

Managing the European Plurinational States: Consolidating Consociationalism through the Electoral Systems

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ABSTRACT

Lijphart has argued that ‘for divided societies, ensuring the election of a broadly representative legislature should be the crucial consideration, and P[roportionate] R[epresentation] is undoubtedly the optimal way of doing so.’¹ Despite this assertion, European plurinational States have used a number of different electoral systems in order to effectively accommodate ethno-linguistic and religious cleavages in a consociational manner. The scope of the proposed paper is twofold. On the one hand, it aims at mapping how consociationalism is echoed in the electoral systems of certain European plurinational States, where power-sharing arrangements are in place. To achieve this goal, the paper describes the consociational variant in the constitutional structures of three European divided societies and how the consensus model of democracy has been translated in their electoral systems. On the other hand, it consists of an effort to assess whether and, if so, the extent to which the relevant electoral systems have been successful at consolidating the consociational principle by focusing on the elections that have taken place in those political systems. By looking closely at the interplay between public opinion and political actors’ issue stances in those societies we are able to test whether the chosen electoral systems in the aforementioned power-sharing arrangements have favoured parties with a more consociational agenda over time or whether parties with a more ‘separatist’ one have managed to dominate the political arena. Overall, the present paper questions the success of consociationalism to bridge the ethno-linguistic and/or religious cleavages in the divided societies of Europe.

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¹ A Lijphart, *Thinking about democracy* (London, Routledge, 2008) at 78.

1. Introduction

Since the Peace of Westphalia, we have been witnessing in Europe the gradual dissolution of the plurinational Empires and the genesis of the sovereign nation-States. This historical and political trend that has favoured the building of mono-national over plurinational States in the old continent reached its peak in the aftermath of the fall of the 'Iron Curtain' and the subsequent dissolution of Soviet Union, Yugoslavia and Czechoslovakia. Despite this, there is still a significant number of multinational European States such as Belgium, Bosnia-Herzegovina (BiH), Spain, Switzerland, the United Kingdom. In all those political and constitutional systems -however successful and functional they have proved to be- the question how to address effectively national diversity entailing ethno-linguistic and/or religious cleavages remains of cardinal importance.

In order to respond convincingly to the needs created by the ethno-linguistic and/or religious cleavages, most of the aforementioned political and constitutional systems have opted for power-sharing arrangements. Despite the obvious differences in the historical and political conditions that have led to the adoption of consociational elements in the constitutional designing of certain States in Europe and the World, all the power-sharing arrangements challenge the majoritarian interpretation of the basic definition of democracy which entails 'government by the majority of the people'.² The consociational model of democracy³ aims at addressing the issue of exclusion of minority groups from participation in decision-making especially in deeply divided societies such as Belgium, Bosnia-Herzegovina and Northern Ireland. According to that model, every significant group should proportionately participate in the government of the country while at the same time it retains a high degree of autonomy and the possibility to veto decisions of the majority in order to protect its vital interests.

² A Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven and London, Yale University Press, 1999) 31.

³ See in general SM Halpern, 'The Disorderly Universe of Consociational Democracy' (1986) 9 *West European Politics* 181; A Lijphart, *Democracy in Plural Societies* (New Haven and London, Yale University Press, 1977); A Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven and London, Yale University Press, 1999); A Lijphart, 'The Power-Sharing Approach' in JV Montville, JV, *Conflict and Peacemaking in Multiethnic Societies* (Lexington MA, Lexington Books 1991) 491; KD McRae (ed), *Consociational Democracy* (Toronto, McClelland and Stewart Limited, 1974).

The present paper focuses exactly on party competition dynamics of the segmented societies of Belgium, Bosnia-Herzegovina and Northern Ireland by mapping how consociationalism is echoed in their electoral systems. Although the case studies we examine do not provide for an exhaustive list of all the power-sharing arrangements in Europe, they do represent three models of managing the plurinational States. First, Belgium amended its own constitution in 1994 to adopt its current federal structure in order to address demands expressed by both ethno-linguistic segments for more decentralisation. Second, Bosnia's constitution is part of the wider Dayton Peace Agreement⁴ that ended three and a half years of fierce fighting. Third, in Northern Ireland -albeit not a sovereign State itself- a very sophisticated power-sharing arrangement has been adopted within the frameworks of the Good Friday Agreement on the one hand and the UK asymmetric devolution on the other. Thus, the differences in the historical and political conditions that have led to the adoption of the respective variant of the consociational model allow us to offer an important comparative insight to the choices made with regard to the electoral systems of European divided societies. Overall, in parts 2 and 3 of this paper we focus exactly on how the consociational principle has been applied in the constitutional structure of those power-sharing arrangements and its influence on the respective electoral system.

However, consociationalism more than a constitutional principle that influences the electoral system of a given society, it should mainly be a political *modus vivendi* advanced - among else- by electoral engineering. This is the reason, why in part 4 of the paper, we focus on the elections that have taken place in those political systems during the last decades. In so doing, we are able to test whether the chosen electoral engineering in the aforementioned power-sharing arrangements have favoured parties with a more consociational agenda over time or whether parties with a more 'separatist' one have managed to dominate the political arena. Unfortunately, a systematic empirical examination of these processes questions the success of consociationalism to bridge the ethno-linguistic and/or religious cleavages in the divided societies of Europe.

⁴ General Framework Agreement for Peace in Bosnia and Herzegovina ("the Dayton Peace Agreement"), initialled at Dayton on 21 November 1995 and signed in Paris on 14 December 1995.

2. The Consensus Model of Democracy

Consociation derives from the Latin *consociatio*, which means ‘the action or fact of associating together’ or ‘union in fellowship’.⁵ The term appears as early as 1603 in Althusius’s *Politica Methodice Digesta*, partly as an attempt to analyse the process of new polity creation in the early 17th century Low Countries, ‘without either a strong governmental apparatus or an articulate national identity’,⁶ and partly as a response to Bodin’s *Les six livres de la republique* of 1576 and his novel conception of sovereignty.⁷ The first modern exponent of consociationalism was Apter who, in his study of bureaucratic nationalism, defined this form of political organisation as ‘a joining together of constituent units which do not lose their identity when merging in some form of union’.⁸

But it was Arend Lijphart, reflecting on the paradoxical nature of the Dutch polity, in combining political stability, religious differences and social fragmentation,⁹ who was the first to stress the stabilising effects of the consensus model of democracy in plural societies and offered a general model of it. Lijphart’s model of consociational democracy consists of the following four defining properties: participation of the representatives of all significant segments of the plural society; high degree of autonomy for each group to run its own internal affairs; proportionality as the principal standard of political representation, civil service appointments and allocation of public funds; and the mutual veto or ‘concurrent majority’ rule, which serves as an additional protection of vital minority interests. What follows is an analysis of those four main characteristics and how they are embodied in the constitutional architecture of Belgium,¹⁰ BiH¹¹ and Northern Ireland.¹²

⁵ B Barry, ‘Political Accommodation and Consociational Democracy’ (1975) 5 *British Journal of Political Science*, 478.

⁶ H Daalder, ‘On Building Consociational Nations: the cases of The Netherlands and Switzerland’ (1971) 23 *International Social Science Journal*, 358.

⁷ JH Franklin, *On Sovereignty: Four Chapters from the Six Books of the Commonwealth*. (Cambridge, Cambridge University Press, 1992).

⁸ D Apter, *The Political Kingdom in Uganda: A Study in Bureaucratic Nationalism* (Princeton, NJ, Princeton University Press, 1996) 24.

⁹ A Lijphart, *The Politics of Accommodation: Pluralism and Democracy in The Netherlands* (Berkeley, CA, University of California Press, 1968).

¹⁰ See in general the Belgian Constitution; http://www.fedparl.be/constitution_uk.html.

¹¹ See in general the Constitution of Bosnia-Herzegovina; http://www.servat.unibe.ch/icl/bk00000_.html.

¹² See in general the Northern Ireland Act 1998 [1998] c. 47; <http://www.legislation.gov.uk/ukpga/1998/47/contents>.

2.1 Power-Sharing

The primary characteristic of the consensus model of democracy is the joint exercise of governmental, executive power. This may take various institutional forms. The most straightforward is that of a grand coalition cabinet in a parliamentary system. For instance, the Belgian constitution contains a formal requirement that the executive includes representatives of the large linguistic groups. Article 99 of the 1994 federal constitution stipulates that with ‘the possible exception of the Prime Minister, the Council of Ministers [cabinet] includes as many French-speaking as Dutch-speaking members’.¹³

Moreover, in Northern Ireland, the posts of the First Minister and Deputy are tied together by section 16 of the Northern Ireland Act 1998. According to the same section ‘the largest political party of the largest political designation shall nominate [...] the First Minister’ while ‘the largest political party of the second largest political designation shall nominate [...] the deputy First Minister’. In other words, this provision ensures that the First Minister will be from a unionist party while the Deputy from a nationalist or republican one. More interestingly, the ministers are not chosen by this dyarchy. Instead, section 18 of the Northern Ireland Act provides that the ministerial posts are allocated to all of those parties with significant representation in the Assembly. The number of posts to which each party is entitled, is determined according to the d’Hondt method of proportional representation.¹⁴ The actual posts are chosen by the parties in the order that the seats were awarded. This does not mean that apart from the two largest parties, the other parties are required to enter the Executive. They can choose to go into opposition if they wish. However, until now all Northern Irish cabinets have been comprised by at least four parties.

¹³ A Alen, and R Ergec, *Federal Belgium After the Fourth State Reform of 1993* (Brussels, Ministry of Foreign Affairs, 1994).

¹⁴ This method favours larger parties and operates through successive rounds of voting. In the first round the number of votes for each party (in this case, the number of assembly seats) is counted and the highest receives the first post. In the second round the party which won the first executive post has its representation halved. The party with the highest number of seats by this formula now gains an executive post. The rounds continue, with each party having its divisor increased by one of each of the executive posts it receives.

On the other hand, it has been observed that it is less common to accommodate a power-sharing arrangement in presidential systems.¹⁵ Practice suggests that one possible way is to distribute the presidency and other high offices among the different groups. The Constitution of Bosnia-Herzegovina provides for an example. According to Article V, the Chair of the BiH Presidency rotates among three members: one Bosniak and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska. Each of them is elected as the Chair for an eight-month term within their four-year term as a member. The Chair of the Council of Ministers is nominated by the Presidency and approved by the House of Representatives. S/he is then responsible for appointing a Foreign Minister, Minister of Foreign Trade and others as appropriate. 'Together the Chair and the Ministers [...] constitute the Council of Ministers, with responsibility for carrying out the policies and decisions of Bosnia and Herzegovina.'¹⁶

2.2 Group Autonomy

A second deviation of the consensus model of democracy from majority rule is segmental autonomy, which entails minority rule: rule by the minority over itself in the area of the minority's exclusive concern. It complements the principle of joint rule. On all issues of common concern, decisions should be made jointly by all of the segments together with roughly proportional degrees of influence; on all other issues, decisions should be left to be made by and for each separate group. If the groups have a clear territorial concentration, group autonomy may be institutionalised in the form of federalism. If the groups are intermixed, autonomy will have to take a non-territorial form or a combination of territorial and non-territorial forms.

In Belgium, territorial federalism as a form of segmental autonomy has been particularly important since 1970. However, the form of federalism adopted in 1994 is unique since it consists of three geographically defined regions¹⁷ –Flanders, Wallonia, and the bilingual capital of Brussels– and three non-geographically defined cultural communities¹⁸ –the large Flemish-

¹⁵ See in general A Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven and London, Yale University Press, 1999).

¹⁶ Article V, Paragraph 4 of the BiH Constitution.

¹⁷ Article 3 of the Belgian Constitution.

¹⁸ *Ibid* at Article 2.

speaking and French-speaking communities and the much smaller German-speaking community. The segmental autonomy of the constituent units of the Belgian federation is also guaranteed by the list of competences that are assigned to them by virtue of Articles 127-130 of the Constitution and a series of constitutional laws passed under Article 134 using the procedure laid down in Article 4. In general, the Regions are responsible primarily in the fields of economic and social affairs while the Communities exercise authority in the areas of culture, social policy, health and education.

Being a 'classic example of consociational settlement'¹⁹ post-Dayton Bosnia-Herzegovina is a (con)federal State comprised by two ethnically defined entities: a Serb one and a Bosniak-Croat one. The former is a unitary mono-national Republic as its name *Republika Srpska* (RS) itself defines and the latter a bi-national federation of ten autonomous cantons with the rather neutral name of the Federation of Bosnia-Herzegovina (FBiH). The two entities enjoy all the competences that are 'not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina'.²⁰ Given that the list of the enumerated competences of the federal State is very limited,²¹ we can safely conclude that the two entities enjoy wide-ranging powers of self-government and thus autonomy.

The situation in Northern Ireland concerning segmental autonomy is somewhat different from the ones in Belgium and in BiH. The Northern Ireland Act 1998 does not transfer competences to the two 'political designations' separately. Instead, within the framework of the UK asymmetric devolution, the Westminster Parliament transferred competences to the Northern Ireland Assembly and its executive. The Act recognises three distinct varieties of policy: the 'excepted powers', the 'reserved powers' and the 'transferred'. The 'excepted' powers cannot be transferred to the Assembly without amendment of the Act itself²² while the 'reserved' powers can be transferred if cross-party support within the Assembly is evident.²³ Powers that are not within those lists are described as 'transferred'. So, the two ethno-religious

¹⁹ Sumantra Bose, *Bosnia After Dayton: Nationalist Partition and International Intervention*, (Oxford, Oxford University Press, 2002) 216.

²⁰ Article III, Paragraph 3(a) of the BiH Constitution.

²¹ *Ibid*, Paragraph 1.

²² Schedule 2 of the Northern Ireland Act 1998.

²³ *Ibid*, Schedule 3.

segments may not enjoy autonomy from each other but the UK devolution has ensured Northern Ireland's legislative autonomy as a whole.

2.3 Proportionality

Proportionality, the third characteristic of the consensus model of democracy, serves as the basic standard of political representation, public service appointments and allocation of public funds. Its great advantage is that it is widely recognised as the most obvious standard of fair distribution. In addition, it facilitates the process of decision-making because it is a ready-made method that makes it unnecessary to spend a great deal of time on the consideration of alternative methods of distribution. With regard to political representation, proportionality is especially important as a guarantee for the fair representation of ethnic minorities. This is the main reason that Lijphart has argued that 'for divided societies, ensuring the election of a broadly representative legislature should be the crucial consideration, and P[roportionate] R[epresentation] is undoubtedly the optimal way of doing so.'²⁴ Indeed, as we shall see in the third section of this paper in all three case studies variants of PR have been adopted as their electoral system.

But, the proportional composition of decision-making bodies does not solve the problem of how to achieve proportional influence when the nature of the decision is basically dichotomous. In such case, unless there is spontaneous unanimity, there will be winners and losers. Ultimately, the use of either majority rule or minority veto cannot be avoided. Hence, the constitutional designing of some States embody a variant of the principle of proportionality that entails even greater deviation from majority rule: the deliberate overrepresentation of small segments and in some cases parity of representation. Examples of paritarian bodies in which minorities are overrepresented is the Belgian cabinet which consists of equal numbers of Flemish-speaking and French-speaking ministers, the Northern Irish diarchy of the First Minister and the Deputy and the rotating Chair of the BiH Presidency.

²⁴ A Lijphart, *Thinking about democracy* (London, Routledge, 2008) at 78.

2.4 Minority veto

The fourth characteristic of the consociational democratic theory is the minority veto, which consists of the ultimate weapon that minorities need to protect their vital interests. Even when a minority participates in a power-sharing executive, it may well be out-voted or overruled by the majority. This may not present a problem when only minor matters are being decided, but when a minority's vital interest are at stake, the veto provides essential protection. The veto power clearly contains the danger that the entire system can be undermined if one or more minorities overuse or abuse their veto power. It works best when it is not used too often and only with regard to issues of fundamental importance. A clear example of minority veto is the right vested to each member of the BiH Presidency to veto decisions that might violate the 'vital interests' of their Entity according to their view.

3. Electoral Systems and Divided Societies

Building an institutional framework to accommodate the needs of a segmented society is a daunting task. The challenge becomes even bigger in those occasions where a society tries to heal the wounds of an inter-community conflict as it has been the case in Northern Ireland and the BiH. In such deeply divided societies

the issues of proportionality (which has implications for appropriate representation of minorities) and of party discipline (important in facilitating the capacity of elites to broker inter-group deals) acquire a particular priority, rendering proportional representation – and especially the closed list system – singularly attractive.²⁵

This is the reason why the electoral design of all the consociational arrangements we examine embrace proportional representation systems to effect power sharing and minority protection as we have already mentioned.²⁶

What follows in the next three sections is a brief description of the electoral systems chosen in the segmented societies under review. Such analysis will not just show how the

²⁵ J Coackley, 'The Political Consequences of the Electoral System in Northern Ireland', (2009) 24 *Irish Political Studies*, 253, 254.

²⁶ See above section 2.3 of the paper.

consociational principle has influenced the electoral engineering of the political systems but it will also shed light to an interesting academic debate concerning electoral systems for divided societies. Interestingly enough, all three of them have chosen different variants of the PR. First, Belgium has opted for an open list PR system. According to Lijphart, this is the most effective mechanism for facilitating inter-group deals in consociational democracies not just because this system secures the equitable representation of groups – particularly minority ones – within parliament, but in particular because it may facilitate elite control of parties, thus freeing the party leadership to engage in power-sharing deals.²⁷ Second, the election of the tripartite BiH Presidency is based on an alternative vote system which according to some analysts offers significant incentives to compromise.²⁸ Third, the elections for the Northern Ireland Assembly are held according to the Single Transferable Vote system (STV). The influential Brendan O’Leary and John McGarry have argued that STV is not just proportional in its effect, but that it promotes moderation by encouraging parties to seek lower preferences by tempering their own policy positions.²⁹

3.1 Belgium

In 1899,³⁰ Belgium became the first country in the world to introduce PR for national legislative elections to its lower chamber. The 1994 federal Constitution of the Belgian State has not questioned the use of the PR as the electoral system. According to Article 62 of the Constitution the elections of the 150 members of the Belgian Chamber of Representatives ‘are carried out by the system of proportional representation that the law determines.’

However, the linguistic borders -which largely correspond to the regional ones- have greatly affected the electoral system. Currently, there are five mono-lingual Flemish districts, five mono-lingual Wallon districts and the bilingual district of Brussels-Halle-Vilvoorde, which is the

²⁷ A Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven, CT, Yale University Press, 1977).

²⁸ Palley pointed to the role of this system in giving an advantage to the more moderate of two competing parties within the same ethnic group; C Palley, *Constitutional Law and Minorities* (London, Minority Rights Group, Report No. 36, (1978)), 16-17. Horowitz made a similar point about the potential of the alternative vote to promote compromise, especially in the context of single-vacancy contests DL Horowitz, *Ethnic Groups in Conflict* (Berkeley, University of California Press (1985))639–643.

²⁹ J McGarry and B O’Leary, (2009) ‘Power shared after the deaths of thousands’ in R Taylor (ed) *Consociational Theory: McGarry and O’Leary and the Northern Ireland Conflict* (London, Routledge, 2009) 15.

³⁰ This section of the paper builds on the work of Dr. Lars Hoffmann.

only bilingual electoral district in Belgium. The seat allocation in the ten mono-lingual regions is allocated according to the d'Hondt system based on the basic parameters set in Article 63 of the Belgian Constitution. Given that the parties do not run nationally, the 5 per cent threshold for a party to be represented in the Parliament is accordingly not applied nationally but among the linguistic communities. This has made possible for a larger number of parties to be elected to the federal Parliament and thus the two communities to be represented more proportionately. At the same time, the fact that the Belgian parties do not run nationally means that it is almost impossible for members of one community residing across the linguistic border to vote for representatives belonging to their ethno-linguistic group.³¹ In other words, although the electoral system in Belgium has allowed the two main ethno-linguistic communities to be adequately represented, its integrationist effect to the political system is rather doubtful given the limitations that the linguistic borders set. This will become even more apparent in the next section where we analyse the electoral results.

3.2 Bosnia-Herzegovina³²

In the first post-Dayton elections and up to the 2000 ones, the system of proportional representation with closed party lists was adopted for the legislative bodies in the Bosniak-Croat FBiH, the *Republika Srpska* and at state/federal level. Each party fixed the order of candidates elected and voters were unable to express a preference for a particular candidate. The system aimed at ensuring the inclusion and representation of all groups. However, it facilitated the victory of the main nationalist parties.

Since 2000, open lists and multi-member constituencies have been introduced. By allowing the voters to indicate both their favoured party and favoured candidate this moderate change to the electoral system aimed at forging a link of accountability between elected

³¹ On the right to stand as a candidate in the Belgian elections see European Court of Human Rights, *Case of Mathieu Mohin and Clerfayt v Belgium*, (Application No. 9/1985/95/143) (judgment of 2 February 1987). On the same issue, the BiH Constitutional Court has explained that '[t]he Belgian system does not preclude per se the right to stand as a candidate solely on the ground of language. Every citizen can stand as a candidate, but has – upon his election – to decide whether he will take oath in French or Flemish . . . whereas provision of the Constitution of the Federation of BiH provide for a priori ethnically defined Bosniak and Croat delegates, caucus and veto powers for them'. Partial Decision of the Constitutional Court, 1 July 2000, para 120.

³² For a comprehensive account of electoral engineering in BiH, see R Belloni, 11(2004) 'Peacebuilding and consociational electoral engineering in Bosnia and Herzegovina', (2004) *International Peacekeeping*, 334.

representatives and the electorate as well as to the party. Open lists, though, might increase accountability but do not necessarily favour moderation and multi-ethnic parties as we shall later observe.

More importantly, the Permanent Election Law³³ introduced a preferential/alternative voting system for the election of the tripartite Chair of the BiH Presidency. It was hoped that this change, in Horowitz fashion, would moderate Bosnian politics. As peacebuilders explained: 'When more than just the first preference votes are taken into consideration, the moderate candidates stand a better chance of winning the elections, as they will have support from a large cross-section of the electorate. Extreme or radical candidates have less chance to win the elections.'³⁴

In the next section we will see whether this contention survived the reality test of the elections.

Irrespective of whether this amendment has been proved successful to moderate the politics of a post-conflict society, it is critical to point out that it was not accompanied with changing the electoral basis. Instead, the law maintained that in order to be eligible to stand for election to the Presidency or the House of Peoples of Bosnia and Herzegovina, one has to declare affiliation with a 'constituent people'. In a groundbreaking decision the European Court of Human Rights decided that this provision violates the non-discrimination principle contained in Article 14 and the right to vote as provided by Article 3 of Protocol No 1 of the Convention of Human Rights.³⁵

3.3 Northern Ireland³⁶

According to Article 33 of the Northern Ireland Act 1998 the Assembly's 108 members are elected from 18 six-member constituencies on the basis of universal adult suffrage. The

³³ The Election Act 2001 (published in Official Gazette of Bosnia and Herzegovina no. 23/01 of 19 September 2001, amendments published in Official Gazette nos. 7/02 of 10 April 2002, 9/02 of 3 May 2002, 20/02 of 3 August 2002, 25/02 of 10 September 2002, 4/04 of 3 March 2004, 20/04 of 17 May 2004, 25/05 of 26 April 2005, 52/05 of 2 August 2005, 65/05 of 20 September 2005, 77/05 of 7 November 2005, 11/06 of 20 February 2006, 24/06 of 3 April 2006, 32/07 of 30 April 2007, 33/08 of 22 April 2008 and 37/08 of 7 May 2008) entered into force on 27 September 2001.

³⁴ Association of Election Officials of BiH, 'Technical Series No. 1/2001', 8.

³⁵ See European Court of Human Rights, Case of *Sejdić and Finci v Bosnia and Herzegovina* (Applications Nos 27996/06 and 34836/06) (Judgment of 22 December 2009).

³⁶ For a comprehensive account of the electoral engineering in Northern Ireland, see J Coackley, 'The Political Consequences of the Electoral System in Northern Ireland', above n 26.

constituencies used are the same as those used for elections to the Westminster Parliament. The subsequent Article of the Act provides that the electoral system to be used is the single transferable vote (SVT).³⁷ The choice has been hardly surprising and largely uncontested given its long history in Northern Irish politics.³⁸ As already mentioned specialists on the Northern Ireland conflict like Brendan O’Leary and John McGarry have long defended its suitability for the politics of this segmented society. Its success will be analysed in the next section.

4. The political implications of constitutional designs

The purpose of this section is to shed some light on the way in which the three constitutional structures analysed above and their respective electoral systems shape party competition. We will focus primarily on the interplay between parties’ policy positions and how these issue stances are evaluated by public opinion. In the last part of this section, we will also delve into the long-standing imprint of consociationalism on voters’ decision making mechanisms. Due to lack of individual-level data for BiH, this part is mostly devoted to the cases of Northern Ireland and Belgium. That said, aggregate-level evidence will be also presented for Bosnia, indicating a largely common pattern to that found for our two other cases.

³⁷ Article 34 (3) of the Northern Ireland Act 1998 provides that:

A single transferable vote is a vote—

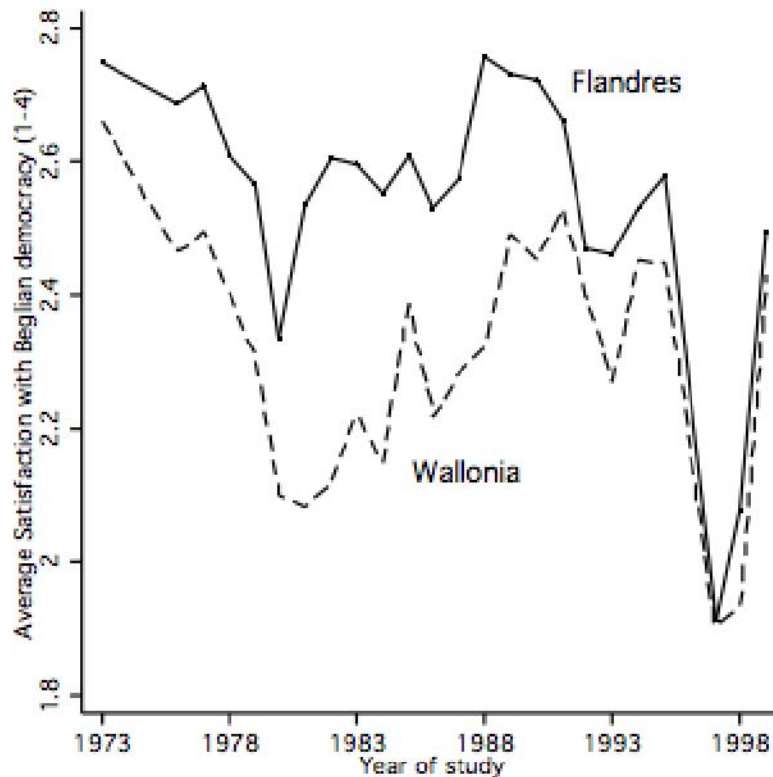
(a)capable of being given so as to indicate the voter’s order of preference for the candidates for election as members for the constituency; and

(b)capable of being transferred to the next choice when the vote is not needed to give a prior choice the necessary quota of votes or when a prior choice is eliminated from the list of candidates because of a deficiency in the number of votes given for him.

³⁸ J Coackley, ‘The Political Consequences of the Electoral System in Northern Ireland’, above n 25, 256-258.

4.1 Consociationalism and satisfaction with the political system

Figure 1: Average level of satisfaction with Democracy in Belgium, in Wallonia and in Flanders, 1973-1999.



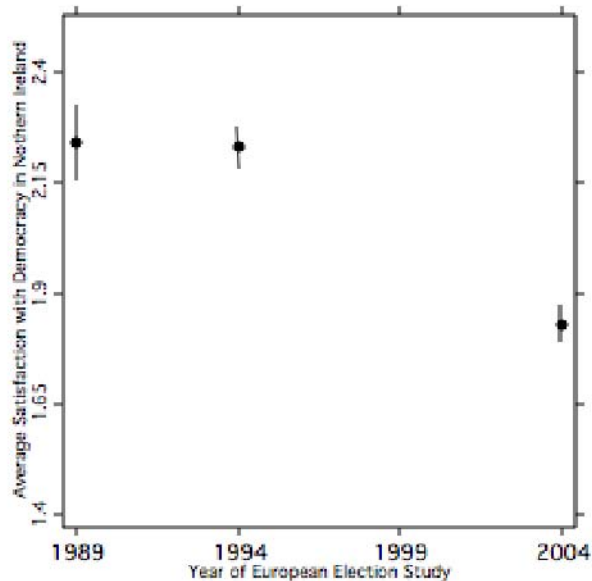
Note: Source, Eurobarometer Trend File.

As a way to motivate the discussion, Figure 1 depicts the moving average of people's satisfaction with the way democracy functions in Belgium over a 25-year period that goes up to 1999. This individual-level information comes at an almost annual basis from the Eurobarometer surveys that have been held in Belgium since 1973. Given that the Belgian political system was gradually transformed into two ethno-linguistically-defined subsystems, corresponding to the Flemish and the French-speaking communities that largely comprise the country, this progressive but evidently important development should be captured by citizens' evaluations of their political system. As is shown in the Figure, however, no clear pattern, that could be

convincingly attributed to the process of political decentralisation characterising Belgian politics, is found. This seems to be the case both in Wallonia and in Flanders. The only interesting change seems to be the gradual convergence of the two communities in their levels of satisfaction with their political system. Importantly, this increased similarity appears to be the outcome of a gradual decline in the level of satisfaction with democracy among the Dutch-speaking community. Moreover, although one could refer to the sharp drop in the average level of confidence to the Belgian political system almost right after the 1994 constitutional reform, the shock lasts only a couple of years, since by 1998 both communities regress to their prior mean levels of support.³⁹ Interestingly, during this period and despite initial level-differences the two groups seem to move in a parallel fashion, denoting similar reactions both in terms of direction and, most of the times, in terms of magnitude to the contextual stimuli generated by their immediate political environment. On the whole, Figure 1 reveals that the gradual process of decentralisation has not improved people's evaluations about the way their political system operates. By the same token, it seems that even if the constitutional change might have come as a result of a public vital demand, it does not seem to have helped the members of both communities to reorientate their beliefs about the way Belgian Parliamentary Democracy works.

³⁹ To further explore the potential impact of the 1994 reform in the trend observed after this year in Figure 1, we regressed the mean level of satisfaction with a dummy (i.e. a binary indicator that takes only values 0 and 1 to denote the realisation of the measured attribute of interest) denoting all years after 1994. Its effect was effectively zero (b-coefficient: $-.075$, bootstrapped 95% Confidence Intervals (C.I.): $[-.012 \ .024]$).

Figure 2: Average level of satisfaction with the way democracy works in Northern Ireland, 1989, 1994 and 2004.



Note: Dots present average estimates, vertical lines correspond to the 95% confidence intervals, associated with each sample estimate, source, European Election Studies.

Figure 2 provides equivalent, albeit less detailed, evidence for the case of Northern Ireland. Here, we use information from the European Election Studies (EES), which take place right after the elections for the European Parliament since 1989. We use the same question, which however was not available in the 1999 EES. Importantly, until 2009 the EES treated Northern Ireland as a different political context, rather than as a region of Great Britain. This means that the resulting datasets provide a separate large-N sample of Northern Ireland, which permits us to infer changes over time with lower levels of uncertainty. As is shown in Figure 2, the Northern Ireland Act 1998 does not seem to have improved people's level of satisfaction with the political system. Rather, things seem to have deteriorated. The vertical lines passing through the small dots of the graph denote the 95% confidence intervals, associated with each

estimate.⁴⁰ The results denote that although the small difference between 1989 and 1994 might have simply come from a true null (from a zero population difference), the drastic decline of the average level of satisfaction by 2004 seems to denote a statistically significant pattern: there is no overlap in the confidence bands between 2004 and either 1989 or 1994. Clearly, the asymmetric devolution put forward during Blair's first term in office does not seem to have advanced people's confidence in the political system of Northern Ireland.⁴¹

The evidence from BiH is quite similar.⁴² 90 per cent of those living in Bosniak majority areas believe that the current political situation will be deteriorated in the near future. The percentages in the Serb and the Croat majority areas are slightly lower but still relatively gloomy (65 and 70 per cent respectively). Minorities living in each of these three communities are equally pessimistic. Moreover, the Composite Political Stability Index, which constitutes an encompassing scale including various measures about the way the political system and party competition works in BiH, seems to have gradually declined over the last years.⁴³ By 2009, 83 per cent of the Bosniak sample demonstrated high levels of dissatisfaction with the governing parties and 90 per cent took the view that they do not deserve to remain in power.⁴⁴ Although clearly less critical about their own parties, both Croat and Serb public opinion were still largely negative in their evaluations of their parties' government record. More importantly, in a question about vote choice in the coming election, half of the sample did not choose any of the existing parties. Clearly, there are still important steps that need to be taken in order to improve the existing levels of political representation among all ethnic communities. The most pertinent problem,

⁴⁰ Since each estimate comes from a different sample, parametric inference is problematic. Accordingly, we use bootstrapped measures of uncertainty, by resampling with replacement (100 simulations) each of the three original samples. See B Efron, 'Bootstrap confidence intervals for a class of parametric problems.' (1985) 72 *Biometrika*, 45.

⁴¹ A rather obvious critique to this finding could be that there might be important community-based heterogeneity in this pattern. The Northern Ireland Act has been evaluated in a different way among Catholics and among Protestants. Yet, in this case it is important to mention that the results hold for each of the two groups to an approximately equal extent. When each year's sample is divided into the two religious groups the findings are very similar, although the confidence bands are now substantially higher (as could be expected since half of the respondents is used in each analysis). That said the gap between 2004 and 1994 remains statistically distinguishable from zero.

⁴² Due to the lack of individual-level information we resort to a summary of the findings from the Early Warning System, a UN global development project that monitors public opinion in key areas of politics, social security and ethnic relations in the country during the last ten years. All results reported here can be found in their annual reports, accessible in the world wide web: <http://www.undp.ba/index.aspx?PID=3&RID=54>.

⁴³ 2009 Early Warning System Report (EWS), 15.

⁴⁴ *Ibid*, 21.

however, seems to be that despite EU's efforts to strengthen BiH central government, these attempts have been strikingly unsuccessful. As Johan Galtung has put it:

The BiH elections show a heavily divided non-state: Srpska wants out, the US-imposed federation of Croats and Bosniaks is divided with the voters voting largely for their own kind. And that is what it is all about: they want to be governed by their own kind, and outside forces deny them even the right of self-determination in a referendum.⁴⁵

Undoubtedly, the prospects are not very positive and this complex and unique design that was employed under the consensus model of democracy does not seem to be a sustainable solution for the three ethnic groups residing in BiH.

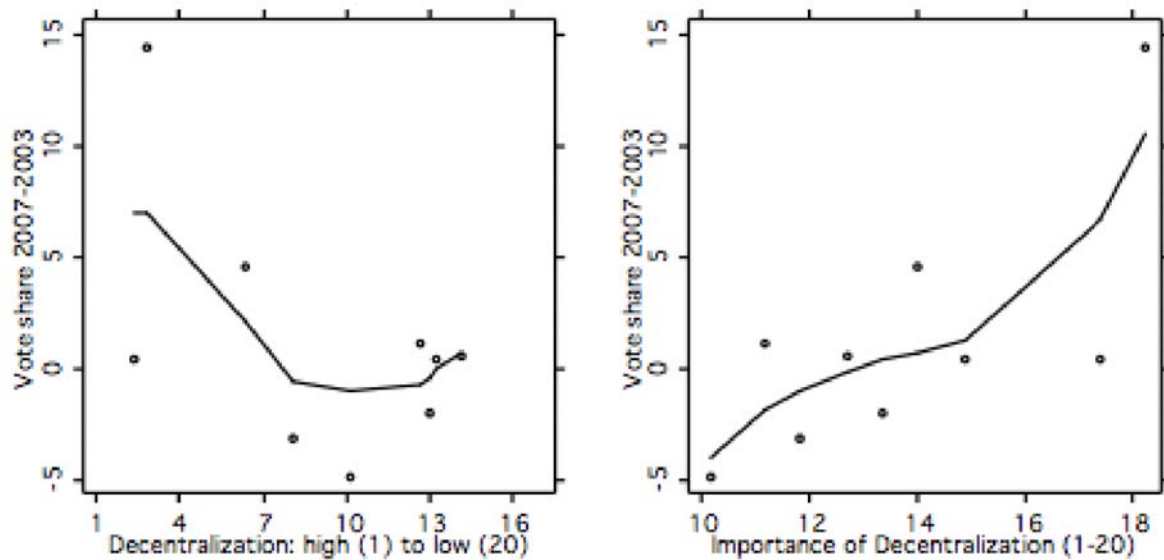
4.2 Party polarisation and electoral success

With this essentially illustrative evidence serving as a departure point, we now move to a more systematic exploration of the political implications of consociationalism-driven constitutional designs. Given that we lack individual-level data for BiH, the empirical analysis from now on will focus only on Northern Ireland and Belgium. The main question addressed is whether those different solutions adopted in Belgium and in Northern Ireland have had any positive effect in gradually reducing the weight of the long-standing ethno-linguistic and/or religious cleavages that have shaped political competition in each of these areas.⁴⁶

⁴⁵ Transcend Media Service, Editorial, 4 October 2010 <http://www.transcend.org/tms/2010/10/a-yugoslav-community-for-a-yugosphere/>.

⁴⁶ Unavoidably, it would be rather unrealistic to ask for such signs in the case of BiH, where the war ended only fifteen years ago.

Figure 3: The relationship between parties' postures in the issue of administrative decentralisation and their electoral success in Belgium, both Wallonia and Flanders.



Note: The solid curve presents a locally weighted regression curve (bandwidth: .75) fitted into the scatterplot of change in vote share from 2003 to 2007 in Belgium.

To shed some light on this question, we first need data about parties' policy stances in these matters. For this reason, we use information from expert surveys conducted by Benoit and Laver within the Party Policy in Modern Democracies project.⁴⁷ In this survey, that took place in 2004, experts have been called to place the Belgian parties in a dimension ranging from 1 to 20, where 1 stands for 'high decentralisation of public administration and decision making' and 20 stands for 'low decentralisation of decision making'. Thus, we have information about parties' actual stands on that issue. What Figure 3 shows is the relationship between their stances on that issue and their electoral success. In other words, the first (leftmost) panel of Figure 3 addresses the question of whether it actually still pays to advance the issue of further decentralisation (implying a step forward towards a confederal state) in a country in which

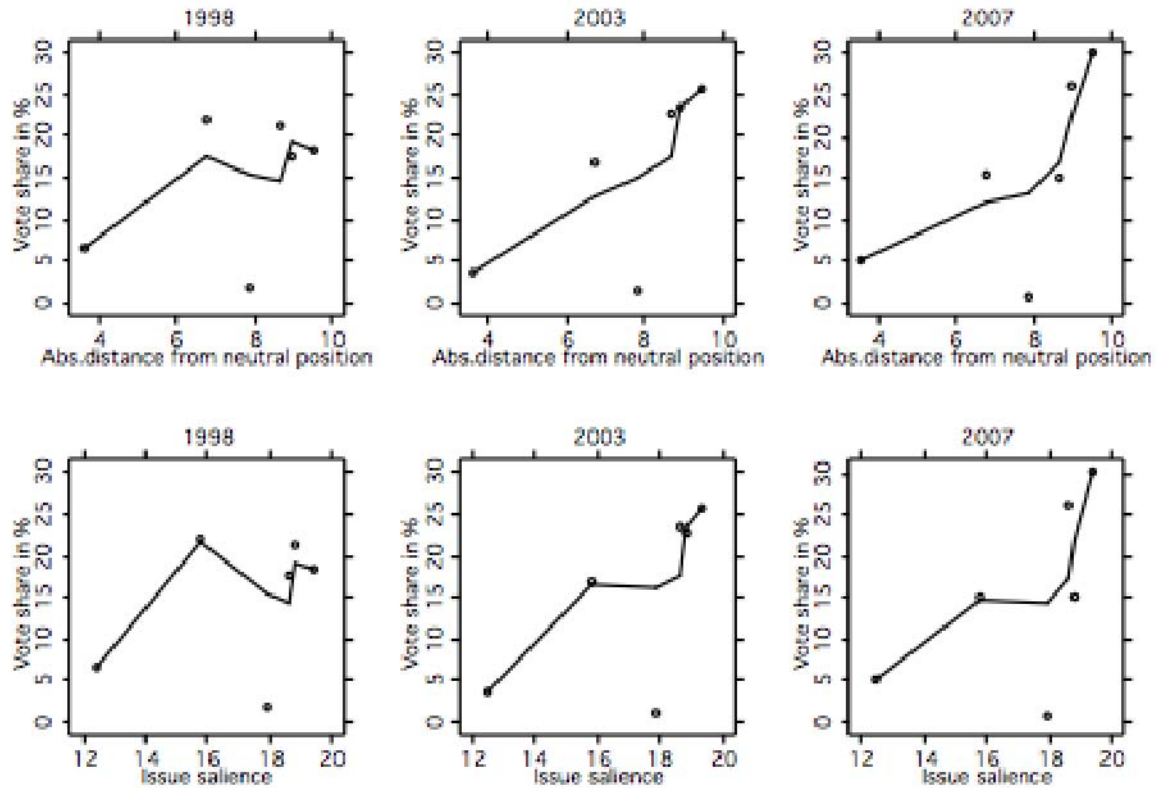
⁴⁷ K Benoit and M Laver, *Party Policy in Modern Democracies* (London, Routledge, 2006). During the last decades a rather voluminous literature on the measurement of parties' policy and ideological positions has developed. Within this framework, expert surveys, ie surveys with well-structured self-administered questionnaires completed by a random sample of experts (political scientists whose research focuses on a given country) about a variety of questions regarding parties' issue stances, have been regarded as the safest way of mapping parties' placements in the multi-dimensional policy space. See indicatively M Laver, (ed) *Estimating the Policy Positions of Political Actors*, (New York, Routledge, 2001).

consociationalism has already created a rather segmented political setting. The answer is that, if not anything else, the incentives to play the ethno-linguistic card have not ceased to exist. What we see is the change in the vote share of each party from 2003 to 2007. These figures are plotted against the level of decentralisation promoted by each of the salient parties taking place in each election.

Although Flanders and Wallonia operate as two distinct party systems, we have included all main parties of the two regions together because differences in the observed patterns between them are only infinitesimal. To be sure, even when combining the two communities, we are still in front of a small-N problem, since we only have nine observations available. This means that rough-and-ready parametric regression analysis, based on distributional assumptions that are difficult to be satisfied with such a small number of observations, ceases to give unbiased results. Therefore, we choose a more indirect but probably more informative alternative. A local regression curve (loess) is fitted into the scatterplot, providing a visualisation of the relationship between a party's position on decentralisation and its electoral success. As with all non-parametric regression methods, the basic idea behind the loess curve is to trace the salient features of the mean response making only minimal assumptions about its distribution.⁴⁸ Thus, a loess curve showing a downward monotonic pattern can be considered as a good indication that choosing sides in this issue still entails significant electoral benefits. This is exactly what Figure 3 shows. Moreover, experts were asked to locate parties in the same scale but in terms of the importance given to each issue dimension, again ranging from 1 (low salience) to 20 (high salience). Here the pattern is reversed, exactly as we would expect if the political context favored polarised views on the allocation of powers among the different ethno-linguistic communities. Parties have still clear incentives to give priority on this issue and moreover they are even better off by adopting extreme pro-decentralisation stances.

⁴⁸ See indicatively, WG Jacoby, 'Loess: A Nonparametric Graphical Tool for Depicting Relationships Between Variables.' (2000) 19 *Electoral Studies*, 577; G Fitzmaurice, NM Laird and JH Ware, *Applied Longitudinal Analysis*, (New Jersey, Wiley, 2004).

Figure 4: Polarisation in parties' positions in the issue of British presence in Northern Ireland and electoral success, 1998, 2003 and 2007.

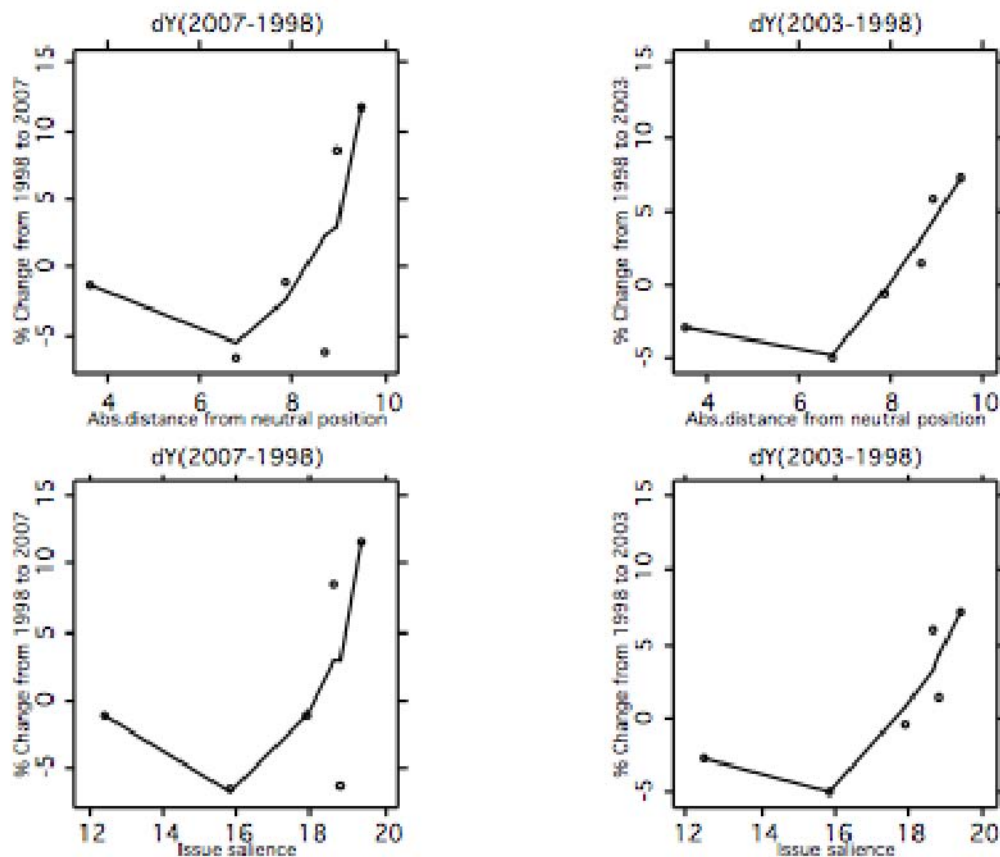


Note: The solid line presents the locally weighted regression curve fitted into the scatterplot of absolute distance from status quo (upper panel)/issue salience (lower panel) and parties' vote share in each of the three elections.

The case for Northern Ireland is even more straightforward. The expert survey included a scale that was designed only for this region: (1) stands for '[party] opposes permanent British presence in Northern Ireland; (20) stands for '[party] defends permanent British presence in Northern Ireland.' Figure 4 presents the results. Again, a loess curve is fitted into a scatterplot but this time the actual vote share of each party, rather than the change from one election to the other, is presented. Moreover, to show how polarisation is still the main engine driving party competition, instead of locating parties in the horizontal axis in terms of their actual position, we place them in terms of their distance from the median, neutral position. Looking at the three graphs from 1998 to 2007, we see that extreme positions to either of the two poles of the dimension are still important predictors of electoral success. More interestingly, this is as true in

2007, if not even more, as it was in 1998. The lower panel of Figure 4 shows the equivalent findings, using the 1 to 20 scale measuring the importance given to this issue by each party.

Figure 5: Change in parties vote share from 1998 to 2003 and 2007 against their postures on the issue of British presence in Northern Ireland.



Note: The graphs are similar to the previous Figures with the only difference being that instead of the actual vote share of each party, its change from 1998 to 2003 and 2007 is used for the plot.

A potential criticism to this finding could be that parties' stances on this issue are by now quite irrelevant with their electoral success but the relationship seems to hold because parties' stances and their electoral share are moving slowly through time. Thus, although big parties in Northern Ireland might hold very clear and opposing stances on this issue, Figure 4 might provide a misleading pattern about whether this specific issue is still equally salient or whether this association is driven by path dependence. To address this argument, Figure 5 shows the

change in parties' vote share from 1998 to 2007 and from 2003 to 2007. Although here we do have the important exception of the Alliance, a relatively moderate party that has shown to be remarkably stable in its electoral performance during all these years, the pattern is otherwise similar: parties that embrace extreme positions on this issue or (as shown in the lower panel of the figure) parties that attach important weight on the question of the involvement of Great Britain in the Northern Ireland -the exact question that the Northern Ireland Act 1998 purported to solve- are likely to increase their vote share. Undoubtedly, consociationalism is probably the most effective solution to stop intra-state conflict among different religious or ethno-linguistic communities. However, it does not seem to perform well in gradually advancing the integration of these communities by helping in the progressive evaporation of the traditional cleavages that led to this solution at first place.

4.3 Public Opinion Polarisation in Northern Ireland

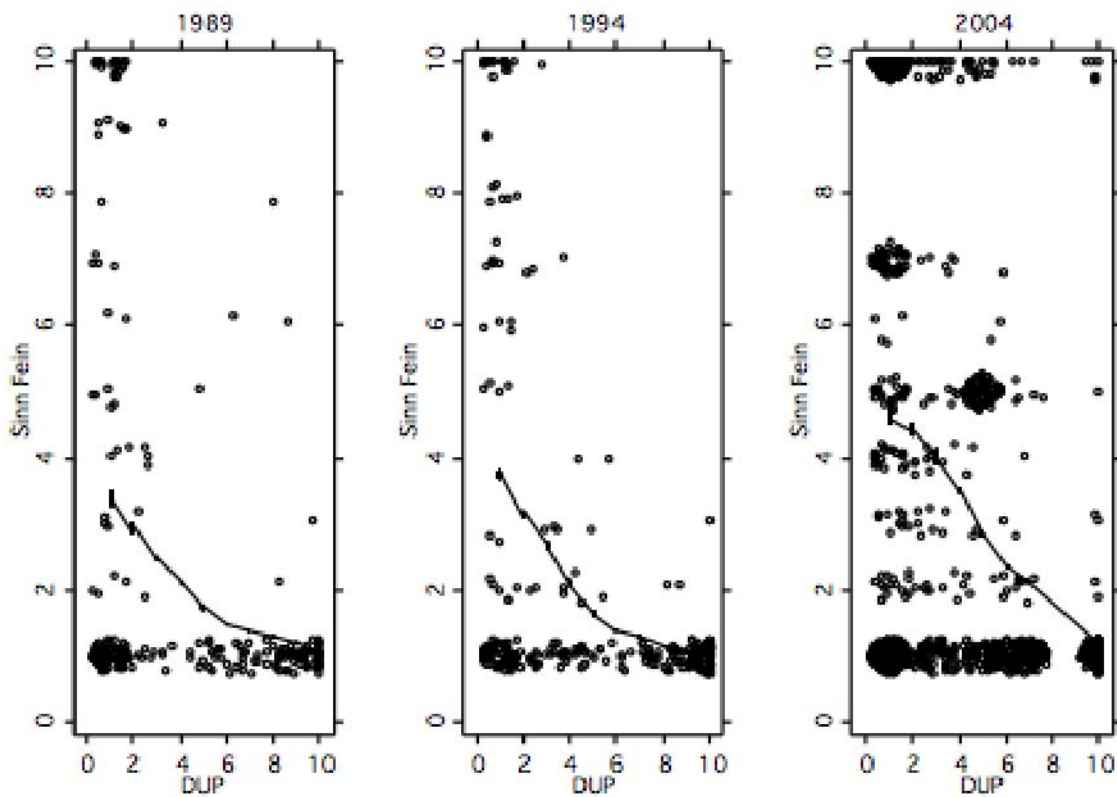
We now move to a more close inspection of the attitudinal implications of these designs for public opinion. We start this time with Northern Ireland and examine the same argument but from a different angle. Has the 1998 Act brought voters closer to the two main opposing parties or do we still observe the typical 'communicating vessels' profile, whereby being close to Sinn Fein automatically means being far from the Democratic Union Party (DUP)? Figure 6 shows that the latter is more likely than the former. Again, this is probably more the case now than it was some years ago. The data are from the 1989, 1994 and 2004 EES. The horizontal axis locates people in terms of their feelings about DUP, whereas the vertical axis places respondents with respect to their sympathy towards Sinn Fein. As a measure of party evaluations, we use a survey item that has been explicitly designed for the measurement of party preferences.⁴⁹ The question resembles a hypothetical (probability) question and goes as follows: 'In a scale where 0 denotes 'not likely at all' and 10 denotes 'very likely' how likely is it that you would ever vote for Party X?' X typically captures all significant parties in a given political context. Previous research has identified various aspects of this question that make it the most suitable indicator of party preferences at least in a European setting.⁵⁰ Indicatively, it needs to be mentioned that the use

⁴⁹ J Tillie, *Party Utility and Voting Behavior*, (Amsterdam, Het Spinhuis, 1995).

⁵⁰ C van der Eijk and M Marsh, 'Comparing the Validity of Non-Ipsative Measures of

of 'ever' breaks the link in respondents' replies with the political setting within which the question is formulated. To put it differently, although people are interviewed right after the elections for the European Parliament, this question does not capture current electoral choice but rather maps people's more general party preferences.⁵¹

Figure 6: Probability to Ever Vote Sinn Fein plotted against respondents' preference of DUP, 1989, 1994, 2004.



Note: A locally weighted regression curve is fitted in the scatterplot showing the negative correlation between people's preferences for Sinn Fein and their attitudes towards DUP.

Party Support in CSES and EES.' Paper Presented at the Elections, Public Opinion and Parties Annual Conference, Manchester, UK, September, 2008.

⁵¹ Moreover, the fact that people do not think in probability terms means that they do not put a score to each party so that the total sums one. This is important because it has been shown that preferences are non-ipsative, contrary to what has been assumed by binary vote choice indicators. See C van der Eijk, W Van der Brug, M Kroh and M Franklin. 'Rethinking the dependent variable in voting behavior: On the measurement and analysis of electoral utilities.' (2006) 25 *Electoral Studies*, 424.

The loess curve fitted through the scatterplot is clearly monotonic and indicates a rather unsurprising pattern: the more people prefer Sinn Fein the less likely they are to attach a high value to DUP and vice versa. Interestingly, however, this negative relationship seems to be stronger in 2004 than either in 1989 or in 1994. The slope of the local regression curve is steeper after the 1998 constitutional reform than before.⁵² It is probably safe to conclude that the Northern Ireland Act 1998 does not seem to have mediated the polarised context within which party competition develops in this region.⁵³

4.4 Lost in Translation: The ideological dimension in an ethno-linguistically divided society

As a last step before we conclude, we test a more long-standing implication of consociationalism in the formation and the evolution of the political system and party competition. People tend to use the Left-Right dimension as a helpful shortcut that enables them to communicate their attitudes and make their voting decisions, coping with the particularities and the complexities of the political world. In almost every European country, these terms have meaningful connotations creating the basis upon which parties try to differentiate themselves in order to achieve votes. It is important to clarify that this is not a normative argument. However, previous evidence has clearly suggested that a good indicator of the level of maturation of a given political system is the extent to which the primary and most salient issues can be effectively incorporated within a single encompassing and rather generic multiple-issues dimension. Almost invariably, it is the classical ideological scale that serves in this role.⁵⁴ Moreover, having such a summarising spatial analogy that helps to introduce various social and cultural divisions facilitates partisan discourse and creates incentives for electoral participation.⁵⁵ Importantly, precisely as a result of accommodating various otherwise bipolar issues, the left-right scale enables the visualisation of

⁵² That this is the case is also confirmed by a parametric estimation of the correlation in preferences between Sinn Fein and DUP. The ordinary least squares slope of the 1989 and the 1994 panels of Figure 6 is $-.324$ and $-.331$ respectively. The equivalent figure for 2004 is $-.481$.

⁵³ Since people in Belgium can only opt among the parties of their ethno-linguistic community, respondents of this country were only asked these question for the parties of their region. Thus, this analysis cannot be replicated with the simultaneous use of French-speaking and Flemish parties.

⁵⁴ See H Thorisdottir, JT Jost, I Liviatan and PE Schrouf, 'Psychological Needs and Values Underlying Left-Right Political Orientation: Cross-National Evidence from Eastern and Western Europe.' (2007) 71 *Public Opinion Quarterly*, 175.

⁵⁵ S Verba, NH Nie and J Kim, *Participation and Political Equality: A Seven-Nation Comparison* (Chicago, Chicago University Press, 1987).

differences between parties and permits a more normal distribution of parties' ideal points. This simply means less polarisation and higher levels of political stability.

Let us see now whether consociationalism facilitates the emergence of such a salient encompassing dimension in divided societies. For data availability reasons we can only test the case of Belgium. The reason for this is that we use the 2009 -thus the most recent comparative study that is available- EES, which does not offer a separate sample for Northern Ireland. That said, this is the case that would make it more difficult to find a difference in a comparative setting. Both Northern Ireland and, to an even higher degree, BiH have still recent memories of conflict and violence. It is much harder to expect significant changes as a result of the constitutional design among these countries. In Belgium, however, decentralisation has taken place in a gradual and non-conflictual fashion. Moreover, Belgium is the case in which the time that has elapsed since these institutional designs were first put forward is much longer, making it more likely to expect that the two regional political systems have come to the point to resemble their European counterparts. Moreover, the fact that vote can only vary within each ethno-linguistic segment implies that there are more incentives to create inter-party differentiations in ideological rather than nationalistic terms.

To examine how the typical left-right scale helps to map politics in the two regions we proceed as follows. We first use a party-specific measure of the extent to which people agree in their perceptions about the party's location in the ideological scale. When this scale is relevant in the political context, people may differ in their exact placement of a given party but they tend to be closer in their perceptions than when this scale is not helpful to distinguish parties in political terms. Imagine, for example, a scale ranging from 0 (left) to 10 (right) in which people have to locate the German Christian-Democrats (CDA) or the Danish social-democratic party. Not everyone is going to locate the party in the same position. Actually, it is likely to find people locating a given party in the exact opposite pole of the dimension. However such cases are probably going to be only a trivial portion of the sample. If this is the case, then one could argue that people tend to agree in how they perceive a given party.

To measure the level of perceived agreement in parties' ideological stances, we use a formula that gives room to what is known as van der Eijk's coefficient of agreement (A), a measure that ranges from -1 (which means complete disagreement) to 1 (complete

agreement).⁵⁶ If everyone locates the SPD at point 5 (or any other point) this coefficient is equal to 1. If half people locate SPD in 0 and half of them in 10 the mean is going to be the same but A is now -1. Last but not least, if an equal portion of the sample locates the party on each one of the points of the scale, A becomes 0. Evidently, for this last case, LR is not a good predictor of the party's issue positions since there is a complete lack of understanding about where the party stands. Now, if this pattern is observed for most parties of the political system, left-right ceases to be a good encompassing dimension to map politics in this context.

The problem is that A is a measure that refers to each party scale. In most party systems we have more than one parties. What we need here is an encompassing measure of agreement. To take such a measure we calculate the party-specific coefficients and then we take the weighted average to come up with a single A for each country. Parties are weighted according to their vote share in the last national election. In this way, rather than assuming that all parties are equally influential we accept that parties that take more votes are more likely to influence regional (in Belgium) or national (in most other countries) political affairs.

Table 1: Average coefficient of perceived agreement
in parties' ideological positions, EES 2009.

	Agreement coefficient LR
Flanders	0.297
Wallonia	0.445
(Brussels)	0.468
France	0.633
Netherlands	0.501
Germany	0.543

⁵⁶ C van der Eijk, 'Measuring Agreement in Ordered Rating Scales.' (2001) 35 *Quality and Quantity*, 325.

	Agreement coefficient LR
Denmark	0.536
Greece	0.507
Spain	0.547
Sweden	0.592
Italy	0.62
Austria	0.499
Portugal	0.581

Basque Country	0.315
Catalonia	0.464

Note: Entries are weighted averages (according to the vote share of each party in the last national election).

Table 1 shows the results from Flanders, Wallonia and the region of Brussels. To be able to evaluate these figures, we have also calculated the same coefficient for a number of European countries. Apparently, the level of agreement about where parties stand in the left-right dimension is almost half in Flanders than in an average European country. The figures for Wallonia and Brussels are slightly higher but again the lowest among all other countries. The pattern is rather unequivocal. Actually, as is seen in the last two rows of the Table, the level of agreement among the Dutch-speaking and the French-speaking is to be only compared with that found in the two regions of Spain with salient regional parties, namely Catalonia and the Basque Country. Clearly, the party system in the Dutch-speaking as well as in the French-speaking region of Belgium have not managed yet to surpass the ethno-linguistic cleavage so as to normalize

their political system, thus shifting to typical economic and social debates that can be easily captured within the left-right dimension.⁵⁷

Table 2: A comparative look at the importance of ideological proximity across different European political contexts.

	LR-proximity	EU-proximity	LR-direction	EU-direction
Flanders	-.039	-.022	.086	.053
N: 437 (3933)	(-.044 -.034)	(-.026 -.016)	(.073 .099)	(.041 .065)
Wallonia	-.043	-.018	.090	.028
	(-.051 -.036)	(-.026 -.011)	(.071 .110)	(.010 .045)
(Brussels)	-.046	-.046	.130	.077
N: 198 (1821)	(-.059 -.033)	(-.061 -.032)	(.094 .165)	(.039 .114)
France	-.059	-.009	.144	.017
N: 1007 (7620)	(-.063 -.056)	(-.013 -.006)	(.135 .153)	(.010 .024)
Netherlands	-.058	-.026	.151	.062
N=1003 (9047)	(-.061 -.055)	(-.030 -.023)	(.142 .156)	(.053 .071)
Germany	-.068	-.020	.159	.044
n=862 (4691)	(-.073 -.062)	(-.026 -.015)	(.145 .172)	(.032 .055)
Denmark	-.060	-.025	.173	.064
N=911 (3979)	(-.064 -.057)	(-.029 -.021)	(.164 .182)	(.055 .074)
Greece	-.064	.0001	.174	.022
n=822 (5119)	(-.073 -.055)	(-.008 .009)	(.152 .195)	(.003 .042)

⁵⁷ Since these figures come from different samples, we have engaged once again in bootstrapping in order to obtain levels of uncertainty associated with each of these estimates. We have used 100 bootstrapped samples and with these we have constructed a distribution of A's across each country. Although we do not present the confidence intervals here, in none of these cases are these differences even close to come from a true null.

	LR-proximity	EU-proximity	LR-direction	EU-direction
Spain	-.057	-.019	.158	.052
N=1002 (7994)	(-.062 -.052)	(-.025 -.013)	(.146 .171)	(.039 .066)
Sweden	-.062	-.021	.170	.054
N=1003 (7002)	(-.065 -.059)	(-.024 -.018)	(.163 .178)	(.046 .062)
Italy	-.054	-.013	.143	.034
N=791 (5341)	(-.058 -.050)	(-.017 -.009)	(.134 .152)	(.026 .043)
Austria	-.057	-.015	.140	.029
N=802 (3447)	(-.061 -.053)	(-.018 -.011)	(.129 .151)	(.021 .037)
Portugal	-.059	-.013	.145	.018
N=891 (6336)	(-.064 -.053)	(-.018 -.008)	(.131 .158)	(.008 .029)

Basque Country	-.009	-.012	.025	.024
N=211 (1221)	(-.012 -.005)	(-.015 -.008)	(.014 .035)	(.015 .034)
Catalonia	-.022	-.015	.056	.041
N=356 (1562)	(-.029 -.015)	(-.021 -.009)	(.038 .074)	(.025 .058)

Note: Entries are individual fixed-effects regression coefficients with bootstrapped confidence intervals in parenthesis (bootstrapped samples have been taken independently within each country). Dependent variable is PTV, within the stacked data matrix. EU unification is used to facilitate the evaluation of between country differences in the LR dimension. N denotes Second Level units (individuals) nested within First level units shown in parentheses (individual*party combinations). Individual-level intercepts are included in all models.

But how does this difference in agreeing about where the parties are located in LR terms manifest itself when it comes to voting behaviour? Table 2 shows an important implication of this pattern. Every row denotes two different regression estimates. The first comes from the inclusion of the the first two predictors shown in columns 1 and 2 of the Table. The second

comes from the inclusion of the last two predictors, as shown in columns 3 and 4 of the Table. If ideology is an important constraint that shapes preferences, ideological proximity (the extent to which the respondent locates her views close to the point in which she places the party in the same 0 to 10 scale) should help predict vote choice. To see whether this is the case, we use as our dependent variable the Probability to Vote (PTVs) questions that were described earlier. To avoid connecting coefficients with particular parties, we have 'stacked' the original dataset so that the unit of analysis becomes the combination of individual with the party. Each individual has as many observations as the number of PTV questions to which she has given a valid answer.⁵⁸ The resulting variable ranges also from 0 to 10 and refers to a generic party preference, or what makes a party attractive -without suffering from problems of party label, history or size. The main predictor of interest is the measure of ideological proximity, a measure that counts the quadratic distance (analogous to the absolute value, i.e. $(3-5)^2=(5-3)^2=4$, with the only difference that extreme values are overrepresented) between respondent and party and ranges from 0 (absolute congruence) to 100 (absolute divergence, individual is in point 0 and party is in point 10 of the scale, or vice versa). Clearly, since the closer the respondent finds herself to the party the more likely it is to like this party, we expect this coefficient to be negative. The hypothesis tested here is that since in Belgium people do not have a good understanding of where parties are located in this scale, LR should be a weaker predictor of party preference in this case than in the rest of Europe. To better evaluate differences, we also add an equivalent proximity measure but this time measuring people's similarity in their preferences about the process of European unification (0: has gone too far/10: needs to go further) with the parties. As is clearly seen in the first two columns of the Table, the difference between the two coefficients (the one measuring the effect of LR-proximity and the one measuring the effect of EU-proximity) is much smaller for Flanders (non-existent for Brussels) than for all other European countries. On average the coefficient of LR is about the triple of its counterpart related to EU. In Flanders, it less than double. This is not because the EU-proximity indicator is particularly high. It is mainly because the LR-coefficient is exceptionally small. Moreover, the fact that the EU-

⁵⁸ See for a detailed description of this method W van der Brug, 'Perceptions, Opinions and Party Preferences in the Face of a Real World Event: Chernobyl as a Natural Experiment in Political Psychology', (2001) 13 *Journal of Theoretical Politics*, 53.

proximity might appear slightly higher in the Belgian areas is mainly because the LR cannot absorb this effect (i.e. cannot represent these differences in the encompassing ideological scale) as effectively as in most other countries. Once again, the only examples that bear resemblance to this pattern are Catalonia and the Basque country, where regionalism cross-cuts the existing traditional cleavages.

The last two columns of the Table present similar evidence but instead of using LR proximity employ an alternative measure of similarity between parties and voters which is generally known as the directional measure.⁵⁹ The choice of this alternative coding of preferences is based on previous findings that have advocated that more polarised contexts are more likely to encourage a directional thinking about parties.⁶⁰ If this is what drives our results here, then the difference between the three Belgian areas and all other cases should be vanished when the directional indicators are used. However, as we see in the last two columns of Table 2 this difference is actually exacerbated. Whereas in Flanders the difference in the magnitude between the two scales is approximately 20 per cent, in all other countries, the LR measure is on average about four times higher than the equivalent measure of EU unification. Thus, as we see, the pursuit of consociational principles comes with its own price: the resulting political contexts have important difficulties absorbing the traditional cleavages that created these institutional mechanisms. In other words, by protecting these principles consociationalism keeps them pertinent and makes it difficult for a given political context to form a more standardised and less polarised basis of party competition.

⁵⁹ The directional model of party competition does not see the scale as an indicator of distance but rather as an indicator of direction and strength of preference. According to this theory, people who are indifferent locate themselves in the middle of the scale. If they care about the issue, they choose the side (the direction of change from the status quo) they prefer and denote their strength of preferences according to whether they are located near to the extreme or not. This idea is captured in empirical terms by the product between the party term and voter's term. Imagine the scale both for the party and for the voter is centered, the midpoint, 5, becomes zero, and thus 0 is now -5 and 10 is 5. The sign of this product signals convergence in directions, i.e. if it is positive it means that both the voter and the party advocate policy change towards the same direction; if it is negative it means that they advocate opposing policy change. The magnitude of this product denotes the level of commitment on behalf of the party; the voter; or both. This is the indicator used to measure LR-direction and EU-direction in columns 3 and 4 respectively.

⁶⁰ S Pardo-Prado, and E Dinas, 'Systemic Polarization and Spatial Voting.' (2010) 49 *European Journal of Political Research*, 759.

5. Conclusion

One of the main scopes of the present paper has been to depict how the main model of democracy used in European divided societies influences the choice of the electoral system. As we have seen in parts 2 and 3, following Lijphart's contention, all three consociational constitutional structures analysed before have opted for variants of PR. However, when one looks closer to the electoral results in those political systems, the integrationist effect of the chosen political and electoral system is highly questionable. In fact, Benjamin Reilly has argued that PR allows for

the development of hard-line nationalist political parties, who can achieve electoral success by making narrow, sectarian appeals to their core ethno-political bases . . . the surest route to electoral victory under PR is to play the ethnic card – with disastrous consequences for the longer-term process of democratization.⁶¹

It is exactly those limits to the integrationist effects of consociationalism that have led even Elazar to argue that 'consociational regimes retain their consociational character for two generations, no more.'⁶²

However, one should be careful not to overplay the significance of the constitutional architecture and the electoral systems to the failure of those societies to overcome their ethno-linguistic and/or religious cleavages. In fact, it is exactly those consociational structures that have allowed the Northern Irish and the BiH citizens to enjoy a more peaceful political life. So, more than a failure of consociationalism, the domination of the political scene from parties with a 'separatist' agenda is a result of the deep societal cleavages. In any case, the question that remains to be answered is how the consensus model of democracy can lead to the

⁶¹ B Reilly, 'Elections Post-Conflicts: Constraints and Dangers', (2002) 9 *International Peacekeeping*, 132.

⁶² DJ Elazar, 'Federalism and Peace-making'; <http://www.jcpa.org/dje/articlesfed-peace.htm>.

progressive evaporation of the traditional cleavages that have led to the adoption of this model in the first place. Under this perspective, the take-away point from this analysis should not be that it is solely consociationalism that drives polarisation. Although it might be one of the factors that contribute in this process, it is applied in societies where the ethical, linguistic or religious trauma is already present. What however comes rather eloquently from the empirical examination of Belgium and Northern Ireland is that although consociationalism is probably the only way to keep the broken limbs together with the rest of the body, it is not actually a remedy that heals these wounds...