No Easy Solutions: Comments on the Resolution of Self-Determination Disputes Through Complex Power-Sharing Arrangements

The case studies presented in this section analyze both institutional designs for power-sharing, as in the case of Bosnia and Northern Ireland, and the process by which power-sharing arrangements are being negotiated, exemplified here by the Corsican case. Rather than discuss each study in turn, I will comment on a number of issues that cut across the papers and then use the case studies as building blocks for a comparative analysis.

I. THEORY

There is a degree of impatience with academic debates about the merits of Arend Lijphart's consociational v. Donald Horowitz's integrative approaches to managing self-determination disputes. Scepticism is evident in John McGarry's dismissal of those who use Horowitz's 'integrative' theory to criticize the consociational aspects of Northern Ireland's Good Friday Agreement. Carmen Kettley provides a survey of the abstract debate on the merits of the two prescriptive models and questions the practical relevance of the debate, but then points out that both approaches recognize the crucial importance of the political participation of minorities through power-sharing. She endorses Timothy Sisk's 'breakthrough' analysis, which emphasizes the multiple facets of 'power-sharing' arrangements.

Let me suggest that there are three general limitations of the power-sharing argument. First, Sisk presupposes the existence, or creation, of a democratic polity. In fact, a number of autonomy arrangements in the last decade have been worked out by autocratic and quasi-democratic regimes – and some of those appear to be
working. In Burma the State Law and Order Restoration Council (SLORC), the military council that rules the country, has negotiated agreements with a number of regionally based rebel groups, several of which – the Mons, Kachins, and Shan – have largely or entirely ended fighting. The Russian Government, at best quasi-democratic, has negotiated power-sharing arrangements with a great many regional entities within the federation, thus defusing most conflicts between centre and periphery. Any analysis should be sensitive to the possibility that there are non-democratic approaches as well as democratic ones to self-determination conflicts.

Second, power-sharing is not a one-size-fits-all package. It is an omnibus term for a wide variety of institutional arrangements which may or may not be relevant to specific political situations. For small minorities, recognition and protection of individual and group rights are likely to be more important – and practicable – than power-sharing at the centre, as John McGarry points out. For regionally concentrated minorities – who are the source of almost all self-determination disputes – arrangements for effective participation at the local or regional level are usually more salient than participation at the centre. This point is illustrated by Farimah Daftary's careful and detailed analysis of critical issues in the negotiations for Corsican autonomy.

Third, most discussions of the merits of power-sharing approaches occur without reference to the outcomes of specific efforts to resolve self-determination disputes.

II. A COMPARATIVE RESEARCH STRATEGY

I propose to turn the discussion on its head and direct our attention to the question of what works and what does not work in concrete situations. Rather than apply abstract principles of institutional design, and our own normative preferences, the challenge is to identify the kinds of political arrangements that have, as well as those that have not, been effective in containing or resolving self-determination conflicts.

It is necessary at the outset to distinguish between power-sharing solutions designed to pre-empt serious conflict and arrangements designed to end or contain armed conflict between the state and separatist rebels. The three case studies in this section provide ample evidence on this issue. They demonstrate decisively, for example, that the effectiveness of agreements designed to end armed conflict is conditioned by multiple, local political and cultural factors. Florian Bieber's analysis of power-sharing in Bosnia is especially effective in this regard. The case studies also suggest that the international dimensions of autonomy disputes may be as important as domestic ones in shaping outcomes. Both Bieber's analysis of the implementation of the Dayton Accords and McGarry's discussion of the Good Friday Agreement help illustrate the point, though in a very different way. Bosnian political structures and policies have been designed and administered by international agencies in a largely futile effort to insulate Bosnian politics from the corrosive influences of region-wide Serb and Croat nationalism. The Northern Ireland Agreement, by

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1 The first Nigerian federal constitution is an example that ultimately failed in this respect.