

Institutional Approaches to Conflict Prevention and Resolution: Integration and Power Division

Winter 2009 ReSET Session

Overview

- Review: Causes of Ethno-Territorial Conflict Onset and Termination
- Institutional Approaches to Conflict Prevention and Resolution: Integration and Power-Division (“Checks and Balances”)
- Some “Structural” Conditioning Factors
- A Bargaining Framework for Understanding Onset and Termination
- Power, Preference, and Status Quo Effects of Institutional Changes
- Conflict-Phase Conditioning Factors and Examples

Causes of Conflict Onset and Termination

- Focus on internal ethno-territorial wars between state-backed “dominant” ethnic group and “outsider” ethnic group.
- Explain outcomes in different phases of conflict: pre-conflict, mid-conflict, post-conflict.
- General: preferences and power.
- Power: predictors or proxies include material and organizational resources of state and outsider group; population and settlement characteristics of outsider group; geography and natural resources; international intervention.

Causes of Conflict Onset and Termination (Continued)

- Preferences:
 - intrinsic characteristics (moderate vs. extreme nationalist; principled vs. power-seeking);
 - proxies or predictors include official ideologies; “regime” types of state and outsider group; own-group governance; own-group leadership selection; grievances.

Some Institutional Approaches to Prevention and Resolution

- Central government power-sharing
- Integration within political institutions
- Regional ethnic autonomy
- Power-division: “checks and balances” on state power
- Other approaches: informal equal treatment or openness; economic governance; ethnically-based fiscal resource sharing; central language and education policies; external oversight and guarantees

Some Basic Questions

- How are such institutional approaches supposed to make a difference?
- Presumably by affecting current or future status quo, power, and/or preferences, and associated incentives to choose peace or war.
- What is the relative importance of such institutional approaches compared to other factors?
- How credible are such institutional promises? Will they be implemented and sustained?
- How reliable are the postulated effects?
- How do credibility and reliability depend on other factors?
- Institutional approaches are also consequences of other power and/or preference factors, which produce institutional and other aspects of status quo, along with peace or war.

Central Government Power-Sharing

- If formal veto, what are the potential benefits and costs?
- How important and credible is the veto?
- How will such a requirement work in different conflict phases?
- Informal veto: same questions.
- Formal or informal consultation: How significant?
- What about non-democratic regimes?

Integration within Political Institutions

- Parties (using electoral systems, constitutional and legal rules, norms)
- Government institutions (using ethnic hiring quotas)
- How important and credible?
- How will such requirements work in different conflict phases?
- What about non-democratic regimes?

Regional Ethnic Autonomy

- Specifics: boundaries vs. settlement patterns; size of “majority-minorities”; intra-ethnic unity or division of units; extent of regional and local legislative powers; symmetry or asymmetry of federalism.
- How important and credible?
- How will such autonomy work in different conflict phases?
- What about non-democratic regimes?

Power-Division: “Checks and Balances”

- Specifics: individual constitutional rights; freedom of press and association; group constitutional rights (e.g., language, education, in addition to autonomy, state hiring); democracy; multiple veto players within and across legislative institutions; independent judiciary.
- How important and credible?
- How will such limits on state power work in different conflict phases?
- What about non-democratic regimes?

Some Preliminary Points

- Ethnic autonomy and especially central power-sharing are far-reaching political outcomes.
- Integration of political institutions and institutionalized rights and checks are more limited preventive measures.
- All or most are thought of as operating under well-functioning democracy; but authoritarianism and “anocracy” (on one or both sides) is at least as likely.
- Such institutional measures, along with other policy and institutional measures, are not mutually exclusive.
- Instead of looking for universal prescriptions, “multiple roads” and “mix-and-match” approaches may be more realistic.
- Any such institutional measures should not be expected to trump “fundamentals”—other aspects of status quo, preferences, and power.

“Structural” Conditions for Power-Sharing

- Power-sharing with second- largest group (and so on) depends on population share relative to largest group.
- Highly unlikely unless second-largest group is relatively large (say, half or more the size of largest group).
- Most likely in highly “fractionalized” states.
- Far-reaching concession of state power: must be high level of trust, low expected risks and costs.
- Examples: Switzerland, Russia, Iran, Afghanistan.

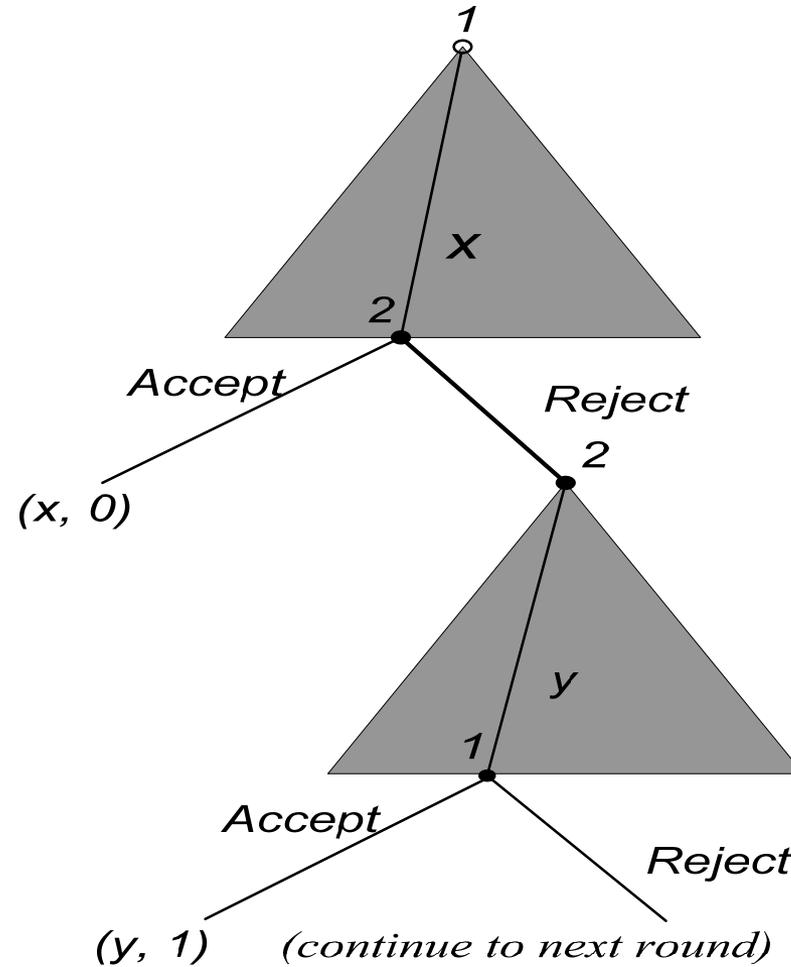
“Structural” Conditions for Ethnic Autonomy

- Ethnic autonomy not feasible without significant regional concentrated settlement.
- Not as far-reaching a concession as power-sharing, but still significant.
- State concerns: Will it satisfy minority leaders, and will it change the power balance? What kind of precedent does it set for other minorities?
- Given such concerns, why is (formal) autonomy relatively common?

Bargaining Framework: Assumptions

- Two players bargain over distribution of contested goods.
- A status quo distribution reflects previous agreement.
- Player 1 decides whether to start a crisis, threatening to impose costs in the next period if Player 2 does not accept her proposed redistribution.
- Player 2 either accepts the proposal, or rejects it and makes her own counter-proposal.
- If Player 2 rejects, Player 1 decides whether to accept or to reject 2' proposal and make her own new proposal, and so on.
- There is “complete information” about players' characteristics.
- Agreements are enforceable. (This is contradictory.)

Two-Player Crisis Bargaining



Bargaining Framework (Continued)

- Possible outcomes: peace; crisis followed by quick agreement to redistribute contested goods; onset of permanent crisis.
- Determinants of outcomes: preferences and power of players, as they affect relative crisis costs and “discount factors”; status quo distribution.
- Discount factors: Determine trade-off between current crisis costs and future agreement (concessions or gains).

Bargaining Framework: Intuition

- Relative size of crisis costs and discount factors determine bargaining leverage, subject to constraint imposed by status quo.
- Lower relative crisis costs and/or higher relative discount factors increase ability to extract concessions.
- But leverage that is too great will lead to demands that make the other player cling to the status quo.

Case 1: Two “Moderate” Players

- Both players have significant crisis costs, and care about present as well as future. (Reflects both power and preferences.)
- Two possible outcomes: peace, or quick redistribution.
- Lower relative cost and higher relative discount factor make Player 1 more likely to benefit from a crisis—subject to status quo constraint.

Case 2: One “Extremist” and One “Moderate”

- Extremist has no crisis costs.
- Outcome is permanent crisis: extremist’s bargaining leverage is so great, that moderate always prefers to cling to status quo; extremist is indifferent to ongoing crisis costs.
- Preferences make possible such low crisis costs.

Case 3: One “Power-Seeker” and One “Moderate”

- Power-seeker cares only about political benefits and costs of crisis.
- Suppose power-seeker benefits politically from crisis.
- Possible outcomes: permanent crisis; or quick redistribution that benefits power-seeker politically more than crisis.
- Suppose power-seeker suffers politically from crisis.
- Outcome: power-seeker won't start a crisis; looks like moderate-moderate case with attractive status quo.

What If Commitments Are Not Credible?

- Suppose agreements to redistribute contested goods are not automatically enforceable.
- “Salami tactics”: player gaining from crisis-induced redistribution will have incentive to re-initiate crises to make further gains.
- Other player knows this and so loses her incentive to agree to redistribution to begin with.

Some Possible Sources of Credible Commitments

- Territorial “indivisibility”: helps explain why ethno-territorial conflict agreements often involve very high (or very low) autonomy.
- Leadership preferences and stability, and reputation.
- Institutional guarantees.
- Prevailing national identities and ideologies.
- External guarantees.

Institutional Concessions in a Bargaining Context

- Institutional concessions have three main kinds of possible effects.
- They change the status quo; and they may also affect power or preferences.
- By affecting relative power and thereby relative costs in peace and war, they may increase the bargaining leverage of the group gaining power.
- By affecting preferences—particularly for minority leaders—they may increase or decrease the likelihood that certain agreements are or remain acceptable.

Institutional Concessions in a Bargaining Context (Power Effects)

- Such concessions may not have significant power effects—because they do not have significant potential to do so, or because (as with, say, autonomy) the institution may already exist de facto in an advanced form.
- If they do have significant power effects, such effects may not be large enough to destabilize the status quo or preferred agreement.

Institutional Concessions in a Bargaining Context (Preference Effects)

- Such concessions may have a moderating or at least a stabilizing effect on minority leader preferences.
- Such concessions may give power-seeking minority leaders a stronger incentive to uphold the status quo or preferred agreement.
- But concessions might also empower extremists or adversely affect incentives of power-seekers.
- Preference effects are usually not as predictable as power effects.

Pre-Conflict Phase Institutional Concessions or Changes

- In addition to the status quo effects, what are the likely power and preference effects of implementing (or withdrawing) various institutional concessions?
- State wants to avoid adversely destabilizing power and preference effects, while seeking favorable effects.
- Significant concessions generally viewed as intrinsically negative, so favorable compensating effects must be expected.
- Limited concessions more likely.

Pre-Conflict Sri Lanka

- Power-sharing and autonomy: not considered by Sinhalese leaders. (Sinhalese 74%, Sri Lankan Tamils 12.6%.)
- Individual rights and “institutional” checks: existed for individuals and judiciary, but not legislative institutions.
- “Integration” of parties: didn’t exist in terms of formal institutions, which would have been perceived as threat by Sri Lankan Tamils.
- “Integration” of civil service and universities through ethnic quotas, along with Sinhalese language reforms: limited radicalizing effect on Tamil preferences.

Pre-Conflict Sri Lanka (Continued)

- War triggered by politicized ethnic riots and intervention from India.
- Could war have been prevented by preemptive institutional concessions?
- Feasible limited reforms would have helped, but life under status quo and, especially, physical security to limit riots, were more important.

Pre-Conflict Yugoslavia

- Power-sharing and significant autonomy existed, and became destabilizing.
- Individual rights varied on a regional basis— correlated with rising nationalist oppositions.
- De facto division of power existed in varying degrees under declining authoritarian system; emerged in varying degrees in Republic-level democracies.
- “Integration” of League of Communists and federal and Republic gov’ts was often an important grievance of nationalist movements.

Pre-Conflict Yugoslavia (Continued)

- War or crisis occurred because moderate and power-seeking leaders, given expected power balances, preferred break-up and often could not compromise on new boundaries.
- E.g., Slovenia and Macedonia vs. Serbia, Croatia, Bosnia.
- Could wars and crises have been prevented by greater (or lesser) institutional concessions?
- Maybe either, but conflicts over Kosovo and Bosnia's Serb and Croat regions not easily avoided due to preference and power factors.

Mid-Conflict Phase Institutional Concessions or Changes

- In addition to the status quo effects, what are the likely power and preference effects?
- Power-sharing and autonomy likely to be difficult to add, and, often, to maintain.
- Limited concessions also difficult, but usually intended to moderate minority preferences.
- During war, institutional concessions are more often promised than implemented.
- Usually aren't expected to have adverse power effects, and are expected to have favorable preference effects.

Post-Conflict Phase Institutional Concessions or Changes

- In addition to the status quo effects, what are the likely power and preference effects?
- Power-sharing: significant power effects, so high level of trust and low expected costs and risks necessary. Unlikely.
- Autonomy: more likely if significant power effects not expected; and if preference effects insignificant or expected to support preferred agreement.
- Limited “integration” concessions: more likely as part of authoritarian program for “agreement”; otherwise often divisive and mistrusted.
- Power-division: most likely at individual and judicial levels; at legislative level, less likely.

Intense War Has Irreversible Break-Up Effects (Kaufmann)

- Joint governance and/or living conditions, once destroyed by intense fighting and replaced by separate governance and/or living conditions, cannot be rebuilt without high costs and risks.
- Independence or (formal or informal) autonomy, where groups continue to govern themselves and live separately, are probably unavoidable, at least in short run.
- “Check and balance” reforms more likely to work well than “integration” reforms.

Mid-Conflict & Post-Conflict Sri Lanka

- Formal autonomy was the center-piece of state and Indian peace proposals since mid-1980s.
- Not acceptable to LTTE, which “faked” negotiations for tactical advantage.
- State tried to implement autonomy during war, but main moderating effect on Tamil preferences was other aspects of status quo, LTTE’s behavior, war costs, and Indian position.
- LTTE’s military defeat made full implementation of autonomy possible; likely moderating effects have to be assessed alongside others.

Mid- and Post-Conflict Croatia

- No agreement on autonomy or independence for heavily Serb regions.
- Flight and expulsion of Croats followed by same of Serbs.
- First cease-fire agreement due to balance of power and Tudjman's desire for a tactical pause.
- Second agreement to end war due to new balance of power and Milosevic's power-conserving calculations.
- Could autonomy have worked earlier?

Mid- and Post-Conflict Bosnia

- No earlier cease-fire because of disagreement over central state powers, autonomy, and inter-group borders.
- Dayton Agreements due to new balance of power, with associated new status quo acceptable to both Croatia and Serbia.
- Formal autonomy for Serb Republic and informal autonomy for Bosnian Croats also reflected effects of war.
- Central power-sharing guarantees continued de facto separation.

Mid- and Post-Conflict Bosnia (Continued)

- “Integration” of parties impossible for foreseeable future.
- Individual rights may be protected formally, but informal situation is different. Same for economic governance.
- Heavy external oversight crucial in preventing paralysis of central government and in promoting intra-group political competition and moderation.
- Could formal autonomy have worked earlier?

Mid- and Post-Conflict Kosovo

- No initial agreement on autonomy, independence, or absorption possible.
- Early repressive peace coexisted with de facto Albanian autonomy.
- War changed power balance, leading Milosevic to prefer withdrawal.
- Again no agreement, but de facto independence.
- At any stage, could formal autonomy have worked?

Conclusions

- Some institutional reforms depend on global conditioning factors such as population shares and settlement patterns.
- Effects of institutional reforms must be estimated in the context of specific status quo, preference, and power conditions.
- Feasibility and effects of institutional reforms are likely to depend on the phase of conflict.
- To repeat, “multiple roads” and “mix-and-match” approaches seem more realistic than universal formulas.