carl LeVan (2011) focuses his attention to a three-dimensional analysis of power-sharing:

1) its *origin* – extra-constitutional or coalition pacts produced by institutions;

2) its *function* – post-war scenarios or situations where the State runs less   risk;

3) *time horizon* – dilemmas between long-term costs and short-term benefits.

Based on this conceptual framework, LeVan (2011) suggests that the trend of power-sharing agreements achieved as a post-election conflict-resolution instrument, or in order to avoid an even greater escalation of the conflict, could be undermining efforts for promoting democracy on the African continent in recent decades ("peace before process"). This type of agreement of an extra-constitutional origin – despite its recent popularity, has however been encouraged in academia and policy-making not only in peace promotion and conflict resolution, but also in democratic theory and promoting alternative democratic models. Indeed, Anna Jarstad (2008) states that both currents (democratic theory, on the one hand, and resolution or conflict management on the other) can advocate power-sharing for distinctly antagonistic reasons, since one of the dimensions has as its main objective the cessation of violence, and the other, the building (or deepening) of a more inclusive and proportional democracy. Both are not necessarily compatible, particularly when a power-sharing agreement is reached as an alternative to elections, which reflects, as well, the lack of cohesion and holistic analysis that the debate on the viability and sustainability of power-sharing still denotes:

> *"In the conflict management discourse, power-sharing is seen as a mechanism to manage the uncertainty in the peace process – if need be, as a substitute for elections – while research based on democratic theory treats power-sharing as a mechanism to foster moderation and to improve the quality of democracy. This means that researchers of both schools advocate power-sharing for war-shattered societies, albeit for different reasons. However, the lack of integration between the two discourses means that there is limited knowledge of the long-term consequences of power-sharing in societies emerging from war. "(*Jarstad 2008:111)

Jarstad, Ian S. Spears (2005) states that power-sharing and democracy can be compatible, since one does not substitute the other. Additionally, Spears also gives clues to resistance on the part of political elites to implement power-sharing agreements in post-conflict situations. This takes into account the structural problems of many countries on the African continent – alluding to the importance of the debates that the international relations literature has provided on issues of failed or weak States and contemporary violent conflicts (often intrastate and informal in nature), the Third World security predicament – but that the literature on power-sharing has neglected:

> *"Power-sharing has been repeatedly advocated as a method of post-conflict governance in Africa. In virtually all cases, however, the results have been the same: including power-sharing agreements have been resisted by local leaders or, if accepted, have rarely been fully implemented or adhered to over the long term. Given this unimpressive record, it is remarkable that power-sharing nevertheless continues to be the centrepiece of so many African peace initiatives. To expect power-sharing to work in Africa is to expect it to work under the most difficult conditions, and this, in fact, is part of the problem. For the conditions of anarchy that accompany civil war and state collapse often require solutions that are prior to, or in addition to, power-sharing – or ones that exclude power-sharing altogether."* [12]

Mehler (2009a) stresses, like LeVan (2011), the need to analyse power-sharing in addition to mitigation analysis of the conflict, arguing that power-sharing should be seen as a process and not as an event, citing the current example of success of Burundi[13], which after 20 years of trying was considered an example of failure.

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[12] Spears, Ian S. "Anarchy and the Problems of Power Sharing in Africa" in Sid Noel (ed.) *From Power Sharing to Democracy*, Quebec: McGill-Queen's University Press, 2005. Pp. 184-197.
[13] See also Vandengiste (2009).

Which way for the debate on power-sharing?

Classical theories of power-sharing focused primarily on permanent designs (though not necessarily static) of institutional engineering for the political accommodation of different groups in a divided society. The recent power-sharing literature has focused mainly on power-sharing as a temporary mechanism in peace agreements in favour of a security imperative, even if it is antagonistic to the democratisation efforts of prior decades. However, little attention has been given to power-sharing as a dynamic process with advances, setbacks and transitions.

The studies of "constitutional engineering" that propose the adoption of inclusive policies for pluralistic, divided and/or in-transition societies have been developed since the late 1960s. However, this type of political science has only recently begun to be studied in relation to conflict of a third kind (Holsti, 1996), which are frequent on the African continent despite the theme of contemporary intra-State conflicts being closely linked to governance issues and the formation of States and their structural (im)balances. The study of power-sharing agreements, particularly in the context of Africa, gains increasing prominence as an instrument for analysis of the path of democratic consolidation on the continent.

Power-sharing arrangements have succeeded in Africa in recent years (Mehler, 2009; Levan, 2011). Mehler (2009) points to 17 countries of the African continent as having had "meaningful" power-sharing agreements only between 1999 and 2009, while Hartzell and Hoddie (2007) recall that, of 38 peace processes between 1945 and 1999 as a result of the negotiation to the end of civil wars, only one − the Gbadolite in 1989 − did not contain any element or norm of power-sharing. Over the years, several African countries have had a history of experience in the field of constitutional engineering to design and develop democratic institutional frameworks that have tended to be more inclusive (e.g., Nigeria, Burundi); recent popularity, on the other hand, seems to be focused mainly on the inclusion of power-sharing as a mechanism for the management and prevention of violent conflicts through the negotiation of peace agreements (Hartzell & Hoddie, 2007; Mehler, 2009). The African continent, considering the amount of countries composed of multi-ethnic societies for which the theories of *power-sharing* were initially designed and developed, as well as the frequency of violent conflict and arising peace processes, it is fertile ground for the emergence of these agreements.

However, in the vast literature on power-sharing, research agendas and analytical approaches have focused almost exclusively on an institutional perspective and elites, both in its latest dimension of mitigation and conflict management as in the classical theoretical approach to power-sharing, as well as its normative political engineering proposal for a permanent institutional structure based on the accommodation of political elites. This has prevented a holistic and interdisciplinary analysis in studies on the power-sharing and its consequences, especially in Africa where it has been dominant since the end of the cold war.

It is especially surprising that, with the renewed academic interest on this topic, the influence of the nature of political parties and party systems in power-sharing situations and its dynamics and consequences are comparatively neglected to the detriment of

the dominant top-down analysis [14]. Even though political parties are one of the main actors in any political system because of their ability to channel, aggregate and express political wills – and stop power deadlocks for not only the management and resolution of conflicts in societies in which they are placed, but also act as privileged agent in the consolidation of democracy – power-sharing studies tend to keep their focus on small groups of elites or national institutions with no major considerations for bottom-up processes or tensions that exist among institutions, elites, political parties and segments of society. The academic literature has been profuse in evaluating the success or failure of power-sharing, but still pays little attention to the power-sharing process, its dynamics and variations. For example, the transition to a dynamic centrifuge in the first two years of power-sharing in Kenya (2008-2013) to the centripetal dynamic of 2010 onwards is seemingly absent from academic literature that, with all its conflicting conclusions, does not offer great insights to explain the mutations that have been experienced by the Unity Government in Kenya. If there is something that the proposed power-sharing theories suggest, it is that their discourse – with all its ability to empower and give visibility, selection and legitimation – is not enough to understand all the variables, dynamics and relevant actors[15] to determine success or failure.

Finally, the absence of more interdisciplinary analysis (even in sub-fields of Political Science and International Relations where it comes from) of power-sharing has meant that the debate on its merits and disadvantages for the promotion and consolidation of democracy and peace remain inconclusive. Perhaps, however, there is a more relevant matter that has been entirely absent from the debate: what *kind* of peace and democracy has power-sharing promoted?

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[14] Some exceptions must be mentioned: Reilly and Nordlund, 2008; Shah, 2009; Cheeseman and Tendi, 2010; 2013 Carvalho.

[15] One of the few references about the important role that the Kenyan civil society played in the power-sharing agreement and the implementation of its mandate can be read in Ghai and Ghai (2010).

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