DEMOCRATIC INSTITUTIONS AND POLITICS IN CONTEXTS OF INEQUALITY, POVERTY, AND CONFLICT

A CONCEPTUAL FRAMEWORK

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SUMMARY

This paper undertakes a conceptual analysis of democracy and considers its relevance to the problems of broadening popular participation, reducing poverty and social exclusion and managing violent conflict, especially in the contemporary East and South. We argue that democracy is constructed around two creative tensions. First, between democracy as a universal aspiration for popular self-rule and on the other hand as a historically-bounded form of governance in modern states (i.e. 'liberal democracy'). Second, between democratic institutions and the diverse forms and discourses of democratic politics in particular national and regional contexts. We contend that democratic institutions will only flourish if they are supported by active and broadly-based democratic politics. But conversely the design and structure of democratic institutions also makes a difference, both opening spaces for democratic politics and shaping how elected governments deal with the substantive issues of participation, socio-economic justice and conflict.

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INTRODUCTION

The last two decades have witnessed a dramatic increase in the number of countries describing themselves as liberal democracies. In the 1980s and early 1990s, many countries in Latin America, Africa and Asia adopted liberal democratic systems of governance. Then in 1989 the revolutions in Central Europe marked the collapse of 'People's Democracies' and transition to new systems largely modeled on the Western experience. Nearly everywhere, it has been argued, liberal representative democracy has been accepted as the best method of managing political affairs. This is, as Francis Fukuyama (1989) put it, the 'End of History'.

Yet the spread of democracy has been far from smooth. Authoritarianism, poverty, conflicts about identity and human rights violations are still the dominant characteristics of politics in large parts of the world. With a few exceptions, the spread of democratic institutions has been accompanied by public scepticism, even apathy, expressed in low voter turn-out, declining membership of political parties and pervasive distrust of politicians. Recently established democratic systems are facing new destructive challenges and indeed new demands for social and political arrangements that go beyond the systems currently in place.

Some of the problems and challenges faced by both newly established democracies and those with longstanding traditions have to be understood, at least in part, in the context of globalisation. Liberal representative systems of governance are typically associated with the nation-state and a definition of citizenship that is territorially bounded. Yet what appears to be the universal acceptance of such systems occurs at a moment when the efficacy of territorially based polities is called into question by the growing interconnectedness of political, social, and economic relationships across national boundaries. The influence of international institutions such as the IMF or the World Bank, the role of different types of transnational networks - multinational corporations, diaspora groups, various associational exchanges and so on - can limit any single polity's room for manoeuvre and consequently distort state-society interaction.

In this paper, we draw a distinction between institutions and politics and we argue that **the spread of democratic institutions does not necessarily mean the spread of democratic politics**. The argument is organised around the following set of concerns which arise in contemporary debates on democratisation:

- The meaning of democracy. We consider the distinction between democratic institutions and democratic politics. We also discuss contemporary debates over the meaning of democracy in different regions of the world, which do not necessarily interpret it in the same way as in Western liberal democracies;
- The extent or 'depth' of democracy. We consider how far the actual practise of democracy is consistent with aspirations for democracy, especially in terms of the way disadvantaged groups - including women - experience citizenship in democratic polities;
- The policy-effectiveness of democracy. We ask whether democracy as a system can meet the demands of ordinary people, particularly the poor, as well as reconciling conflicting expectations regarding social equity and economic growth;

- The conflict-management effectiveness of democracy. How far can democracies promote compromise in the face of conflicts, especially those that have the potential to be violent, including those based on seemingly primordial and non-negotiable identity claims.

Throughout the paper, we investigate whether and in what ways contemporary democratic institutions can be designed so as to foster the kind of democratic politics that can express popular demands for participation, social justice and peace.

I. MEANINGS AND MODELS OF DEMOCRACY

a) Historical Contexts and Models of Democracy

The term democracy, deriving from classical Greek, means rule by the people - 'demos' (people) and Xratos (rule or power). From the beginning, it has been a contested concept, arising historically from struggles against despotic or oligarchic rule and social injustice. Or to put it in another way, it was democratic politics which produced democratic institutions. Yet at the same time the institutions we most associate with modern democracy - free elections, political and civil rights protected under the rule of law etc. - were also shaped in part through the efforts of dominant groups to confine and regulate popular participation. They wished to ensure that democracy did not interfere with the operation of emerging capitalist markets, and did this by making a sharp distinction between the public sphere of politics and administration and the private sphere of the economy and family life (Wood 1995).

In the contemporary era, the democratic institutions of Western liberal democracies have assumed an increasingly paradigmatic character. Hence in the democratising countries of the East and South they are now widely (and in our view problematically) seen as the starting point for the construction of democratic politics, rather than the other way around.

Democratic institutions have been created in varying degrees to meet the following goals:

- To enable participation either directly or through elections;
- To avoid tyranny both by autocratic rulers and (in some democratic systems) by the majority;
- To assure open and fair competition for power on the basis of the popular vote, and thus the accountability of governments and the circulation of elites;
- To provide a forum for rational discussion of political problems and optimum settlement of different and potentially conflicting social interests.

Different models have maximised different goals. Broadly speaking, it is possible to distinguish between popular or direct models of democracy, for which Athens is the paradigmatic example, and liberal representative models, for which the US constitution is the paradigmatic example.

The Athenian model of direct or participatory democracy placed the emphasis on the direct and active participation of all citizens and on their political equality. The sovereign body which took all major

decisions was the assembly of citizens in which all citizens could participate. The Assembly provided a forum for open discussion and for representation of different views, although critics charged that rational discussion in a body where the quorum was 6,000 was not possible. The emphasis of the Athenian model was on politics. The institutional arrangements were designed to maximise active citizenship and laid stress on the notion of civic virtue. Pericles in his funeral oration, attributed to him by Thucydides, said:

> Here each individual is interested in his own affairs but in the affairs of state as well… we do not say that a man who takes no interest in politics is a man who minds his own business; we say that he has no business here at all.

This model of participatory democracy was strongly criticised at the time and since. It was viewed as government by amateurs. How could government arrive at sensible decisions on the basis of discussion between individuals who lacked experience and skill in government, and who were so numerous as to make serious debate impossible? And it was vulnerable to populism and tyranny by the majority. Nor was it ever fully inclusive. Citizens excluded women, slaves and foreigners. Nevertheless, this notion of direct participation represents both the appeal and the distaste for democracy in subsequent centuries.

The **liberal representative model** which emerged at the end of the eighteenth century put the emphasis on political contestation, on rational discussion, and on avoiding tyranny. It was sometimes known as the republican model because it drew on the experience of republican Rome as well as the city states of Renaissance Italy, more than democratic Athens. Kant, writing at the end of the eighteenth century insisted that republicanism, which he contrasted with democracy, was the necessary condition for perpetual peace. He viewed England and America as republican, in contrast to post-revolutionary France. Republicanism meant checks and balances; democracy he equated with despotism.

The liberal representative model thus put much more emphasis on **institutions** than the Athenian model. Tyranny was to be avoided by control of the executive assured through the separation of powers and through emphasis on individual rights. Rational discussion was to be achieved through the election of skilled representatives who would debate the important issues of the day on behalf of the citizens. Citizenship, however, was a more passive notion than under direct democracy. Citizens enjoyed certain rights - rights to security and to private property and to liberty - but primarily as individuals rather than as members of groups and communities. The main form of participation was through elections, and initially at least citizenship was limited: in the USA, women and slaves were excluded; in England, suffrage was based on property.

Twentieth century democracy, however, has brought about a sometimes contradictory fusion of the institutions of liberal democracy with the politics of participatory democracy, and in this sense it is the product of the two overlapping historical revolutions which established 'modern' polities.[1] The first of these was the bourgeois revolution beginning in the eighteenth century which gave rise to the liberal or limited state with individuated citizens, government through competitively elected representatives, and separations between the state and the economy, between the state and religious authorities, and between the public and the private spheres.

The resulting political institutions were at least as much liberal as they were democratic. There are of course synergies between the liberal ideal of limited government under the rule of law and the democratic ideal of governments accountable to their citizens via free and fair elections. Yet the two are conceptually and practically distinct (see Table 1).

Liberal states only became democracies after the political mobilisation of the broad mass of citizens, including the urban working class and women, behind demands which included the extension of the franchise to all adult citizens. As Huber *et al.* (1997) have argued, this second democratic revolution not only increased citizen involvement in the affairs of government, it expanded the concept of citizenship itself to cover economic and social as well as political entitlements. That is to say, it introduced the idea of **social democracy**, not as an alternative system of rule to liberal representative democracy, but as a way of deepening the latter and ensuring it was more responsive to demands for social justice.

But the widening of suffrage also revived some of the dilemmas of governance that liberal representative democracy was supposed to solve. Even within the framework of separation of powers, individual rights and constitutional guarantees, the mass democracies of the twentieth century, especially after the emergence of mass media, remain vulnerable to populism and the abuse of power by elites who appeal to prejudice and make use of propaganda to sustain their rule, making pluralistic debate more difficult. At the same time they are open to manipulation by dominant capitalist interests able to shape the political agenda through their control of the media and other instruments of hegemony, and thus contain or reverse demands for social and economic justice.

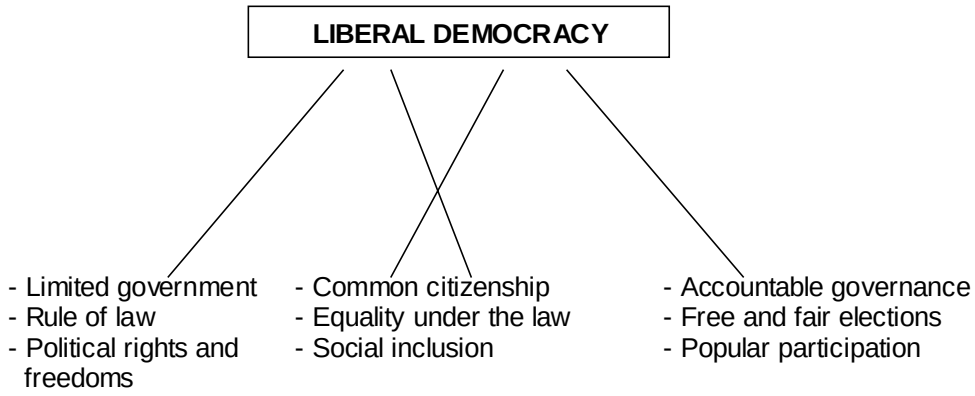
The growth of political parties in the twentieth century was a way of reconciling these contradictions. On the one hand, mass political parties represent a mechanism both for active participation and for opinion representation and debate. Political parties provide a forum in which individual opinion can be expressed, and a way of gaining access to policymakers. They are, to quote Lenin, the transmission belt from civil society to government. Through membership in political parties, new forms of active citizenship have been developed. But at the same time, political parties are also electoral machines, channels for political patronage and vehicles for the political organisation of powerful economic and social interests.

Moreover, in societies where liberal institutions failed to take root, parties have frequently been transformed into instruments of control. Thus in the communist East, the second, the 'popular' democratic revolution swallowed the first, 'liberal' revolution. The mass of citizens was mobilised by revolutionary movements and parties, only to be subordinated by the latter in the absence of a liberal state to protect against tyrannical governance. Consequently, post-communist countries face the formidable task of building liberal as well as democratic institutions, complicated still further by transitions from command to market economies.

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[1] See in particular Rueschemeyer *et al.* 1992, Wood 1995

TABLE 1



In partial contrast, most countries in the developing South gained independence under the formal structures of liberal democracy; not just because the latter were bequeathed by departing colonial powers, but also because their people demanded them. Hence they were at least in part the product of democratic politics, but also of a process of deliberate 'institutional transfer' of Western models. Even though these fledgling democracies were often displaced by one form or another of authoritarian rule, the principle of democratic governance was never entirely abandoned. Indeed even military dictators have tended to proclaim their support for constitutional government, the rule of law and eventual return to civilian rule, implicitly recognising their lack of popular legitimacy.

It is in this context that the debate about the character and meaning of democracy has been resurrected. The 'triumph' of the liberal representative model has resulted from the collapse of the so-called 'Peoples Democracies' in the East as well as 'developmental dictatorships' in the South. The end of any credible alternative has changed the terms in which democracy is to be judged. As Philippe Schmitter (1994: 57) wrote recently:

> For the world's established liberal democracies, the very absence in the present context of a credible 'systemic' alternative is bound to generate new strains. Defenders of these regimes have long argued… that whatever its faults, this mode of political rule was clearly preferable to any of the several forms of autocracy. Now, these external models for comparison have (mostly) disappeared… All that remains are internal standards for evaluation enshrined in a vast body of normative democratic theory and in the expectations of millions of ordinary citizens. What will happen when well-entrenched elite practices in such countries are measured against these long-subordinated ideals of equality, participation, accountability, responsiveness, and self-realization?

b) Democratic Institutions and Democratic Politics

According to our definitions, **institutions** are a socially constructed set of arrangements routinely exercised and accepted. **Democratic institutions** are in essence a set of arrangements for organising political competition, legitimating rulers and implementing rule. In the modern world they generally involve some form of popular participation, typically through free elections to determine the composition of the legislature and of the government (i.e. representative rather than direct democracy). A further essential component is constitutionalism and the rule of law, which both establish the basic rules of rule and ensure that the political and civil rights and freedoms of individual citizens are protected, at least in liberal democracies.

The dominant Western tradition of analysis holds that these institutions are the building blocks of democracy. According to one of its most seminal thinkers democracy is not 'an end in itself [but] a mere method that could be discussed rationally like a steam engine or a disinfectant' ... [being an] 'institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote' (Schumpeter 1965: 284,269). Hence, in this view, political contestation is the very crux of democracy, and is the political counterpart of competition in the economy (Przeworski 1991). Such contestation requires not just free elections, but also multi-party competition to enable voters to 'throw the rascals out'[2], together with a free market in political ideas guaranteed by rights of political organisation and expression.

This Schumpeterian view is fully consistent with the current conventional wisdom: that the test of the superiority of democracy is its capacity to provide what Western donor institutions now term 'good governance' (World Bank 1992) i.e. to assure political stability, make rulers accountable, regulate the market and deliver the collective goods citizens desire. It can be distinguished from the notion that democracy is indeed an end in itself: a creative and sometimes subversive process through which the aspirations of citizens can be expressed, in which democratic politics are just as crucial as democratic institutions.

The distinction between democratic institutions and democratic politics parallels the distinction between formal or procedural democracy and substantive democracy, originally introduced by de Tocqueville. Formal democracy refers to the institutions, procedures or routines of democratic systems. Substantive democracy refers to the redistribution of power - the degree to which an individual citizen is able to participate in the decisions which affect his or her life (Kaldor and Vejvoda 1997). This is close to Luckham's distinction between the narratives of the 'political realists who regard democracy primarily as a system of rule or set of institutions and that of those who ask that it should live up to its emancipatory or popular promise' (Luckham 1998: 308).

Politics can be defined as the struggle or competition for power or for access to rulers and collective goods. Yet not all forms of politics are democratic, even when they occur inside the formal structures of established democratic institutions. According to Beetham (1994), **democratic politics** require not only political contestation, but also that contestation be tempered by certain basic moral and political principles, including popular control (over governments and political elites) and political equality (among all citizens).

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[2] Perhaps the most parsimonious formulation of this definition holds that democracies are those political systems in which governments lose elections.

That is to say, they are those inclusive forms of politics which aim to hold democratic institutions to their democratic promise, by:

- ensuring that open and effective challenges can be made to governments and their policies through free and fair elections, the party system and other forms of political contestation;
- increasing the scope for citizen participation, so that the exercise of power is based so far as possible upon permanent dialogue between governments and their citizens;
- maximising the accountability and transparency of the holders of political power and bureaucratic office, at all levels of government;
- guaranteeing equal political and civil rights for all citizens as well as the basic social and economic entitlements that enable them to fully exercise these rights;
- providing accessible procedures through which these rights and entitlements can be protected, not just through the courts, but also in day- to-day relationships with agents of the state;
- guaranteeing effective citizen redress against infringements of rights by private (e.g. corporate) interests as well as by the state;
- providing mechanisms to assure that such private or corporate interests can be held accountable by governments and citizens, above all where they impinge upon the public domain and citizens' rights.

Democratic politics as thus defined include, but are broader than, the processes of political contestation which animate liberal democracies. They depend upon a culture of participation, including a range of mechanisms - pluralistic media, an active civil society, competing political parties etc. - through which all citizens can, if they want, acquire a political voice. It is through democratic politics that governments and, more broadly, democratic institutions acquire legitimacy and are made accountable to their citizens, and can in turn regulate powerful private interests.

The definition of democratic politics above includes the capacity of citizens (acting independently or through government) to hold powerful private interests as well as agents of the state to account[3], for three principal reasons. First, in a globalised world the traditional distinctions between state and market, public and private, around which liberal democratic institutions have been constructed, have become increasingly blurred as corporate interests have begun to roll back the frontiers of the public domain (Wood,1995; Held, 1997). Second, it is no longer adequate (if it ever was) to confine democratic politics to the terrain of the state and national government, when the real levers of political power may lie elsewhere - for instance in the corporate economy, mass media and international financial institutions. Thirdly, recent years have seen the emergence of new forms of democratic politics which attempt to link grass roots campaigns across national boundaries and to develop norms of 'global governance' in order to influence the behaviour not only of national governments, but also of transnational corporations and international institutions. [4]

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[3] See the important but neglected tradition of thinking on various forms of popular, participatory or radical democracy (Pateman 1970; Mouffe (ed.) 1992; Escobar and Alvarez 1992).

[4] See O'Brien *et al.*, 2000, in relation to labour, environment and women's movements.

TABLE 2

Institutions	**Politics**
Governance	Participation
Legitimation	Legitimacy
Contestation for Power	Contestation of Power
Formal Equality	Substantive Equality
Freedom from (Negative)	Freedom to (Positive)
Means	Ends
Procedures	Process
Method	Project / Vision
Effectiveness	Emancipation

These different distinctions are useful in helping to elaborate the difference between institutions and politics. Broadly speaking, the definitions which emphasise methods and procedures for legitimating rule and assuring political contestation are encompassed by the notion of democratic institutions, while those which emphasise democracy as participation, equality, or emancipation are part of the realm of democratic politics. Table 2 above summarises some of these distinctions.

But here we should make three important notes of caution. First, despite the ever-present tensions between them, neither democratic politics nor democratic institutions are by themselves enough, or should be seen as alternatives to each other. There is certainly no shortage of recent examples of the pitfalls of engineering democratic institutions from above, such as the Dayton Accords in Bosnia or many donor-promoted democratisations in sub-Saharan Africa. But equally, a number of attempts to construct popular or participatory 'alternatives' to liberal democracy based on grassroots empowerment of ordinary citizens, as in Tanzania, Nicaragua and Uganda, have not been sustainable, in part because of their neglect of democratic institutions[5]. Hence, although our analysis below will continue to stress the importance of democratic politics, we do not consider the latter a replacement for democratic institutions. Rather, the crucial issue is **how** democratic institutions can best foster (and not stifle) democratic politics; and how the latter can in turn bring life to democratic institutions.

A second major caveat is that the differing goals of democratic politics may clash, and indeed receive varying emphasis in different strands of democratic thought. Hence, for instance, there is an unresolved tension between those who regard political contestation as the essence of democratic politics and those who

[5] However, the reasons for the failure of these alternatives are complex and also include the contradictions inherent in attempting to foster mass political participation from above, as well as the competition for political space between mass organizations and other democratic institutions such as political parties and legislatures. See Luckham (1998) and Oloka Onyango (1989, 1995).

give more emphasis to inclusion and participation. As we shall see later, these two positions are associated with contrasting approaches to the design of democratic institutions, for instance between those who emphasise majoritarian government multi-party competition, and those who emphasise power-sharing and affirmative action on behalf of women and minorities. Another salient cleavage divides those who confine democratic rights and freedoms to the political or public sphere, and those who argue (as we do) for an expanded conception of rights under which freedom from poverty and gross social inequality are seen as basic entitlements of democratic citizenship.

Thirdly, in a politically and culturally diverse world, in which globalisation reinforces social differences as fast as it breaks them down, there is not, and probably cannot be, universal agreement on the goals of democratic politics, nor on the institutions which can best express them. Liberal democracy, to be sure, has strong claims to be the paradigmatic form of democratic governance. But, as we shall emphasise in the next section, there are huge dangers in imposing it uncritically on non-Western societies with scant regard to the latter's own historical experience of struggles against tyrannical rule and efforts to develop their own form of democratic politics.

c) Contemporary Discourses about Democracy in Eastern Europe, Africa and South Asia

The adoption of liberal democratic institutions has been an increasingly global process, based on institutional blueprints that have typically drawn heavily upon Western democracies. But at the same time the actual practice of democratic politics has been far more varied, especially in societies not sharing the cultural and historical particularities of liberal democracy, including the latter's emphasis on a sharp distinction between the public and private spheres and upon the rights and obligations of individual citizens (Parekh 1993).

Hence it seems appropriate to summarise the main currents in the debates about democracy in different regions. We shall focus especially upon Europe (East and West), Africa and South Asia[6]. One may distinguish between an elite discourse that has many commonalities in different regions and an activist or intellectual discourse. The distinctive feature of the elite discourse in Africa and Eastern Europe has been the understanding of democracy primarily as a form of legitimation, especially where governments are introducing unpopular reforms and are under pressure from Western institutions. For East European leaders, this has the consequence that democracy all too frequently has been perceived as totalitarian politics by other means. Legislation has been viewed as the political will realised through a parliamentary majority, and the many other checks and balances on power have been sidelined, including the rule of law (the biggest constraint on this elite interpretation). For these elites, the best way to guarantee the continuation of totalitarian rule has been through strong government; hence the importance accorded to presidential systems in places like Yugoslavia, Croatia, or Belarussia.

This understanding has also given rise to an ethnic interpretation of citizenship which allows leaders to control the majority. In virtually all the East European constitutions, citizenship is defined in ethnic terms.

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[6] We concentrate on these regions since they are the ones with which we are most familiar and are the ones in which our case study countries are located: Bosnia, South Africa, Sri Lanka, and Uganda.

Sovereignty has been interpreted as ethno-national sovereignty and, hence, the independence of the nation-state has been equated with the freedom of the citizens. Nationalist political parties have been modelled on the experience of Communist parties, reaching out to control as much as possible in society and entrenching a 'them' and 'us' mentality which secures majoritarian rule.

This way of perceiving democracy has clear parallels in Africa where political authorities or incumbent leaders have envisioned democracy primarily as a vent for popular pressure and a vehicle for political legitimation, but as a patent liability in terms of managing economic development or implementing neo-liberal reforms and preventing national disintegration. Thus they have accepted democracy largely as a pre-emptive defence against domestic opposition forces and the good governance concerns of Western donors. As in Eastern Europe, this understanding of democracy is reflected in constitutions, often written by incumbents, which place minimal checks on executive power. Presidentialism has also been favoured, a kind of African 'democratic man on horseback', with former military rulers like Rawlings in Ghana, Compaoré in Burkina Faso and Obasanjo in Nigeria re-inventing themselves as civilian politicians.

A related but slightly different strand in African elite discourse has been a predilection for direct methods of democracy, both as a way of mobilising popular participation, but more often to secure popular validation for elite preferences through demagogic political manipulations. For some African populists, like Aferworki in Eritrea, Zenawi in Ethiopia, and arguably Museveni in Uganda, it is a preference born out of the experience of wartime popular mobilisation. Not unlike earlier generations of populists such as Nkrumah, Nyerere and Kaunda, they have tended to see political parties as inconvenient, divisive and inconsistent with African traditions of communalism, community spirit and consensus. Hence there has been a general discomfort with multi-partyism and a notional preference for 'governments of national unity', even in countries like post-Apartheid South Africa with otherwise well functioning democratic institutions.

Western Europe and South Asia in contrast have a much longer experience of functioning democracy. In both regions, democracy was, until recently, situated within a social democratic framework, according to which citizenship was passive but nevertheless included social rights as well as political and civil rights. In the context of globalisation and the erosion of this social democrat vision, a tendency to narrow the definition of democracy to formal procedures for legitimation can be observed. As the political differences between parties on economic and social issues have decreased, so democracy has become a more personality-based or 'tribalist' contest for the selection of government, heavily dependent on media representation. In much of

regional autonomy to Tamil areas are examples. In Western Europe, though nationalist or racist parties have grown, they have remained in the minority; yet issues like restrictions on asylum, or a toughness towards crime which sometimes conceals a covert racist agenda have been taken up by mainstream parties. There is also a parallel with South Asia in the debate about regions in Europe and the growth of nationalism in Scotland and Wales, Catalonia and the Basque country, and Northern Italy.

By no means is all this resurgence in identity politics the product of elite manipulation or driven by extremist agendas. Certain forms of identity politics reflect a real concern that governments and political elites are remote from the grass roots. Certainly decentralisation is an important strand in alternative bottom-up conceptions of democracy[7] that are challenging elite conceptions everywhere. The key features in these alternative discourses in all regions have been their increased emphasis on civil society and on participation, which are valued in their own right and as instruments for conducting pro-poor struggles.

In Africa, activists and left-wing intellectuals have tended toward ambivalence, both sympathising with populist politicians' emphasis on direct democracy, yet expressing certain reservations. In places like South Africa, there has emerged a discourse of participatory and active citizenship, which builds on traditions of internal democracy within resistance movements. Western liberal democracy is seen to have failed in the participatory and equality-promoting aspects of democracy. However, the experience of tyranny - from the apartheid regime in South Africa and various forms of authoritarian governance elsewhere - is too fresh and too traumatic for the rights, freedoms and protections provided by liberal democratic institutions to be lightly cast aside.

Instead emphasis has been placed on developing a revitalised notion of citizenship within the framework of the latter. Such a deepened conception of democracy is especially vital for those political actors in post-conflict African societies who have framed the goals of their struggle in terms of justice, popular rule and transformation. For in a context where struggles against tyranny have also been tied to struggles for sheer material survival, democracy has involved notions of redistribution, and citizenship comes with expectations of both substantive participation and material benefit. The legitimacy of former revolutionaries and others who move into government thus rests on their ability to deliver 'transformation' or at any rate to redirect resources to address the socio-economic causes of poverty and conflict. This is both a requirement of democratic politics and, since such aspirations are usually difficult to satisfy, an inherent source of tension in democratic institutions.

In South Asia, there is a strong tradition of civil society activism and the interests of donors in strengthening NGOs have contributed to this activism. However, the role of civil society in contributing to mainstream politics remains unclear. Despite the existence of many organisations concerned with such issues as human rights, election monitoring or policy advocacy, these groups have tended to lack a clear agenda for intervention in mainstream politics.

In Europe, both West and East, the emphasis on civil society and participation has come out of the experience of social movements throughout Europe in the 1980s. Indeed, the ideas developed by opposition

[7] For example, the new approaches to democracy advocated by intellectuals such as Kothari (1988), Ake (1994, 1991) and Mamdani (1996, 1990).

groups in eastern Europe concerning civil society and anti-politics were to have a profound influence on social movements and NGOs worldwide. These East European concepts which stressed the importance of public space and organisational autonomy found their echoes in the writings of Western intellectuals concerning the public sphere, and deliberative or dialogic democracy. The goal was to construct new mechanisms for the transmission of ideas and opinion and for their settlement through reasoned public discussion. In Eastern Europe, in particular, the most striking and positive development during the 1990s was the rapid growth of NGOs through which a new generation carried forward the ideas of 1989. In certain, countries, notably Romania and Slovakia, these groups do seem to have succeeded in influencing mainstream politics.

An important aspect of the debate about democracy in Europe has been the role of European institutions, like the Council of Europe, the European Union or the OSCE. The Helsinki Agreement of 1975 had provided the East European opposition groups with an instrument through which they could campaign for human rights. Thus from an early date the East Europeans emphasised the transnational character of civil society. European institutions have been utilised as key components of campaigns to strengthen democracy. In Western Europe, the pooling of sovereignty in the European Union has raised the issue of the 'democratic deficit' in a visible way. National parliaments have lost some of their power to make decisions to international institutions that are much less accountable to particular populations. The importance of the transnational dimension in demands about democracy, and the way in which globalisation has eroded autonomy, are even more central to the European debate about democracy than in other regions.

d) Varying Trajectories of Democratisation

Democratic institutions and politics are shaped not only by distinctive regional and national political cultures, but also by the varying historical conjunctures which channel democratisation along particular historical paths. A broad distinction may be made between three main situations summarised in Table 3 below.

TABLE 3

DIFFERING PATHS TO DEMOCRACY

'Democratising Democracy'		Post-Authoritarian 'Transitions to Democracy'			Post-Conflict Peacebuilding	
In functioning liberal democracies	In 'democracies with adjectives'	'Pacted' transitions from bureaucratic-authoritarian rule	Delegitimisation of ex-communist regimes	Delegitimisation of weak (or patrimonial) authoritarian regimes	Making existing state institutions more democratic and inclusive in divided societies	Democratisation simultaneously with rebuilding the state in collapsed states

i) Democratising Democracy

Democratic institutions in established liberal democracies arose out of particular historical bargains struck between ruling classes in Western Europe and North America and their taxpayers and citizens over the course of more than two centuries (Tilly 1985). These bargains were never written in tablets of stone, and have continually been renegotiated as the balance between citizen and state has changed. Hence, there has always been scope for further democratic reform, or what Castañeda (1994) terms 'democratising democracy' (a concept we return to in Section II below). Such reform has tended typically to be piecemeal and to be introduced through normal democratic procedures (legislation, constitutional amendments, referenda), often at the prompting of activists in civil and political society.

The need for root and branch democratic reform tends to be greater, however, in 'democracies with adjectives' (see pp. 18 below) since democratic institutions are poorly consolidated and lack roots in democratic politics. But the chances of such reform being placed on the political agenda, let alone succeeding, may well be less due to opposition by entrenched elites, political polarisation and the tendency to resort to extra-constitutional methods, including violence.

ii) Post-authoritarian transitions to democracy

In the great majority of fledgling democracies in the South and East, democratisation has been set in motion by the delegitimisation of authoritarian governments. Yet authoritarian collapse has by no means always initiated transitions to democracy. Moreover, these transitions have followed a great variety of historical trajectories, described in the vast literature on the subject (O'Donnell *et al.* 1986; O'Donnell 1993; Przeworski 1991; Lijphart *et al.* 1996). For our purposes three broad categories are pertinent:

- transitions from previously 'strong' or 'hard' bureaucratic-authoritarian regimes (for want of a better term)[8] mainly in Southern Europe, Latin America and East and South-East Asia - where the outgoing authoritarian or military elite has sought to control the process through 'pacts' or bargains with the democratic opposition;
- the delegitimisation of communist regimes in Eastern Europe, the ex-Soviet Union, and some Third World countries, which has initiated complex 'triple transitions' from autocratic to (potentially) democratic governance, from command to market economies and from socialism to capitalism;
- transitions from various fragile, poorly institutionalised forms of authoritarian governance ('neo-patrimonial' or 'prebendal' regimes, 'hobbled Leviathans'[9] etc.), mostly, but not only, in sub-Saharan Africa. In these, weak authoritarian structures have been unable to resist the tide of political reform

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8 'Bureaucratic-authoritarianism' is the term originally developed by Latin American analysts to describe a particular type of capitalist developmental state (O'Donnell 1978; Collier and Levitsky 1997) and extended to cover certain Asian developmental dictatorships like Indonesia and South Korea. We use it rather loosely here to characterise authoritarian states which possess a certain amount of capacity to govern (and coerce) effectively, and a degree of autonomy from social and political forces. Thus, it might also apply to the limited number of African regimes which have had some autonomous capacity to 'pact' transitions, like South Africa or Ghana (in contrast to Chile and South Korea (Feith 1981; Hamilton *et al.* 1987; Im 1987; Robinson 1988).

9 Terms widely used to characterise African states by analysts such as Bratton and van de Walle 1994; Joseph 1987; Sandbrook 1986.

promoted from the outside by the donor community. But at the same time the domestic political and social forces pressing for reforms have been weak, whilst the state itself has remained correspondingly less capable of delivering effective governance of any kind, let alone democratic governance.

iii) Post-Conflict Peacebuilding and Democratisation

Another distinct subset of cases are states in which violent conflict has become endemic. Often this has been the direct result of **failed democratisation**, with violence rather than democratic contestation occupying the political space opened up by the collapse of authoritarian rule or inadequate democratic institutions. Moreover, once violence is initiated, its own particular legacies tend to make the task of rebuilding an authoritative state, let alone a more democratic state, far more difficult. Countries emerging from conflict fall into two broad categories:

- First, those where conflict, though severe, is confined to particular parts of national territory and has not fractured the state itself. In these, democratisation requires both peacebuilding and more inclusive democratic processes in order to relegitimise the state, especially among excluded minorities;
- Second, where the state itself has fallen apart, peacebuilding and democratisation have to be coordinated with the reconstruction from scratch of political authority, often under conditions of extreme political uncertainty combined with continuing political violence.

One might break each of these distinctions down into further categories and sub-categories. But they are introduced in order to re-emphasise that although democracy has been the dominant, universalising political discourse of the modern (especially post-Cold War) era, the particular shape it takes in political competition and institutional design depends on varying historical contingencies, which set the limits of institutional choice and political transformation.

II. DEEPENING DEMOCRACY: THE POLITICS OF INCLUSION

> It is quite possible to have accountability in… the high politics of the state, honest rulers and free elections, and yet profound injustice or irresponsibility in the deep politics of society, that is, the relations between rich and poor, powerful and weak (Lonsdale 1986: 130).

Existing literature on democratisation tends to give pride of place to the high politics of state rather than the deep politics of society. It also tends to concentrate more on consolidation of democratic institutions than on democratic politics in the sense outlined in Section I. Institutional development tends to be seen as a good in itself. Elite pacts defining 'rules of the game' are given more attention than the political struggles of marginalised groups, including women, minorities and the poor. The latter enter the picture mainly because they can disrupt and have to be at least partially accommodated. Their incorporation has tended to be seen as a solution to the problems of political order or governability in fledgling democracies, rather than as a requirement of democracy in its own right.

govern, either because real political power lies elsewhere (for instance with the military in some transitional democracies), or because they are hemmed in by external constraints (such as global finance or IMF/World Bank conditionalities), or because the state has been delegitimised through political instability and armed conflict.

Not only does this raise issues for comparative analysis: how far can one go in 'precising' the term democracy before it becomes meaningless? And when should it be replaced by more general conceptualisations like electoral regime or polyarchy (the latter is the term preferred by Dahl (1971) for the analysis even of Western liberal democracies)? It also raises fundamental political questions concerning the meaning and quality of democracy, not just in fragile, contested new democracies like El Salvador, Russia, Uganda or Ethiopia, but also in longer established ones like Sri Lanka, Zambia or even arguably India[12] or the USA[13], where democratic institutions may coexist with quite serious abuses of human rights, discrimination against minorities, excessive influence of military and security services and lack of accountability of public officials.

A strong tradition of 'democracy realism' in democratic theory holds that such deficits are normal and not easily remediable features of representative democracy. Since it is above all a system of political competition, the latter does not generate, nor is it intended to generate, high popular participation in the affairs of government[14]. To be sure, governments are legitimised by submitting themselves to the vote at periodic elections. The latter together with a constitutional state and the rule of law prevent tyranny. Yet, democratic institutions do not stand or fall by their success or failure in empowering citizens, enabling democracy or assuring economic and social justice. To the contrary, indeed disputes over the unequal distribution of wealth and power have always been the stuff of democratic politics. What distinguishes the latter from other forms of politics is that these disputes are settled through the competitive struggle for the people's vote and not by coercion or violent conflict.

'Development realists' such as Leftwich (1996) similarly tend to disregard the democratic shortcomings of real world democracies, but for slightly different reasons: that democratic contestation itself may undermine the political and macroeconomic stability required for growth, precipitating frequent changes of government and mobilising popular constituencies against stabilisation and adjustment policies. Hence, it is argued, the cause of economic growth is best served by limited democracies dominated over long periods either by a single ruling party (as in Botswana and Singapore) or by stable coalitions (as in Malaysia or Mauritius). Such democracies do not necessarily live up to the (allegedly unrealistic) standards of Western models, being 'democracies with adjectives' in one or both the senses outlined above: either through limits on political competition, or by restricting political and civil rights.

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such as Sklar's (1983) distinction between 'liberal', 'guided', 'social', 'participatory', 'consociational' and 'developmental' democracies in Africa.

12 Although India is generally regarded as the most vibrant and successful Third World democracy, it has also been pointed out that parts of the country have spent long periods under military administration under which human rights have been systematically violated (Brass 1995: 223).

13 Criticised in Amnesty International reports (1997, 1998) for a poor record of human rights protection in regard to those accused of crime, as well as in regard to black and Spanish-speaking minorities.

14 Schumpeter (1965) can be regarded as the founding father of this tradition of analysis. A particularly persuasive statement of the case for democracy realism may be found in Przeworski (1991).

Paradoxically, both democracy and development realists share common ground with certain radical critiques that highlight the limited scope for democratic politics in contemporary liberal democracies. These argue first that democratic institutions are configured around a divide between the state and the capitalist market place, which severely limits the room for manoeuvre of all elected governments, particularly in a globalised world economy. Second, far from being a benign or neutral space in which the interests of the poor and powerless can be articulated, civil society often reproduces the class, gender and racial hierarchies of capitalist states and societies. Third, systems of representation are explicitly designed to exclude as well as to include by restricting political choice to voting in periodic elections[15].

Such critiques are salutary correctives to the tendency to see liberal democracy and civil society as universal panaceas. They suggest it is misleading to measure democratic performance against over-idealised models of democracy. And they call attention to the potentially difficult trade-offs between democratisation and other goals like development, social justice or indeed the consolidation of democratic institutions themselves.

Nevertheless, they may lead to unwarranted pessimism, both concerning democratic institutions themselves and the potential for change inherent in their ever-present tension with democratic politics. Institutions tend to be highly imperfect expressions of democratic politics for both good and more dubious reasons. The former include the desirability of stable and effective as well as democratic governance; and the need to channel political disputes (and hence sometimes limit participation) to ensure they are settled peacefully. Among the less justifiable reasons are the gaps and weaknesses in existing democratic structures; vested interests preventing change in the latter; and the disproportionate influence of the rich, the well-connected and the powerful.

Such tensions are frequently present in healthy as well as unhealthy democracies. They tend to rise to the surface where there are strong pressures from groups which are systematically disadvantaged or excluded under prevailing institutional arrangements. Yet, as noted in the introduction to this paper, pressures from below have at the same time been the driving force of democratic politics, rescuing democratic institutions from their inertia and tendency to perpetuate existing inequalities. Even in contexts of corruption and clientalism, the basic principles of democracy - the comprehensive right of participation on the basis of political equality, the establishment of effective accountability for the holders of political and administrative authority, and the institutionalisation of opposition rights - should and often do provide space for competition to represent the interests of socially excluded groups and to enforce public responses to their needs.

a) Democracy Deficits

In the 1980s, Sklar deployed the concept of 'democracy in parts' to characterise democratic spaces in the authoritarian systems that were then the usual form of governance in developing countries, such as partially autonomous courts and legal systems; non-intimidated press and media; or civil society organisations such as

[15] See Hirst (1990), Pateman (1985) and Wood (1995) for critiques of Western democracies upon these lines, and the similar arguments of Saul (1997) with regard to the pitfalls of democracy in sub-Saharan Africa.

bar associations, trade unions or peasant associations willing to challenge government. The concept was used both to question the idea that 'developmental dictatorships' were monolithic, and to initiate differentiated analysis of where within them democratic politics could begin without waiting for the formal establishment of democratic institutions.

A somewhat different approach is called for in the 1990s, now that liberal democracy has become the paradigmatic form of governance almost everywhere. Hence below we shall deploy the concept of democracy in parts in a somewhat different way from Sklar, i.e. to develop a differentiated analysis of whether and how new democracies - and old ones - measure up to democracy's own standards. These standards will not be calibrated solely in terms of abstract values or of particular formal criteria like the existence of multi-party systems and free elections. Though the latter are, of course, important, we regard democratic politics in the sense defined earlier as even more crucial. Hence, our main emphasis will be on how far in reality particular democracies establish legitimate, stable and effective government by including the broadest number of citizens in both decision-making and access to socio-economic resources. That is, we propose an approach in which we assess the **quality** of real world democracies, rather than how they satisfy formal criteria. In other words, democracy is treated here not as an abstract political value but as an instrument for establishing stable, effective, and above all legitimate governance in particular societies by creating mechanisms for inclusion of the broadest number of citizens in both decision-making as well as access to socio-economic resources[16].

A useful starting point is through an inventory of 'democracy deficits'. Such an inventory would fall into two main parts, shown in the first two columns of Table 4. First, one should consider the ways in which the formal structures of governance match up to or fall short of democratic standards. Do existing electoral arrangements, for instance, assure free elections; is there effective constitutional protection for the rights of citizens; is the judiciary insulated from government interference; is the executive accountable to the legislature, etc.? Second, and rather more difficult to assess, are deficits in democratic politics, for instance arising from the way powerful groups may in practice use power to co-opt, corrupt or subvert the democratic process.

Four broad types of deficit are distinguished in the rows of Table 4. The first two focus on the gaps between democratic institutions and the deep politics of society. Democracy will mean little to ordinary citizens (**hollow citizenship**) if they do not enjoy equal rights and entitlements as citizens - whether because constitutional and legal arrangements fail to guarantee these rights, or because they are effectively excluded from the public sphere as a result of gender, societal inequalities, lack of organisation, cultures of intolerance or intimidation and violence.

Their inability as citizens to hold governments and political elites accountable for their use of power (lack of **vertical accountability**) is a second crucial source of democracy deficits. This may arise partly from

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16 Detractors such as Museveni in Uganda dispute the efficacy of democracy as stabiliser. Here, stability is seen to be achieved through authoritarian control from above combined with attempts to broader participation at lowest levels of government. Among those enthusiastic for democracy as an instrument for stability, political elites have focused less on stability through inclusion and more on stability through institutionalisation (governance). From both positions, however, long-term stability remains a problem.

procedural defects e.g. in voting systems or decentralisation provisions. Also, and probably more fundamental, it may reflect weak societal support for democratic politics, for instance because citizens have little effective choice between alternative political programmes; because political and civil society are too weak and divided; or because they are controlled by dominant interests.

A third type of democracy deficit is found on the terrain of high politics and manifests itself in the **weak horizontal accountability** (O'Donnell 1998) of overpowerful and potentially tyrannical executives *vis a vis* the legislature and judiciary. This is not simply a question of defects in constitutional and legal checks and balances, but also of how they are circumvented where for instance governments manipulate patronage, corruption is rife, the judiciary, opposition parties and the media are cowed, or the military, police and security services are deployed to stifle dissent.

Fourth are the **international accountability** dilemmas which are created by globalisation. Because many crucial decisions are taken in global markets or by multinational firms and international bodies, the policy space within which national governments decide things has shrunk, making it more difficult for their citizens to hold them to account (though it is not unknown for national governments to exaggerate the influence of global conditions on their policies precisely in order to escape accountability for them). Although the dull compulsions of the global market place have done most to erode the state's sphere of competence and accountability, they have been reinforced, both through the policy orthodoxies of international agencies (like the 'Washington Consensus' on economic reform propagated by the Bretton Woods institutions) and by an infrastructure of international agreements (like those elaborated through the World Trade Organisation (WTO)) which impose legal obligations on often unwilling governments in the East and South.

TABLE 4: DEMOCRACY DEFICITS AND DEMOCRATIC POLITICS

	Democracy Deficits		**Spaces For Democratic Politics**
Citizenship	**In Formal Constitutional and Political Arrangements** • Socially or ethnically exclusive definitions of citizenship and political community • Poorly protected civil and political rights • Legal/political restraints on freedoms of expression and organisation • Non-recognition of social and economic entitlements • Access to legal and administrative systems skewed against minorities, the unorganised, the poor	**In Substance or Practices of Power** • Major societal inequities (on basis of class, gender, region, religion, ethnicity etc.) • Exclusion from the public sphere of women, minorities etc. • *De facto* disenfranchisement of the poor due to lack of resources and organisation • Uncivil society: cultures of intolerance, lack of respect for difference • Violence, intimidation, especially against marginalised groups	• Grassroots organisation (in villages, slums, of women etc.) • Both class-based (e.g. TUs, peasants) and new (gender, environment etc.) social movements • Non-exclusive identity politics (minority rights groups, ethnic associations etc.) • Participatory development initiatives • 'Islands of civility' in conflict zones
Vertical Accountability of Rulers to Citizens	• Elections not free or fair • Electoral systems distort outcomes or disenfranchise minorities • Few channels of citizen influence between elections • Channels of accountability insufficiently decentralised (i.e. through federal/regional/ local representation) • Few points of contact between civil society groups and political/administrative structures	• Electorates offered little effective choice between alternative political programmes • Few autonomous, effective, broadly-based civil society groups to challenge government and vested interests • Weak interest aggregation by political parties, especially of interests of the poor and marginalised • Civil and political society reproduce existing hierarchies of class, gender, race • Political processes weakened and social capital destroyed through violent conflict	• Consensus on rules of political game • Issue-based, non-zero sum politics, not based on gender, racial or ethnic hierarchies • Synergies between autonomous civil society groups and political parties • Effective, internally democratic parties • Inclusive forms of corporatism, responsive to pressure from below • Robust regional/local/municipal democracy
Horizontal Accountability	• Majoritarianism: politics as a zero sum game • Weak constitutional checks and balances • Rule of law absent or weak • Executive not sufficiently accountable to legislature • Governmental secrecy, lack of transparency • Over-centralisation vis a vis regional or local authorities • Weak democratic control of military, police and intelligence bodies	• A narrowed public domain:diminished scope for collective political action • Patrimonial politics: government manipulation via patronage, ethnicity etc. • Endemic corruption • Political processes suborned by elite economic and social interests • Judiciary weak or coopted • Weak opposition parties • Media lacking in independence • Legacies of military/authoritarian governance	• Societal consensus supporting supremacy of constitution, rule of law • Robust parliamentary processes • Plural sources of wealth status and power • Strong traditions of regionalism • Civil society groups articulating democratic values (rights groups, law associations, anti-corruption campaigns etc.) • Independent, broadly-based media
International Accountability	• Key decisions made by international bodies (IMF, World Bank, UN and its agencies etc.) not national governments • Democracy deficits within international bodies • Constraints imposed through non-(re)negotiable international agreements (e.g. MAI)	• Vulnerability in international markets • Hegemony of international firms • Exposure to capital flight • Donor pressure via conditionality etc. • Difficulties of aggregating democratic politics across national boundaries	• Donor support for political reform (with its contradictions) • International human rights law and practice • Embryonic international civil society (e.g. international development, human rights and environment NGOs) • Cross-national political alliances

Not all political systems share such deficits in equal measure. Obviously in democracies they are less glaring than in authoritarian systems. But democracies too vary between those where the deficits are so pervasive that democratic institutions are little more than a formality, and those whose governments are in some real sense accountable to their people. Even in the latter, major deficits can be found - and in some respects indeed may be inseparable from democratic institutions themselves, as with the minimum levels of patronage and corruption found in most political party systems.

b) Creating Spaces for Democratic Politics

But where, then, can democratic politics start and how can it begin to close these deficits? Liberal democracy's own institutions and procedures are arguably the best starting point for reform. Yet there are finite limits to institutional and procedural reforms, whose effects are both complex and difficult to predict. Moreover, even the best considered reforms will come to nothing unless they enjoy a measure of popular legitimacy and support.

Hence it is essential to examine what political spaces already exist or can be opened up for democratic politics (the third column of Table 4). Any inventory of these spaces would start from **those forms of political activity and organisation that constitute individuals as equal, active and responsible citizens** as opposed to subjects of the state. These have varied between societies and in historical periods, as in the apparent displacement of class-based politics (formerly crucial to deepening citizenship in Western democracies) by new types of gender, identity and issue-based politics. They also carry differing and often contested implications for democracy. Feminist politics aims not only to improve the access of women to the public sphere, but also to redefine the latter together with its relation to the private sphere. Some forms of ethnic and religious politics remain compatible with and indeed conducive to democratic politics. Others, as we shall see later, are antagonistic to notions of social equality and democratic competition.

Secondly, one must consider **what political opportunities exist or can be created for citizens to gain access to the public sphere and hold governments and state elites accountable within it.** This will clearly be easier where there is broad-based consensus on rules of politics, and where politics is not seen as a zero-sum game, or organised around gender, racial or ethnic hierarchies. Opportunities for participation also tend to be influenced by the structure of political parties, their internal democracy, capacity to aggregate interests and responsiveness to public opinion. It may also depend on other forms of political organisation and interest aggregation, e.g. through power sharing, corporatist responses to political pressures from below (as in post apartheid South Africa), or decentralisation.

Citizenship is at the core of discussions about participation in democratic societies. The notion of citizenship articulates both the defining features of the relationship between individuals and state in a democracy (the limits of market, government and individual), as well as the nature of the political culture of particular societies. In its purely formal sense, citizenship vests in individuals the right to participate in

electoral processes - to choose leaders through the ballot, to stand for public office - and vests in the state the power to tax, control armed forces, govern etc.

This formulation limits political participation to highly formalised and periodic interactions between individuals and state, and does not conceive of participation as an ongoing process of discursive debate and real contestation. The reshaping of democracy in the post-war period to deal with poverty and inequalities led to a broadening of the notion of citizenship to encompass a broader set of entitlements that individuals could claim as part of their citizenship rights. This broader notion highlighted citizenship as **practice** rather than just **status**. Although still tied to a notion of obligation (particularly the obligation to work, as core entitlements derived from contributions tied to formal employment) this notion of citizenship as both active and substantive was part of an attempt to reduce class conflict - to establish stability - through inclusion (remembering that earlier versions of citizenship had been based on defining exclusions from the polity).

Third, alternative, **plural sources of political power and legitimacy are needed to counterbalance the power of governments and state elites**. Some of these counterbalances may emerge from healthy political processes (e.g. from well established constitutional and legal systems, or robust parliamentary debate). Just as crucial, however, are the existence of strong, independent sources of support in civil society, and, arguably, independent concentrations of wealth, status and power that are not excessively dependent upon the state. Of course, independent power bases in society may also reproduce major social and economic inequalities which conflict with democracy's premise of equal citizenship. Indeed, contradictions between political pluralism and political equality - and their societal preconditions - are enduring and probably inescapable sources of tension in most real world democracies.

Finally, there are **ways the international system may create openings for democratic debate** which may counteract the otherwise negative impacts of globalisation. Donor support for political reform is often criticised for its preoccupation with formal procedures and for its heavy handed political conditionality. But there are other forms of support (e.g. capacity building in civil society, assistance to human rights bodies, promoting negotiated consensus around the rules of the political game) that can reinforce internally-based democratisation. Moreover, developments in international human rights law and the emergence of an embryonic international civil society increase the scope for cross-national political alliances that could give succour to the domestic supporters of human rights and democracy.

c) Gender Biases in Democracies

The above states a general case for a democratic politics that would confront the democracy deficits that prevail in real world democracies (and still more in non-democratic systems of governance). We now develop this case by considering a more specific form of democracy deficit: the gender biases which prevail in virtually all existing democracies. We choose this for two main reasons. First, because a good litmus test of the quality of citizenship is to view democracy from the standpoint of its most disadvantaged citizens. Among these, women stand out most clearly as citizens whose formal status has

shifted from exclusion to inclusion, but who visibly continue to be excluded. And second, because feminist theory has developed theoretical approaches which we can use to rethink the theory and practice of democracy itself.

Globally, there has been a remarkable consistency in the figures for female representation in national and local polities. Regardless of the political system, with the notable exception of Scandinavian countries and the recent exception of a few countries in southern Africa, women represent between two and 12 per cent of National Assemblies, and rarely exceed 15 per cent of local governments (Inter-Parliamentary Union 1995). The consistent failure of women to participate in representative politics in proportion to their numbers in the voting population has traditionally been interpreted as a symptomatic of their lower human capital base. Liberal democrats argue that modernisation, and equalisation through the education system, will automatically lead to the equalisation of opportunities and hence of outcomes. Yet evidence from developed countries suggests that high levels of social status for women are not reliable indicators of women's capacity to participate in politics, at least in terms of their numerical representation amongst legislators. In 1975, women were fewer than 10 per cent of legislators in 30 out of the 32 most developed countries reporting electoral data, with women accounting for two per cent or less of their legislatures in France, Greece, and Japan (Jaquette 1997). In the United States, where women's socio-economic status is very high, democratic institutions remain resistant to their participation, admitting women to just five per cent of Congress seats in 1987, and 11.2 per cent today.

i) The Gendered Public/Private Divide

This poor record of participation even where women's human capital development is on a par with men has lead feminists to insist that the apparently fundamentally gendered conditions for political participation are not just 'deficits' of democracies, they are 'intrinsic to politics, not an extraneous, additional concern' (Phillips in Held 1993: 98). This insight has contributed to the development of intellectual tools for understanding patterns of exclusion in democratic politics which can be applied to other disadvantaged groups. The key tool is the analysis of the gendered constitution of important boundaries between arenas deemed to be matters of politics and choice, and those which are not: the public/private divide. Feminists have demonstrated that the public sphere is constituted on the premise of its distinction from the private sphere, where men's effectiveness in politics and in the market is contingent on their privileged role in the public sphere and the confinement of women to a supporting role the private sphere.

A central assumption in liberal democratic theory is that the public sphere is peopled by equals and that public sphere itself is characterised by 'modern' values of rationality and impartiality, in contrast to the private sphere governed by particularistic values of affection and family attachment. Citizenship, then, is the right to enter into the community of equals in the public sphere. In the past, citizenship - or the grounds for political equality - has been contingent on a person's asset base, age, race, and of course, masculinity. Being an adult male (and in many cases, white) property owner was thought to confer a

degree of rationality and maturity, as well as the social standing and material resources needed to participate meaningfully in politics. Removal of these formal requirements has not meant their disappearance as sources of power in political contestation, nor, more fundamentally, as definitional criteria for meaningful citizenship.

By keeping the private sphere out of the public world of politics, democracies create an uneven or second class form of citizenship for women. Legal systems in democracies codify their personal and sexual subordination to individual men - for instance, by endorsing their limited inheritance rights or failing to criminalise rape within marriage, on the grounds that these are private matters to be resolved through custom or family values. The market reproduces the conditions for women's material dependence on men - for instance, by endorsing differential pay rates for equal work, or by failing to acknowledge the economic value of women's domestic labour. Such discrimination is tolerated and even justified in democracies (as in other political regimes) on the assumption that economic competition assigns worth in a value-neutral way.

Thus women's relationship to the polity and the economy is fundamentally different from that of men. Their lack of access to material and social resources undercuts their capacity to generate political power. Their domestic responsibilities create a 'time-poverty' which restricts their participation; on the other hand, men are freed to participate precisely because women are not. These broad domestic constraints are mitigated by class, age and childlessness. Women who have resources to 'buy out' their time by employing other women to take over their domestic responsibilities, or who have no children, or whose children are at ages which require less care-work, are freer to be active citizens. The conditions of motherhood and wifehood as a constraint on citizenship is actually codified in differential citizenship rights for single and married women in many polities, where women cede their rights - particularly sexual, reproductive, and property rights - to men upon marriage, but where single adult women, as proxy men, enjoy greater citizenship rights than married women[17]. These constraints inhibit the political performance of individual women and the political capacity and clout of women's associations.

ii) Gendered Political Agency

Beyond these practical constraints, there is a more fundamental obstacle: the gendered construction of political authority and subjectivity which makes the realm of political competition profoundly hostile both to women's participation and to the representation of women's interests as a gendered group. These constraints result in women's strikingly marginal presence in representative politics and democratic institutions.

Awareness that political subjectivity can be construed in ways which exclude certain groups introduces another conceptual tool: the idea that political *agency* is a social construct. In the case of women, a key barrier to full citizenship and participation is the denial of agency to women on the matter

[17] In Egypt today, for instance, single adult women may make personal applications for a passport and make independent decisions to travel. Married women's applications for passports must be signed by their husbands, who also have to consent when their wives wish to travel overseas alone (Bibars 1999).

of consent in social relations, particularly regarding sexual and reproductive choice. Notions of choice and consent are central tenants of democratic practice - the legitimacy of a government is premised on the notion that a majority has consented to be represented by it, through exercising its vote. Yet in most societies, a range of social institutions, particularly those related to marriage and women's sexuality involve a surrender of consent by individual women to the governance of individual men. This is the 'sexual contract' which is written into women's exclusion from the public world of politics. As Carole Pateman explains:

> women find their speech... persistently and systematically invalidated in the crucial matter of consent... if women's words about consent are consistently reinterpreted, how can they participate in the debate among citizens? (Pateman 1985: 8 in Fraser 1989: 126).

This observation demonstrates that democratic theories which are premised on a notion of abstract individualism act as a conceptual and practical block to issues of empowerment of disadvantaged groups, since they deny that there are systematic inequalities in society which shape individual behaviour in both public and private spheres. The abstract individual of democratic theory requires only civil and political rights to compete with others for social influence. But notions of citizenship which rest purely on civil and political rights fail women because they are unable to deal with reproductive rights, which, according to David Held, are 'the very basis of the possibility of effective participation in both civil society and the polity' (quoted in Lister 1997: 18).

iii) Gendered Construction of Citizenship

A third analytical tool is historical analysis of the terms upon which different social categories have been deemed worthy of, and therefore awarded, citizenship rights. We have noted above the importance of property and personal autonomy in early criteria for political participation. Another historically gendered criterion has been the contingency of citizenship upon soldiering, on acts of military valour demonstrating loyalty to a ruler and helping to protect external sovereignty (Charlton *et al.* 1989: 23). Women's belated incorporation to citizenship on the grounds of their contributions as mothers to building a nation's population has written them into citizenship in a very particular sense; in a sense which is reinforced through social and economic policies which focus upon their child-bearing and -rearing roles as dependants on men, not as decision-makers for the polity. As Brown argues, the enduring association of political virtue and manhood with the military reinforces the public/private split and reduces women's legitimate claims in the public sphere (Brown 1992: 18).

iv) Gender-Friendly Institutional Change

In spite of the gendered exclusions written into the liberal democratic form, democratic principles such as political equality and popular sovereignty create expectations and opportunities for the inclusion and promotion of women's interests - opportunities that simply are not available to women under

authoritarian regimes. Women's civil society engagement appears to be much higher in democratic polities than in authoritarian ones. Under authoritarian regimes, women's associations are often either coopted into state-controlled umbrella groups (Waylen 1994, Molyneux 1994), or they may go underground, focussing on survival concerns, but avoiding engagement with the state (Tripp 1996)[18]. Contemporary processes of democratisation are inspiring women the world over to seek more meaningful forms of political participation.

Key to the feminist engagement with the democratic state has been the insistence that this must be a project not just of mere inclusion, but of institutional transformation which addresses the social and political constraints on women's time, resources, and authority. But whether democracy can bring equal participation and welfare for women and men depends on whether its institutions and political culture admit not just of women's participation, but of the representation of women's interests as a gender[19]. There is tremendous debate over whether women do share any political and social interests, and whether they can be treated as a sociological group. The fact that most women, whatever their other circumstances, tend to be constrained in their life choices to a range of reproductive functions in the private sphere, and marginal positions in public arenas of the economy and politics, suggests that gender affects the way other social cleavages (class, etc.) are experienced, and hence generates specific interests (Goetz 1998). However, it certainly cannot be assumed that women will perceive shared interests as a gendered group.

Particular institutional choices are implied if women's rights and needs are addressed as if women constituted a gendered group. Some feminist analysts call for corporatist forms of group representation (Young 1990), and in other contexts governments have tried to institutionalise representation for the female electorate – for instance, reserved seats for representatives of women, as in Ugandan local government. On the other hand, some analysts insist that women should pitch into conventional democratic political competition, but instead of seeking group-based representation, they should simply try to increase their aggregate numbers in politics through measures such as quotas for women on party lists (Phillips 1991).

Three broad categories of institutional change are the focus of contemporary struggles to democratise politics from women's point of view:

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[18] This is not to say that women's civil society associations under authoritarian regimes do not have a strong interest in democratisation. In some contexts, where conventionally male-dominated associational forms - such as trades unions or political parties - have been banned, women's informal associations have played a central role in democratisation struggles. Their contribution to the democratic transitions in Chile and South Africa provide two of the most powerful examples of this.

[19] When discussing 'women's interests as a gender' it is important to acknowledge that these are hard to specify: women's interests, like men's, vary according to their circumstances and identities by class, race, ethnicity, occupation, life-cycle stage, and so on. Beyond this, feminists argue that women have 'strategic' gender interests in changing aspects of the gender division of labour and power which disadvantage them (Molyneux 1985). This could mean a strategic gender interest in undermining gendered segmentation in the labour market, or abolishing men's greater rights to land ownership or property inheritance in certain cultures, or defending women's personal autonomy in decisions over reproduction or sexuality. These 'strategic gender interests' thus are a political advance on women's more 'practical' interests in gaining access to development resources to enhance their livelihood securities.

- changes to electoral and representative systems to admit greater participation by women;
- changes in social life to enhance women's voice in civil and political society; and
- changes to administrative and legal systems to ensure equal treatment of women in policy and law.

In electoral and representative systems, liberals oppose the use of various 'non-democratic' mechanisms (such as quotas, or group-based representation in corporate systems) to tackle obstacles to women's participation. However, while there is no evidence that equality of representation has been achieved without the use of special mechanisms, there is ample evidence to prove the reverse. Countries such as India, South Africa, and Scandinavia have experimented with measures such as quotas and reserved seats to bring substantial numbers of women into political competition in a very short time (UNDP Human Development Report 1998). Change to electoral systems, such as the introduction of versions of proportional representation, can help bring women (and other socially-excluded groups) into politics, in that they permit a greater of variety of political groups to share power. As seen in Southern African countries and Scandinavian countries, PR systems cannot promote women candidates in male-dominated parties without an explicit commitment, usually underlined by clear quotas, to fronting women candidates[20].

Changes to enhance women's influence in civil and political society need to address both the practical constraints imposed by their domestic roles, and the ideological/cultural constraints which diminish their voices in public debate. Social democracies and welfare systems can legitimise efforts to change relationships between the public and private spheres by interfering in the market to create a more level playing field for those whose capacities are constrained by social relations in the private sphere. Social, economic, and welfare policies can and have been designed to support women's public and private autonomy through measures such as guarantees of property rights, equal access to paid employment, welfare measures which compensate women for time devoted to reproductive work (such as pensions, maternity leave, etc.) or measures to defend their physical security and to combat sexual violence[21]. In political society, one arena which remains stubbornly resistant to women's participation are political parties. These need to be democratised - in their selection of candidates and their distribution of resources - if women are to have effective roles in political society. In both civil and political society,

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[20] In Namibia, for example, a PR system has not automatically ensured women's numerical representation. There were no official quotas for women on party lists, and only SWAPO placed women on lists to ensure that at least one woman would be elected out of every ten candidates. Each party submitted a list of 72 candidates for the National Assembly, seven parties participated in the elections, and among these, only six women were elected. In contrast, for the local authority elections in 1992, an affirmative action provision stipulating a minimum of 25 per cent of women on party lists resulted in women being elected to approximately 30 per cent of local authority councils.

[21] Such measures must be designed with the explicit intention of expanding women's range of social and economic choice. Feminist critiques of welfare state programmes suggest that in most cases, women's needs have not been met in any decisive way despite an expanded conceptualization of needs: it is compensating for market failures that is at the core of actual social policy rather than transforming gender divisions of labour. Private sphere 'family failures' are compensated for by making women dependents - and politically unwanted burdens on the fiscus - not equal citizens (Fraser 1989).

changes to the culture of public debate are needed in order for women's concerns to be accepted as legitimate matters for politics.

State bureaucracies have been resistant or indifferent to gender equality concerns in many polities, not least because of men's extended domination of public institutions. Women's limited impact on these institutions, even when included in greater numbers as public servants, demonstrates that sexism is institutionalised in the norms and practices of public administration. Some measures to challenge this include the creation of specialised institutions to monitor public policy-making from a gender equity perspective - such as gender equity commissions or women's desks within key government sectors. The effectiveness of these measures depends upon their resources to persuade government functionaries to comply with gender equity goals. In terms of personnel, finances, and veto power, bureaucratic units dedicated to gender equity are rarely able to challenge more central and powerful government units such as finance or defence.

Bureaucratic watchdogs for gender equity must be backed up by legal changes legitimising their efforts. Contemporary constitution-writing exercises in new democracies such as in Uganda and South Africa illuminate methods for deepening democracy from a gender perspective. Many of the mechanics of governance and norm-creation in these new democracies have been designed with a view to respecting minorities or oppressed majorities - blacks or women - in these highly diverse and divided societies: a form of 'democratic counter majoritarianism' (Devenish 1993). Consequently, women benefit from constitutional minority rights protections such as a Bill of Rights, a public ombudsman or public protector, commissions on human rights and equal opportunities - or in the case of South Africa, a Gender Commission - and proportional representation which facilitates minority representation in a multi-party system. Women in civil society in both countries have made a point of trying to ensure that guarantees of gender equity overrule protections to cultural rights and the jurisdiction of customary law. In this they have not been unambiguously successful, reflecting the extent to which traditional patriarchs remain critical power brokers even under the new democratic dispensations. The challenge to customary law by women is a critical first step, however, in translating public democracy into democracy in the home, and into economic democracy, as customary law stands in the way of some women's equal rights to property ownership and legal adulthood (Goetz 1998).

The feminist critique of democracy illuminates some of the deepest tensions in democratic theory and practice. For instance, it demonstrates that democratic politics is not just about monitoring the exercise of power by the state, but also monitoring powerful private interests, including the power wielded by domestic patriarchs. This challenges basic conceptions about appropriate arenas for political competition and policy intervention. The feminist critique of democracy also provokes an assessment of the utility of formal liberal civil and political rights in contexts of democratic institutions which do not permit the equal participation of women. It focuses attention on the importance of an expanded conception of rights - including reproductive and sexual rights - if women are to promote their interests in the public sphere.

III. DEMOCRACY AND POVERTY REDUCTION

As with the problem of women's low level of representation in democratic polities, the problems faced by the poor in holding public and private interests to account expose the extent to which democratic institutions do not necessarily produce democratic politics. Yet it is precisely because of the serious disadvantages of the poor in competitive politics that effective democratic institutions are needed to guard against injustice and gross social inequality. Inevitably, democratic institutions and politics are dominated by elites, often the oppressors of the poor. This does not mean, however, that they are incapable of promoting redistributive policies. Indeed, democratic institutions and politics can provide strong incentives for elites to respond to the needs of the poor.

This section is concerned with the policy effectiveness of democracies from the point of view of the poor. In other words, how far does the more egalitarian distribution of political power which is implied by democracy lead to state action to provide resources and opportunities to the poor? We will concentrate on the conditions under which democratic politics and democratic institutions can contribute to poverty reduction. This is about the politics of promoting redistributive policies through institutions and political processes which are linked to dominant class interests - the politics of scheming for the poor, in Ascher's phrase (1984).

a) The Politics of Pro-Poor Policies

As noted in the section of this paper on 'democracy deficits', there is an inherent elite bias to the institutions of democracy and to political competition in democracies. Inevitably there is an elite bias in state economic and social policies also, given the political weakness of the poor in demanding responses to their needs. Analysts of public administration have always pointed out that any policy to redistribute existing resources away from privileged groups is bound to attract more bureaucratic and social opposition than either regulatory policies or policies which distribute resources from a new or external source (Lowi 1964; Thomas and Grindle 1990). This problem has received particular attention in the development field in discussions of the challenge of promoting land reform (Ascher 1984; Kohli 1986), or of promoting pro-poor spending as part of economic reform and structural adjustment agendas (Nelson 1989).

As Joan Nelson suggests, resistance to pro-poor measures from privileged groups is likely to increase to the degree that:

- the proposed resource transfer to the poor is seen as zero-sum (taking power, privilege, or resources from the rich), long-term, and large (hence there are very few convincing examples of land reform in democracies);
- the target group is large (as opposed to small and 'deserving' of charity - e.g. children, widows, the disabled);

- extensive institutional change is proposed (e.g. reorienting agricultural extension services to address the needs of women farmers in Africa);
- there are no opportunities to use pro-poor measures for political patronage (e.g. universal social welfare programs are less appealing than targeted programmes which provide a package of benefits which local leaders can deliver to their constituencies) (Nelson 1989).

From this perspective, democracies may not generate pro-poor policies more profound than compensatory programs for vulnerable groups, or micro-finance programs which do not fundamentally challenge structures of privilege. A more optimistic perspective on the willingness of elites to embrace pro-poor measures is provided in recent research on elite perceptions of poverty[22]. Moore and Putzel posit that economic divisions do not mechanically dictate political interests, and that elites will have a strong commitment to poverty reduction depending upon:

- Their capacity to recognise poverty reduction as a public good, because of an appreciation of the relationship between poverty and corrosive social problems which affect elites - such as crime, disease, social unrest, and poor economic performance owing to the degraded human capital of the poor;
- The ways in which they conceptualise poverty - if poverty is defined purely in income terms, the sympathies of elites may not be excited. In some circumstances, the use of morally-laden terms to describe deprivation can generate concerns about national integrity and the extent to which a country has a caring society;
- Whether common interests are recognised between certain groups of the poor and certain elites. Not only do middle classes often appreciate universal measures to mitigate poverty (such as child benefit or free school uniforms), but ethnic or religious affinities may build cross-class alliances;
- Whether there is political mileage to be had from generous national pro-poor gestures (Moore and Putzel 1999: 21-28)

The point made by Moore and Putzel is that sustaining pro-poor measures beyond palliative approaches is not simply a matter of the poor generating enough political pressure to demand redistribution. It requires ruling classes which are open to social equity concerns, and a state with the institutional capacity to break the connections between venal politicians, rapacious business interests, and compliant bureaucrats.

[22] This research program is coordinated by Mick Moore, and important recent papers include Moore and Putzel (1999), Moore, Leavy, Houtzager, and White (1999), and Hossain and Moore (1999).

b) The Tension Between Efficiency and Responsiveness

The matter of the policy effectiveness of democracies is related to the familiar 'growth versus equity' tension in development studies. Both growth and redistribution require considerable policy effectiveness. Growth is contingent on a state's capacity to create conditions for wealth creation, including security of contractual arrangements, and of private property. States must also be able to contain populist pressures for redistribution which might undermine fiscal stability and discourage investment. On the other hand, social equity implies a degree of redistribution of wealth, and investment in the productive capacities of the poor. States must be able to assert a degree of autonomy from the interests of wealthy groups in order to tax surplus production, and they must develop effective means of delivering benefits to weaker social groups. Democracies are thought to offer advantages in resolving this 'growth versus equity' tension because, on the one hand, they tend to provide the conditions for capitalist production, while on the other, they offer, at least in principle, opportunities for the poor to exercise political voice and to make greater social equity a legitimate objective of political competition.

There is a huge literature, both theoretical and empirical, on the relationships between democracy and growth, and democracy and equality[23]. Democracies have been shown to create the conditions for growth as effectively than other political regimes, but, as Moore and Putzel observe: 'the democracies among contemporary developing countries are no better than the non-democracies at poverty reduction' (1999: 7). Although no strong causal relationship has been found between democracy and the reduction of relative poverty, it is widely accepted that democracies are effective at mitigating and even eliminating absolute poverty - the most extreme expressions of social inequalities and human deprivation[24]. Dreze and Sen's (1989) well-known finding that famines do not occur in democracies (what they call systems of political pluralism) demonstrates that adversarial politics and social criticism - given voice through a free press - can be very effective in generating public action for the reduction of extreme poverty.

The policy effectiveness of democracies as far as the poor are concerned depends upon how governments manage what David Goldsworthy has called tension between 'order' and 'participation'. He describes it as an enduring political dilemma in development theory: 'if, as is not implausible, concentration of power is an aid to growth but dispersal of power is an aid to distribution, how can we try to resolve the two?' (1984: 567). Phrased differently, this is about a tension between efficient governance and responsive governance. It is not possible to have this second factor (responsiveness to the poor) without the first (generation of wealth). But in some democracies, it is perfectly possible to have strong institutional capacity and effective wealth creation without social equity or responsiveness to the poor, up to a certain limit imposed by the social instability which widespread destitution can cause.

Efficient management of public institutions is critical in order to see policies from design to execution, to rise above particularistic interests to define and implement strategic development imperatives. This relates to the state's capacity to enforce the rule of law, enforce contracts, control

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23 See Moore (1995) and Leftwich (1996) for recent reviews.

24 Moore and Putzel note, for instance, that 'democracy does provide some kind of safety net', as there are no democracies among the very worst performing (from a poverty-reduction perspective) countries (1999: 7).

corruption and promote integrity in the public service. It also means a capacity to engineer the levels of growth needed to sustain poverty-reduction measures. The latter often requires support for the capital-accumulating efforts of elites in order to engineer their 'buy-in' to broader development efforts. It involves creating the conditions for market efficiency.

Responsive governance implies effective accountability of the government to a broad range of social groups - not just a narrow band of elites. Responsiveness to the needs of the poor often requires changes in a range of administrative and political institutions in order to promote the participation of the poor, which can include efforts to enhance their capacity to articulate and promote their needs and interests, given that the poor face special obstacles to interest articulation and aggregation because of problems of exclusion, isolation, and immiseration. It involves the state in correcting for market 'failures' - or compensating for the fact that markets can thrive on certain levels of social inequality. The dilemma for democracies of ever-more inclusive and participatory politics is that a multiplication of demands on the state can undermine policy effectiveness, as is typically the case in populist regimes. Inequality and poverty can prompt a wave of demands for immediate benefits that endanger sound economic policy, since high short-term gains for the poor are hard to finance properly. The resulting economic crisis can undermine democratic stability.

The degree to which either 'order' or 'participation' is achieved, and the degree to which both work together to produce public policy responsive to the interests of disadvantaged groups without compromising economic stability and growth, depends upon the following factors, which will be considered below:

- nature and institutional make-up of the state;
- the strength of subaltern groups in civil society; and
- the organisation of political competition.

Another factor affecting the path a democratic government steers between efficiency and responsiveness is the extent to which it is subject to policy interference from external actors. Mkandawire argues that the IMF and World Bank's stabilisation packages in Africa have created a set of 'choiceless democracies' in which 'the uniformalisation of what are considered 'fundamentals' in economic policy limit the range of policy options for democratic regimes' (1999: 119). Features of globalisation such as the tremendous mobility of capital are feared to constrain national creativity in addressing poverty problems. There is pressure to pander to local and international business interests by cutting corporate taxes, curbing employment rights, or limiting the state's obligation to provide social protection. Some observers play down this problem and insist that the domestic pressure for greater democratisation which accompany globalisation discourage governments from succumbing to pressures from capital to abandon social concerns (Moore and Putzel 1999: 7). But others point out that for countries in Africa in particular, the combination of globalisation and economic stabilisation virtually rules out the 'many intricate political

compromises that may not always meet the exigencies of economic rationality' but which are critical to democratic politics, and sometimes, to poverty reduction (Mkandawire 1999: 121).

c) The nature and institutional make-up of the state

At issue here is the 'strength' or capacity of the state to act against vested interests at all levels of policy-making and implementation. This sub-section considers the impact of different institutions of democratic leadership, accountability, and administration on the state's capacity to take up mandates for social equity, generate programmatic, coherent social policies, and maintain sound growth and macro-economic stability. It is important to note that of course the relationship between institutional option and policy outcome is ambiguous because contextual contingencies - culture, class system, extent of ethnic differences, existing levels of prosperity and economic opportunity - will affect the degree to which an institutional choice can lead to consensus for poverty-reduction outcomes.

i) Leadership

From the perspective of leadership, presidential and prime ministerial systems tend to differ in the extent to which they generate an authoritative drive behind bold anti-poverty initiatives. A presidential initiative can sometimes avoid the dilution and erosion which comes through excessive debate and interest-group commentary. To take a recent example from Uganda, President Museveni's bold Universal Primary Education initiative in 1997 sliced through what might have been years of political debate and bureaucratic foot-dragging to respond to a long-standing demand of the poor to abolish primary school fees[25]. It is most likely that urban middle class groups would have obstructed this move as it, predictably, has stretched the capacity of the top state schools attended by the children of the middle class, and has undercut the national university's privileged call on Ministry of Education funds. Although one can question the financial, let alone pedagogic, soundness of such a precipitate measure, which was taken without prior institutional capacity-building in the education system, there is little doubt that it would otherwise have taken many years to respond to the persistent and enormous demand for primary education by the poor.

While strong, centralised leadership can build popular mandates for wide-ranging and long-term social equity problems, there are enormous risks to over-centralised leadership and to the principles of 'delegative democracy' it implies. Parliamentarianism, in contrast, combines executive and legislative power, helps to organise consensus and compromise between major competing groups, and can encourage more coherent, stable, and inclusive politics. This can give pro-poor politics a more enduring

[25] UPE is one example of the pro-poor impact of competitive democratic politics in Uganda, when the 1996 presidential and parliamentary elections made politicians sensitive to the need to respond to problems of mass poverty. President Yoweri Museveni campaigned on a poverty-eradication platform. By the end of that year, he saw to it that a draft of a national Poverty Eradication Action Plan (PEAP) was circulating around government, donor, and NGO offices, and that the education sector was preparing for UPE, with free education to be offered to four children in every family. When UPE was launched the next year it virtually doubled Primary 1 classes overnight: enrolment increased from 2.9 million to 5.3 million.

institutional basis than the personal decrees of individual Presidents. On the other hand, it can produce stalemated governance which fails to organise consensus and produce clear lines of accountability, especially where there is a fragmented party system, as in India. The effectiveness of Parliamentary systems in generating coherent policy seems to depend upon limited numbers of, or stable coalitions between, parties. Also important is the character and composition of the ruling class - its class basis, its orientation to compromise, its promotion of collective goods as opposed to capturing them for elite benefit, its adherence to liberal values. To some extent the organisation of political competition through electoral institutions can affect the character and composition of the ruling class, and this will be considered shortly.

ii) Levels of Administrative Decentralisation and Political Devolution

The devolution of government decision-making powers to lower levels of government, and the multiplication of opportunities for political competition and representation at these levels, is thought to contribute to more accountable government by responding to socio-economic and cultural diversity and avoiding the costs of over-centralisation. In theory, decentralised administration provides local communities with more direct access to service providers, and decentralised politics strengthens the relationship between voters and their representatives. This should make government more responsive to the priorities of local communities, and make decentralisation in principle, although somewhat indirectly, a poverty-reduction measure.

But decentralisation alone does not affect the persistent problem of the political weakness of the poor or other socially excluded groups. On the contrary, away from the scrutiny of central authorities, local class, ethnic, racial, or patriarchal tyrannies can be more extreme. As suggested in a recent study of governance and poverty in Uganda:

> poorer people usually have as little influence in their local settings as they do in the national political arena, and sometimes substantially less. Local authorities often have at their disposal even more resources - symbolic and material - with which to resist efforts to address the needs of the poor (…). For the most part spatially remote, and thus largely obscured from the scrutiny of either the media or public advocacy groups, local political environments frequently reduce the incentives for elites to reorient their priorities (Goetz and Jenkins 1998: 10).

Decentralisation may enhance policy effectiveness from an efficiency perspective, but it cannot be assumed to help resolve social equity problems. Paradoxically, a certain degree of 're-centralisation' may be required to ensure that the needs of the poor are not neglected, and indeed, such a process is occurring now in Uganda, with the finance ministry imposing constraints on the spending patterns of local governments by determining the proportions to be spent upon primary-level services. In other cases where decentralisation is seen to be responding to the interests of the poor, such as the Indian states of West Bengal and Kerala, it is the organisation of the poor through a relatively disciplined centralised

socialist party which appears to have contributed to their capacity to resist the control of local overlords (Bardhan 1998: 192).

iii) Policy Choices and Implementation Systems

Policy areas which are generally seen as crucial to equity-enhancing efforts, are tax reform, social policy, labour policy (Weyland 1997, 1996), and land reform (Ascher 1984; Kohli 1986). Taxation both raises revenue for pro-poor spending, and engages wealthy groups in a compact supporting broader social development goals in the interest of national stability and social equity[26]. Land reform and social and labour policies can increase the productive capacities of the poor and help compensate for market failures in respect of the human capital development of the poor. In order for policies in these areas strongly to favour disadvantaged groups, they need to bring disproportionate benefit to the poor - and this is done through progressive taxation, targeted social spending, labour policy which brings benefits to poorer workers, such as minimum wage measures, and land reform which gives priority access to the poor.

As noted earlier, policies which involve a resource transfer from the rich to the poor, such as progressive taxation, arouse great resistance in democracies, as do policies which target broad (as opposed to small and 'deserving') groups of the poor. Progressive taxation requires the politically engineered consent and cooperation of wealthier groups. Coherent labour policy which benefits most poorer producers, as opposed to privileged skilled workers, requires pressure from broad-based labour associations as well as politically effective associations of other workers, such as poor farmers, informal sector workers, or domestic workers. Targeted social spending requires a coherent, efficient, and unified state bureaucratic apparatus. At the same time such spending - whether it is increased welfare pensions or subsidised school fees or childcare for poor working women - requires greater state capacity than systems of universal benefits if they are to be targeted properly. Benefits from targeted programmes are easily captured by state elites for use in clientalistic networks.

Recently, a revived interest in the impact of lower levels of public bureaucracies on actual policy implementation has highlighted the important role of 'street-level bureaucrats' (Lipsky 1980; Thomas and Grindle 1990; Grindle and Hilderbrand 1995; Tendler and Freedheim 1994). These public agents greatly influence policy outcomes through the mediating effect of their own views on policy legitimacy and relevance, not to mention through more venal practices such as petty corruption. Lately, the puzzle of how to improve the capacity of public institutions to perform effectively, efficiently, and honestly (let alone to develop a particular receptivity to the interests of the poor) has ignited a renewed interest in the ways incentive structures, organisational cultures, training, and management structures affect the

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[26] Moore has made the point that a serious governance and democracy 'deficit' is created when revenue for poverty-reduction programmes, and indeed development programmes more generally, is raised not through domestic taxation, but through excessive reliance on foreign aid. Aside from the long-term unsustainability of financing development schemes through foreign aid, low levels of domestic contributions through taxes to domestic investments dilutes the anti-poverty commitment of the ruling class, and postpones the important institutional changes needed to reorient political and administrative institutions to respond to the needs of the poor (Moore 1997).

performance and commitment of lower- and mid-level staff (see particularly Tendler and Freedhiem 1994). Efforts to enhance delivery systems and local commitment to social services have included systems to generate local participation in service management and delivery (this can include modest financial contributions). To date, however, few efforts to reform the public administration, particularly at local levels, prioritise improving the responsiveness of bureaucrats or service delivery agents to their poorer clients. The prime focus remains controlling corruption in the public service.

Beyond the importance of getting incentives right for bureaucrats to commit themselves to the sometimes unglamorous work of poverty reduction, the general coherence of the public administration is key to policy effectiveness in the interests of poverty reduction. Considerable internal unity and coordination, and a sense of shared commitment to common goals, is needed across government departments to make policy reform effective. Without this, the pursuit of narrow departmental interests can lead to the neglect of broader state goals such as fiscal responsibility and social equity, and lead to what Weyland (1997) characterises as 'Every agency for itself, and the Finance Ministry against all.' In many developing countries, efforts to stick to the annual budget are regularly undermined by *ad hoc* supplementary financing demands from politically powerful ministries such as Defence, Foreign Affairs, or State House. These demands are often financed from deductions from politically weaker areas: education, health, agriculture, all of which are social and productive spending areas with strong poverty-reduction potential. This practice undermines fiscal responsibility in individual ministries, as well as more coherent long-term planning across government departments.

iv) Accountability Measures

Democracies have a range of institutions to help enforce accountability, and to influence government in the long stretches between elections; but typically these are beyond the reach of the poor. The poor tend not to engage in the aggressive and expensive lobbying of politicians which is dominated by commercial lobbyists, and rarely have the means to prosecute their grievances through the legal system. It is particularly difficult for the poor to challenge corrupt practices, particularly everyday forms of corruption on the part of local elites. Corruption is one of the greatest obstacles to the efficient delivery of development resources to the poor in developing countries, dramatically limiting the impact of many anti-poverty initiatives. But although corruption is now a major focus of liberal reforms, too often institutional responses to corruption ignore the needs of the poor. Policy reforms which transfer power from state to market agents as a response to corruption are only partially successful[27], but more to the point, they can end up transferring costs to the poor for basic service delivery. Most anti-corruption measures focus upon measures to limit the use of discretionary powers by officials, with rather little focus upon the role that civil society can play, often because it is assumed that anti-poverty programmes affect that part of civil society least able to organise in opposition to the abuse of public power.

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[27] See IDS Bulletin: Special Issue on 'Liberalisation and the New Corruption' (edited by Barbara Harriss-White and Gordon White), 27/2 (April 1996).

However, there are institutional and procedural choices which can broaden the opportunities of the poor to participate in policy debates, to challenge corruption, and to demand accountability. Institutionalising the public's right to information about government spending at the local level is a potentially powerful means of breaking the bureaucratic secrecy which immeasurably assists corrupt practices[28]. This basic civil liberty is often refused in the guise of protecting efficient bureaucratic functioning. Transparency in the posting of local budgets, recruitment measures, and local tenders - for instance through publication in local papers - also helps engage more citizens in monitoring public sector probity in those government services which affect them most directly[29]. Public hearings - such as hearings on the environmental or social impact of industrial or commercial developments - can enable groups to engage with policy makers more directly than they can through the political process.

d) The strength of subaltern groups in civil society

i) Organisations of the poor

The greatest obstacle to effective pro-poor public action in democracies is the weakness of the organised voice of the poor in civil and political society. Constraints on collective action by the poor are imposed by their lack of material and political resources, the latter relating not least to their problems in legitimating their needs as matters of national concern. Resource constraints mean that the poor have the most to lose through challenging the interests of elites, who are in positions to undermine the livelihoods of the poor. Typically, those groups of the poor which can constitute themselves as a threat to national stability, to economic productivity or sometimes indeed to democratic institutions themselves, have leverage in political competition. Hence the urban poor - especially unemployed men and trade unions - may be able to wield some political clout because of their capacity to either threaten lawlessness, or to disrupt productive processes. But the rural poor, which are geographically dispersed and seldom directly threaten urban middle classes or industry, cannot.

A range of different forms of organisation, not necessarily overtly political, can, however, improve their chances of influencing decision-making, at least at the local level. Village cooperatives and development committees, or urban unions of informal sector traders or transporters, for instance, can stand up to the interests of the rich, particularly since they have some leverage within the production system. But for all that many activists and writers continue to insist on wide political participation by the poor as the key to effective policy in their interests, many also recognise the limitations of efforts which put the full onus on the poor to defend their own interests. As Paul Harrison noted two decades ago:

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[28] A national Right to Information Campaign in India is currently struggling for the abolition of the Official Secrets Act of 1923 and the creation of new legislation giving citizens the right to inspect government documents. It is inspired by the experiences of a grassroots group in Rajasthan which has exposed corruption in anti-poverty programmes by gaining access to accounts and muster rolls held at the local government level (Jenkins and Goetz 1999).

it is not easy to organise the poor to take their share in decision-making… The culture of silence is deep-seated. Even if grassroots organisations are formed they are easily dominated by the professionals, mangers, and bureaucrats… People may become active around one particular urgent issue, yet lapse into apathy when it is solved (Harrison 1980: 297).

ii) Bureaucratised forms of representation

In some contexts, politically weak groups have sought an institutionalised form of representation in special bureaucratic units which act as a watchdog over their interests in government policy-making. The most developed of these are gender-related ones - women's Ministries or Commissions on the status of women all over the world. There are also special commissions or boards promoting the interests of groups such as the disabled, or, in India, 'backward' or 'scheduled' castes and tribes. Evaluations of the impact of these units show that they can help to promote legal change and some policy change in the interests of socially excluded groups. On the other hand, they have been found to entrench certain kinds of identities for policy; not enhancing the political influence of particular groups so much as institutionalising them as dependants on clientalist systems.

e) The organisation of political competition

i) Political parties

Political parties can offer the poor a more effective voice in decision-making, depending on the party's class constitution and ideology. Party systems determine important features of a state's capacity to provide a stable regulatory environment, efficient institutions, and responsiveness to dispriviledged groups. Where parties have narrow social bases and particularistic interests, this can exacerbate social conflict and generate clientalistic and personalistic politics. Where they have broader memberships and can organise consensus across a range of social interests, they can generate more inclusive programmatic agendas which take the interests of the poor on board. It is commonly assumed that identity-based parties provide a weaker basis for compromise and coalition-building than class-based parties. But much depends upon the broader political culture, and on whether there is a shared basis of liberal democratic values in political competition. The number of parties also makes a difference to the capacity of party systems to produce effective policy. Too many competing parties, unless a large section of them form a stable and effective coalition, can make the definition and implementation of long-term policies more difficult.

Electoral systems affect the capacity of parties to generate massive national mandates for social change. Although 'first past the post' electoral systems create simpler majorities and hence stable governments, these are criticised for their particular failures in enabling participation by smaller parties. The many alternatives provided through various versions of proportional representation systems do

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[29] Since April 1998, the Ugandan government has publicized all budgetary allocations to district governments in national and local papers, and has demanded greater transparency of the Districts in recruitment and tendering processes.

broaden the range of participants in government, but often fail to encourage the large inclusive parties which tend to generate more coherent and effective policy agendas.

Policy effectiveness demands a stable majority coalition among parties. Such majority coalitions have strong electoral incentives to promote national goals that benefit their vast constituency rather than catering to specific sectors, regions, or class fractions, as small parties with limited bases of support are tempted to do (Weyland 1997). Such majorities can provide the executive branch of government with the kind of support necessary for effective leadership in the interests of policy reforms which favour underprivileged groups, and releases the executive from having to buy support through patronage.

ii) Corporatism

Some corporatist arrangements can give weaker political actors in the working class an effective voice in policy-making. Corporatist arrangements in the democratic transition in Chile have recently been held up as a model route to both growth and social equity. Key to the effectiveness of corporatism there has been the very broad social base of official representatives of both business and labour. On the business side, this promotes broad compliance with policies such as tax increases to finance social spending, and eventually, social stability. On the labour side, a broad social base promotes wage restraint and enables labour to moderate long-repressed demands and hence help the government avoid a populist trap. The desire to increase union membership to make up for the years of union suppression under Pinochet focussed the attention of labour peak associations on poorer workers. This broadened their membership base enormously, strengthened their bargaining power and legitimacy, and enabled them to pursue policies (such as a minimum wage) which had a disproportionately greater impact on poorer sections of the labour force (Weyland 1997). Corporatist negotiations are mediated by the broad and stable coalition of centre and left parties which has prioritised equity-enhancing reforms in the context of healthy economic growth. Success in the Chilean case has also been aided by the short-term advantage offered by the desire of business groups to ingratiate themselves to a new polity, and make amends for their implication in the excesses of the previous regime. Arguably, in South Africa, some compliance and cooperation has been won from business groups for the same reason.

Corporatism is rarely this effective in developing countries. Kurt Weyland contrasts Chile with Brazil, where fragmentation and rivalry characterises not just business and labour, but the entire party system as well. The absence of encompassing organisation means that each group pursues narrow self-interests at the expense of collective social goals, with sectoral business associations unwilling to contemplate equity-enhancing sacrifices such as tax reform and targeted social policy. A fragmented and unstable party system orients politicians to protecting their personal political turf rather than focussing on longer-term, collective problems (Weyland 1996). All of these parties seek privilege through special concessions from the state, transforming a corporatist system into a clientalistic one.

The extent to which corporatist negotiations generate policy with a poverty-reduction impact depends upon the breadth of interests spoken for by representatives of labour, the degree of

organisational coherence and control over their respective memberships of parties to corporatist negotiations, and, more generally, the importance of industry in the country's economy. In most developing countries, labour unions represent just a fraction of the country's workers, rarely the poorest, and rarely rural workers. Nor do they represent other major social groups which are typically low on political influence, such as women, particular ethnic groups, or regionally isolated groups. In South Africa, an effort has been made to acknowledge these groups in a fourth chamber of NEDLAC, the country's corporatist negotiating forum. However, the NGOs and other civil society groups in this fourth chamber do not have the same rights of negotiation and veto as business, government, or labour. Nor, since they do not they have the same kind of control over their memberships as do fee-paying member organisations, can they make meaningful threats or promises in negotiations.

At a general level, states shape political opportunities for the poor. The efficiency, coherence, and probity of the state determines whether associations of subalterns will see any profit in engaging with the state at all. Public policies to promote the productivity or welfare of the poor can actually create political opportunities for the poor, where the provision of rights to land or employment creates an incentive for the poor to mobilise to secure their access to these rights. And some government programmes can create an enabling environment for the poor to work together to hold the state accountable (Moore and Putzel 1999: 12-17).

Though a range of political practices and institutional arrangements can improve the chances for policy effectiveness in the interests of the poor, one of the basic points about democratic politics is that what politics can make, they can unmake too. Social consensus in favour of equity can be overturned by passing political events, by factors beyond the control of individual governments, such as international financial flows, recessions, market shifts. Coalitions can dissolve, a powerful leader can be lost. Reforms which provide socially excluded groups with resources can end up creating a new policy elite, which will try to monopolise access to its new-found privilege. The few important cases which do stand out of democratically-achieved, broad-based social welfare and equity are proof of this. In Sri Lanka, Costa Rica, Jamaica, the state of Kerala in India, policy gains for the poor have had to be struggled over and re-won periodically.

IV. DEMOCRACY AND IDENTITY BASED CONFLICTS: PROBLEM OR SOLUTION?

a) Introduction

The rapid and often chaotic transitions to democratic governance and free market economies sweeping through the East and South have been associated with an apparent increase in violent intra-state conflicts, 'civil' or 'internal' wars[30]. Many of those are structured around competing identity claims based on religion, race, nationality, 'tribe', clan and so on[31].

Is the simultaneous spread of democracy and of conflict an accident of history, or are they connected processes? Does democracy exacerbate violent conflict, or does it help resolve it? These questions separate two contradictory conventional wisdoms.

The first views democratisation as a major cause, or at the very least precipitant, of the rising tide of violent conflicts, contending that 'the opening of democratic space throws up many groups pulling in different directions, that it causes demand overload, systematic breakdown and even violent conflict' (summarised by Ake 1997: 8). Since such conflicts tend to be organised around non-negotiable identity claims, it is argued that they pose a particular problem for democracy; indeed, by helping politicise these claims, democracy may even make them worse (Baker 1996; Stewart and O'Sullivan 1998).

The argument that democracy can be destabilising dates back to earlier theorists of political order (Huntington 1968; Zolberg 1966)[32], but has been revived by more recent analysts of the developmental state (Leftwich 1996)[33]. It has also proved popular with many Third World leaders, both the older post-independence generation (such as Houphouet Boigny in the Ivory Coast, Nyerere in Tanzania or Sukarno in Indonesia) who argued that only one-party systems or 'guided' democracies were needed to contain the social tensions in multiethnic post-colonial states, and a new generation who claim (like Mahathir in Malaysia or Museveni in Uganda) that unrestrained multi-party competition and too much emphasis on political and civil rights tend to destabilise even democracy itself.

Yet below we argue the contrary position, that although 'democratic states suffer from conflicts just as others do, and the presence of democracy is no guarantee of a society without political violence… democratic societies tend to develop the institutions, resources and flexibility, in the long term, to peacefully manage these kinds of conflict' (IDEA 1998: 13).

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30 Though these terms are contested by those who argue that the international dimension is a crucial feature of most 'internal' conflict (Ramsbotham and Woodhouse 1996; Kaldor 1999).

31 More than three-quarters of all warfare since World War II has been of an internal nature, and most of the latter has been 'identity-based', although Cold War perceptions and priorities have long clouded this reality.

32 Their principal focus was not democracy *per se*, but the tendency of political participation to overwhelm weak political institutions in developing countries; an academic position which was readily adopted to legitimise Western support for institution-building by authoritarian governments (Cruise O'Brien 1971; Leys 1996).

33 The message, however, is subtly different from the theorists of political order, in that democratic governance is taken as the starting point, and the issue for consideration is what forms of democratic rule (e.g. dominant party systems, stable multi-party coalitions etc.) with what restrictions on democratic politics are most likely to produce a stable political environment for development. See White (1998) for a more agnostic and subtle statement of similar arguments.

To be sure, neither democracy nor democratisation are without contradictions. In as much as they entail the redistribution of power they do indeed have an inherent potential for conflict, as redistribution will usually be resisted by those in power. But democracy can also be understood as a system for the peaceful management of conflicts. It provides a non-violent method for selecting rulers, a forum through which conflicts over resources or other issues can be debated and through which different viewpoints can be represented, and an opportunity for inclusive participation. In making the argument, we put the emphasis as much on democratic politics as on institutions, as much on substantive democratisation as on formal democratic rules, and even more on bottom-up integrative social processes than on institutional agreements artificially imposed from above.

The conduct of democratic politics can be characterised in terms of the reversal of Clausewitz's dictum, that is: 'Politics is the prosecution of war by other means' (Sartori 1987: 42). Such a characterisation suggests that the resolution of conflict is best sought on an 'oratorical battleground' in peaceful, non-violent procedures such as covenants, parliaments, and courts - unlike the warlike approach to politics through which 'force monitors persuasion, might establishes right, and conflict resolution is sought in the defeat of the enemy.' (ibid).

Thus democratic institutions should in principle be capable of handling identity-based conflicts, even when they are characterised by extreme violence. As Horowitz (1985:684) argues, 'there is no case to be made for the futility of democracy or the inevitability of uncontrolled conflict. Even in the most severely divided society, ties of blood do not lead ineluctably to rivers of blood'. Similarly, Bose suggests that to endorse the claim that plural societies are incompatible with democratic values:

> seems to imply that 'plural societies' the world over are condemned to an undemocratic future simply because of their plural composition. If this is correct, it would appear that democratic aspirations are a futile fantasy for the vast majority of humankind (Bose 1995: 90).

It is unrealistic to expect democracy to resolve all such conflicts. But it should be able to transform enemies into adversaries and violent struggle into debate, contestation and competition. Democracy can make a virtue of plural systems by providing a framework through which cross-cutting social and ethnic cleavages can balance each other and through which grievances and discontents can be expressed and sometimes rectified. India could be said to be to be a living example of this point; although identity based politics have grown in importance in recent years, the survival of democracy in a very poor country can be explained both by an active civil society and by the myriad of cross-cutting social, religious, regional, caste, and linguistic loyalties (Manor and Segall 1998: 61).

But one should not therefore assume that democracies are immune to violent conflict, nor that democratisation, especially when mismanaged, cannot itself trigger such conflict. Two of the countries in which political violence has been most systematic, protracted and resistant to settlement, Sri Lanka and Colombia, happen to be long-standing democracies, where there are multiparty elections, vocal legislatures and (in theory at least) constitutional and legal protections for human rights. Senegal, which

has a longer track record of democracy than all other African countries bar Botswana and Mauritius, has been unable to resolve an insurrection in Casamance which has smouldered since the mid-1980s. India and the UK, both paradigmatic liberal democracies in most other respects, have dismal records of managing conflict in Kashmir and Punjab and in Northern Ireland respectively. These areas have been governed for long periods under declared or *de facto* states of emergency, with a substantial military presence and curbs on civil and political rights.

Moreover, the global spread of democracy has proven more conflictual than anyone could have imagined when it began. The collapse of communist regimes in Eastern Europe and the former Soviet Union and of patrimonial dictatorships in Africa, opened the way to the establishment of fledgling democracies in some countries. But in many others it merely introduced more decentralised forms of oppression and armed conflict. Moreover, misconceived efforts by Western powers to force the pace of economic and political liberalisation have frequently been blamed (as in Rwanda) for the escalation of political violence (Woodward 1996).

Yet as Claude Ake (1997: 8) has argued, the problem may not be with democracy as such, but with how it has been introduced, including the failure to anticipate the spoiling tactics of former beneficiaries of non-democratic governance.

> 'Democratisation' he argues 'may be said to have some conflict potential, since it entails redistribution of power which is invariably resisted by those in power,… [But] why should the burden of conflict lie on those who are engaged in emancipatory struggles for participation and a just order? Why should it not rather lie on those who aggressively, and often violently, deny others their entitlements?

Nevertheless, the relationship between democracy and conflict is clearly far from simple. Hence, there is little point continuing polemical disputes about whether democracy promotes conflict or resolves it. Rather, **we shall concentrate on identifying the conditions for realising democracy's potential as a system for the peaceful management of conflicts, and in particular identity-based conflicts.**

To do so, however, we require some understanding, both (a) of the historical context in which contemporary armed conflicts have arisen, including some of the pertinent differences among conflicts, and (b) of what, if anything, has increased the salience of identity-based conflicts and made them a particular problem for democracy. Only then can we begin to consider more precisely **how** democratic institutions and politics can create sustainable alternatives to political violence.

b) Crises in Political Authority, Democratisation and Conflict

Recent analyses of 'new wars' or 'post-modern conflicts' (Kaldor and Vashee 1997; Kaldor 1999; Duffield 1998) connect them to globalisation processes which simultaneously undermine nation states and result in the politicisation of threatened cultural, ethnic and cultural identities, above all, in the non-Western world. Our focus will be slightly narrower, upon crises in political authority, which are often linked to

globalisation, but whose causes are too complex to be explained by the latter on its own[34]. Our central argument will be that far from being the product of democracy, violent conflicts generally reflect its absence or failure - even in those cases where attempts to introduce democracy have been the apparent trigger for violence.

Following the distinctions made earlier in Table 3, we distinguish between three main situations in which crises in political authority became associated with violent political conflict: (a) during the delegitimisation of authoritarian rule, (b) when democratic institutions themselves have failed to produce democratic politics conducive to the peaceful settlement of conflict, (c) when violence itself has been so embedded by protracted conflict that it has rewritten the rules and practices of politics.

i) Delegitimisation of Authoritarian Rule

Most contemporary armed conflicts, especially those of the post-Cold War era, can be traced back directly or indirectly to failures of governance (Cliffe and Luckham 1999), above all under 'incompetent, parochial, fragile, and authoritarian governments that fail to satisfy basic needs' (Azar *et al.* 1990: 10). To be sure, strong authoritarian governments may be able to suppress, or even accommodate, incipient conflicts over long periods of time. But our argument is that it is at moments of transition when non-democratic regimes begin to falter - often as a result of their internal fractures as well as external pressures for change - that the probability of violence increases.

In the best of circumstances democratisation may succeed in occupying the political space opened up by the retreat of authoritarian elites. But that space may instead be re-occupied by violence: either that of those who fear their loss of power, or that of their opponents who turn to violence because they lack more legitimate means of expressing their political demands. Such violence may overtake the transition from the very start, as in Angola, Bosnia, the Congo or Somalia. It may do so soon after democratic institutions have been introduced as in Sierra Leone. Or it may do so when such institutions fail to address the fears of politically excluded groups, as in Northern Uganda.

In sum, **the conditions which pave the way to democracy sometimes also increase the risk of violent political conflict. Hence the political and institutional choices that are made during periods of transition are crucial** and can make all the difference between the consolidation of democracy and regression to non-democratic rule and conflict.

ii) Failures of Democratic Institutions Themselves

In the real world of politics, democracies do not always fulfil the expectation that they should be better at resolving conflict. Sometimes they may even aggravate it. Yet this need not discredit democracy as such, if it is the lack of democratic politics within formal or façade democracies that is the root of the problem (see the discussion in Section II above). Governments may fail to respond to the demands of excluded

[34] See the discussion of the origins of conflict in a separate paper: Kaldor and Luckham 'New Forms of Conflict' (forthcoming).

and potentially violent groups, or to protect their citizens from violence (including that of agents of the state). Or they may be in pawn to special interests with no interest in political compromise, such as the ex-communist nomenclatura in parts of Eastern Europe, or the military-business mafias that have 'captured' democratic institutions in some African and Latin American states. Thus, there might still be a strong *prima facie* case for democratic reform to give all citizens, including minorities, a stake in political outcomes, and to ensure that elected governments have the legitimacy and capacity to govern, maintain order and regulate conflict.

However, more troubling questions arise about the relevance of democracy to the management of conflict where established democracies have failed to prevent the escalation of conflict or seem incapable of bringing it to an end as in Sri Lanka, Colombia, or (until recently) Northern Ireland. In these cases it is often argued that the main problem is with **particular forms of democratic contestation,** notably majoritarian 'winner-takes-all' institutions. These are allegedly open to abuse by populist politicians in plural societies, encourage ethno-national politics, and give minorities little stake in democratic institutions. We shall return to these arguments later.

Others, however, have contended that the problems with democracy are even more fundamental. Stewart and O'Sullivan (1998: 20-27) for instance, argue that Sri Lanka's post-independence history not only refutes the simple proposition that democracy abates conflict, it starkly illustrates the limits of constitutional engineering. Constitutional reforms introduced to blur the edges of majoritarian politics and encourage political alliances across ethnic boundaries merely created new recipes for conflict. Hence, they argue, constitutional engineering by itself is not enough. It must be supported by more inclusive politics (but how, one may ask, if not through democratic processes can they be introduced?), and by government policies which directly address the role of differential rates of economic advancement between communities and regions in shaping inter-ethnic hostilities.

iii) Dealing with the Political and Institutional Legacies of Violence After Conflict

A major reason why constitutional reform *per se* seems to have had so little impact in conflict-torn societies like Sri Lanka, is that political violence as such often brings about fundamental transformations in the rules and practices of politics: normalising violence itself as a way of allocating power and resources; increasing the political weight of those who control the means of violence (be they military men, securocrats, guerrillas or warlords); sharpening polarisation between politically opposed groups; reducing the legitimacy and effectiveness both of the state and of democratic institutions; and even forcing the disappearance of the state itself as in Somalia. These legacies do not usually disappear when conflicts are 'terminated', and indeed tend to re-ignite conflicts again and again, as in Colombia, the Sudan, Bosnia or the Congo.

The circumstances in which conflicts are brought to an end also make a difference. If conflicts are terminated through negotiation (as in South Africa, Mozambique or El Salvador), some onus is placed on

both sides to scale down their initial political demands and engage in some form of power-sharing, whether or not the latter is written into the final constitutional settlement. But outright victory by one of the contending parties gives more latitude to the victor to rewrite the rules of the political game. If this opportunity is used wisely, priority will also be given to reincorporating and conciliating the losers - as in Nigeria after the Civil War and more arguably Ethiopia following the fall of the Derg, but not in Kosovo, despite all the efforts of the international community.

In either situation peace-building requires compromise among the warring parties and the restoration of the state's authority and capacity to provide basic services including physical security. Thus, Faustian bargains are often entered into under which ex-dictators, warlords or liberation fighters secure immunity from prosecution, or even (as in Bosnia, Cambodia, Liberia and Sierra Leone) assume positions of political authority. Even so, democratisation remains crucial to institutionalise such compromises, relegitimise the state, and prevent further recourse to violence.

The central dilemma of such situations remains that the concessions made to the men and women of violence may give them an effective veto over the future of democracy[35]. Cases in point are the Hun Sen government in Cambodia and the Taylor government in Liberia, both of which have used their continued control of the means of violence to intimidate opponents and thus prevent any real democratic contestation despite the establishment of the formal multiparty democratic institutions.

c) Do Identity-Based Conflicts Pose Particular Difficulties for Democracy?

For long periods of its history Europe answered the question of state formation through the nation-state paradigm; i.e. a nation is a cultural community living on a common territory, and its self-determination requires that it create its own state. However, as Mamdani notes, discussions on African conflicts forget that:

> in the making of nation-states, Europe went through an entire history of ethnic cleansing. Where it did not, it branded cultural minorities as permanent 'national minorities' alongside the cultural majority as the 'nation'. [But] our reality is of multi- and not uni-cultural communities… if we are to adopt the paradigm of a nation creating state, are we prepared to follow Europe into a future of ethnic cleansing, or one of ethnic apartheid? (1996: 29).

Many academic and policy studies stress the immense difficulty of building states, let alone democracies, in multi-ethnic states in the East and South. States, it is argued, are in jeopardy from armed conflicts whose 'structural root causes' are to be found in power struggles between 'different identity groups' (Commission of the European Communities 1996). According to the Institute for Democracy and Electoral Assistance (IDEA 1998: 4) some 80 per cent of the 'major conflicts' taking place in the 1990s had a clear identity component.

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[35] Except when they themselves have had a real commitment to more inclusive forms of politics, like the liberation movements in South Africa or much more arguably Ethiopia.

But are schisms between different nationalities, religions, ethnic groups etc. in plural societies really so deep that democracy cannot bridge them? Or are they more flexible than commonly supposed, so that democratic politics can foster reconciliation and democratic institutions can create incentives for inter-group cooperation?

The roots and dynamics of identity conflicts are an enormously complex and disputed topic, and we explore them in another paper[36]. Here we confine ourselves a series of brief propositions to guide the analysis of democratic design that follows.

1. First, to recognise the role and significance of different identities in protracted conflicts is not to suggest that such conflicts can be understood and addressed solely in terms of 'identity politics'. As Renner notes, the focus on 'identity' often addresses 'the symptom instead of the root of the problem' (1998: 243) where conflicts are in addition propelled by rivalries among political elites, global economic dislocations, uneven development, competition for scarce resources, or international intervention (see also Mayall and Simpson 1992).

2. One should distinguish carefully between identity politics as a potential cause of violent conflict and as a widely used technique for mobilising groups and individuals for conflict. Many contemporary conflicts have been identity conflicts only in the latter (mobilisational) sense; though of course once ethnic and other identities are mobilised, they can become powerful determinants of political violence in their own right[37].

3. In our view, the stereotypical distinction between analyses stressing the 'primordial' roots of identity politics and conflicts in the 'givens' of kinship, community, tribe, religion and nation etc., and those emphasising their constructed and contingent character, is overdrawn. Even social scientists strongly identified with a 'primordialist' position (like Geertz 1963, who originated the use of the term) have also seen identities as mutable, historically variable and manipulated by political elites. Equally those like Enloe (1980) or Horowitz (1985) who see ethnicity as a more contingent phenomenon nevertheless argue that it is dangerous to underestimate its salience and ability to arouse strong political passions among large numbers of people.

4. Empirical crossnational studies of the relationship between social pluralism and democracy suggest they are complex and open to considerable variation (Bardhan 1997; Gurr 1994). Identity-based social cleavages as such are neither a sufficient condition of violent conflict nor do they necessarily prevent its resolution, nor are they an absolute barrier to democracy. Indeed, democracy has co-existed with

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36 Kaldor and Luckham (forthcoming).

37 This raises epistemological and practical issues about what are or are not to be considered 'causes' of conflicts. Some recent analyses indeed argue that attempting to isolate the 'root causes' of conflict is pointless, as, once begun, conflicts have their own dynamics, which transform the political, economic and social realities of the societies in which they take hold (Keen 1997; Duffield 1994 and 1998). However, we still believe the

social pluralism, indeed sometimes thrived, in countries like the USA, Switzerland, Brazil, Mauritius and India (despite armed conflicts in the latter which have not, so far at least, constituted a serious threat to democracy itself).

5. By no means all identity conflicts are in the same sense 'about' identity, as Young (1976) has pointed out. Some, to be sure, have arisen when dominant groups (like Serb nationalists in ex-Yugoslavia, Sinhala nationalists in Sri Lanka, or Islamicists in Sudan) have pursued projects of political and cultural hegemony; or when (often in reaction to the latter) minorities have fought against discrimination, or to realise self determination as in Bosnia or Kosovo. But not all secessionists have talked the language of ethnic nationalism and cultural exclusivity: Eritreans, for instance, fought against what they believed to be an Amhara-dominated Ethiopian imperial state in order to establish their own secular and multicultural system of governance in the purely territorial entity of Eritrea. Moreover, when ethnic constituencies have been mobilised behind conflicts, it has not necessarily been in order to advance exclusive cultural claims upon the state. Sometimes the goal has been the more limited one of securing better access to state distributed jobs, patronage and resources. In other cases ethnic constituencies have been manipulated in order to advance the ambitions and interests of warlords and emergent state elites, as in the conflicts in Liberia, Sierra Leone or the Congo.

6. Nor, despite the terminology, are 'inter-communal', or identity conflicts necessarily 'between' different ethnic groups, religious confessions, clans, nationalities etc. Such groups tend to be internally differentiated, and their members to have varying goals and degrees of commitment to violent as opposed to non-violent methods. By no means all Sri Lankan Tamils, for instance, share the secessionist goals of the Tigers or endorse the use of political violence to achieve them; many others back political compromises, such as federal powersharing.

7. The state itself is hardly ever a neutral arbiter between conflicting parties, and indeed is often one of these parties itself, as in the Sudan, or Sri Lanka. (This is another reason for saying that conflicts are not always 'between' different identity groups). Moreover, as Enloe (1980) observes, ethnic identities are widely used by government bureaucracies (especially security bureaucracies) as a tool of state policy, or they are manipulated by political elites to stay in power: a pertinent example of the latter is the manner Siad Barré, the late dictator of Somalia, manipulated clan rivalries, sowing the seeds of the Somali conflict: see Adam (1992).

8. Insofar as democratic institutions cannot be considered separately from the ensemble of state institutions, they too cannot be assumed to be neutral areas for conflict management. This does not mean they cannot help to resolve or transform conflicts. But the legitimacy of existing democratic structures may be precisely one of the things that armed opposition movements challenge, as in

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distinction between causes and techniques of mobilisation for conflict remains worth making: see Cliffe and

Colombia (Pearce *et al.* 1990). Hence, reform in democratic institutions may well be a goal as well as a means of conflict resolution.

9. It is worth stressing that violence itself is one of the principal catalysts of ethnic polarisation, and is not simply the product of the latter. Ignatieff (1999) has talked eloquently of the 'narcissism of minor difference': the fratricidal obsession with the markers of identity that tends to develop in conflicts among groups with relatively little to separate them culturally and linguistically (like the Tutsi and Hutu in Rwanda, or Serbs, Croats and Muslims in Bosnia). Once created, these divisive legacies of fratricide cannot be wished away. But the issue is how best to handle them: is it on the one hand by recognising and perhaps entrenching the divisions between communities in political and constitutional settlements; or is it on the other hand by directly addressing the legacies of violence itself?

10. Due to the internationalisation of conflict which we have already noted, identity politics too tends to cross national frontiers, which often correspond badly, if at all, with the boundaries between different nationalities and ethnic groups. Hence, there is a growing tendency of neighbouring states and diaspora communities to support and fund armed conflict and also sometimes to broker peace (as in Somaliland). This internationalisation raises fundamental questions about the feasibility of building peace and constructing democracy inside states which conflict has made so porous and vulnerable to different forms of external intervention.

In sum, much of the writing on conflict has emphasised the 'uncivil' potential of identity politics and the latter's tendency to spill over into ethnic violence. However, in our view this incivility is by no means inherent, but arises from how ethnic and other identities tend to be mobilised in situations of unrestrained competition for power in a fast changing international environment, leading to exclusionary and violent forms of politics. The best antidote may be to make use of the same social relationships to strengthen more co-operative and inclusionary forms of identity politics; allowing public debate of grievance and finding ways of channelling it into less extreme forms.

d) Peacebuilding and Democratisation: Contradictory or Complementary?

Baker (1996) contends that the requirements of managing conflicts and of democratisation tend to clash, as summarised in Table 5 below. In our view, however, she may have constructed a false dilemma by defining both conflict-management and democratisation too narrowly. Conflict-management is reduced in the realist tradition to Faustian bargains among the warring parties, helped along by pressures from the international community, as under the Dayton Accords in Bosnia or the recent government - RUF peace

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Luckham (1999).

TABLE 5. DIFFERENCES IN APPROACH: CONFLICT MANAGEMENT VERSUS DEMOCRATISATION

Conflict Management	Democratisation
Inclusive approach	Exclusive approach
Goal is reconciliation	Goal is justice
Pragmatic focus	Principled focus
Emphasis on the process	Emphasis on the outcome
Particular norms and cultures of the societies in conflict	Universal norms endorsed by the international community
Assume moral equivalence	Insist on moral accountability
Conflict resolution is negotiable	Justice is not negotiable
Outside actors should be politically neutral	Outside actors cannot be morally neutral

Source: Baker (1996: 567)

agreement in Sierra Leone. Democratisation on the other hand is characterised as the installation of majoritarian, 'winner takes all' democracy, and is linked to measures to hold former authoritarian elites or warlords accountable for their previous abuses.

Though obviously Faustian bargains are often necessary, both to broker peace and, one might add, in order to install democratic institutions, as in South Africa and Mozambique (Saul 1999), they seldom by themselves suffice to guarantee sustainable peace. Peace agreements all too often go wrong (see King 1997): some almost as soon as they have been concluded (as several times in Angola or Liberia); others over the longer run, for instance when they fail to address the underlying sources of conflict, which continue to fester, as in the Sudan or former Yugoslavia.

However, in our view alternative methods of transforming conflicts and building peace and democracy can draw upon elements of both approaches. Grassroots initiatives by non-combatants can be used to challenge prevailing zero-sum perceptions of conflict - not only to facilitate the resolution of conflict, but also to give a much broader range of social actors (including ex-combatants) a real stake in the peace process (see Miall *et al.* 1999). Clearly such approaches are more compatible with our own approach to democratisation than the top-down approach favoured in much of the realist literature.

Likewise, how far in reality democratisation is compatible with building peace depends on how the latter is conceptualised and implemented. Clearly there are dangers in imposing formal Western models of democracy from the outside. For instance, in former Yugoslavia, the Transcaucasus region, or Rwanda, the introduction of elections led to brutal campaigns to eliminate ethnic contenders for rule. In Abkhazia, a former autonomous province of Georgia, ethnic Abkhazians who represented 17 per cent of the population but who had held privileged positions in the local administration feared their loss of power after an extreme Georgian nationalist Gamsakhurdia became President of Georgia. In a war supported by Russia, the Abkhazia expelled almost the entire Georgian population, some 250,000 people.

In Rwanda, it is argued that 'the imposition of a narrow concept of democratisation based on a Western-style multiparty system... was a major contributory factor to the political dynamics leading up to the events of 1994' (Woodward 1996: 24). The prospect of formal democracy threatened the interests of political and economic elites under the Habyarimana regime, and it is widely believed that the imminent implementation of the power-sharing arrangements of the 1993 Arusha Accord was the catalyst for the assassination of President Habyarimana and the subsequent genocide.

Mamdani therefore warns against the notion:

> that multi-party democracy can lead to democratic outcomes regardless of context, for this can only be when all participants accept the rules of the game. Logically and historically, the creation of a political community must precede multi-party competition. The creation of a political community requires a minimum consensus within that community - of all, not just a majority (1996: 29).

His reservations are partly about the **sequencing of democratisation** and partly about the **content of democracy itself**. During any transition to democracy there are complex trade-offs to be made between the compromises needed to bring all the major political and (in post-conflict situations) military players on board, and the long term requirements of building a sustainable and popularly-based democracy. The potentially divisive impact of democratisation is often counteracted through powersharing during a period of transition, as under the Government of National Unity in South Africa. However, this does not always work: as we have seen in Rwanda, for instance, powersharing under the Arusha Accord was deliberately sabotaged by extremists who believed it would reduce their political influence.

One school of thought, that associated with advocates of consociationalism (see the discussion below), contends that powersharing between diverse cultural communities in multi-ethnic societies should be made a permanent feature of their constitutional and political settlements. We would question, however, how far this is compatible with building broadly based democracy. To achieve the latter, such cultural diversities would need to be accommodated, but in different ways, namely:

a) by recognising that in the multi-cultural situations which characterise most contemporary conflicts, **the state cannot be a common cultural community, it has to be a common political community**, based (within limits) on the autonomy of politics from culture;

b) **by giving all communities, including minorities, a stake in democratic institutions**, as opposed to the spoils of powersharing or immediate fruits of electoral victory. This will be the focus of the next section;

c) **by building common political communities based on broad consent and inclusive notions of citizenship** as outlined in our earlier discussion of the deepening of democracy.

The crucial issue, then, is how diverse cultural communities can begin to constitute a single political community. This requires more than powersharing at the top. A durable consensus must be built from the bottom up. Yet to foster a broad-based consensus it may not be enough just to strengthen secular, civic or 'modern' forms of citizenship - especially in societies where the *wananchi* (the Swahili term for ordinary people) have become deeply alienated from public institutions because the latter are remote, not responsive to their needs or outright oppressive. One must build on organisations and institutions they can understand and relate to. In Africa, for instance, this might include the 'second public' of village, town and community associations, clan and ethnic networks, religious and communal bodies, which Ekeh (1975 and 1990) sees as constituting more effective moral communities than the 'first public' of the modern nation state. It might also include some re-evaluation of the efforts that have been made to build grassroots-based communitarian 'alternatives' to Western liberal models of liberal democracy as in post-independence Tanzania and post-1986 Uganda (despite their very real contradictions: see Luckham 1998).

It must be remembered also that in as much as people turn to ethnic, religious, or other group-based organisations for assistance, protection, and identity, these are every day issues which matter to people - along with jobs, food, housing, health - and must lie at the heart of substantive democracy. Recognition of the importance of such issues endorses what Saul (1997) labels the 'political economy of democratisation' approach, rather than the 'thin' democracy of the 'political science of democratisation'.

e) Horses for Courses? Majoritarian Democracy and its Alternatives

It is often argued that majoritarian systems of democratic government exacerbate identity based conflict. According to the Carnegie Commission on Preventing Deadly Conflict:

> In many multiethnic societies, the procedures of majoritarian democracy have proven effective for managing group relations and maintaining social cohesion. However, in societies with deep ethnic divisions and little experience with democratic government and the rule of law, strict majoritarian democracy can be self-defeating. Where ethnic identities are strong and national and identity weak, populations may vote largely on ethnic lines. Domination by one ethnic group can lead to a tyranny of the majority… (1997: 100).

To redress the tyranny of the majority the Commission highlights various forms of power sharing, including: consensual decision making by the executive; proportional electoral systems; proportional representation of groups in administrative appointments; nonethnic federal structures; and encouragement of cross-ethnic coalitions.

Here we too adapt the same conventional distinction between majoritarian and powersharing democratic frameworks (see Table 6). Like Reynolds (1999: chapter 4)[38] we shall subdivide majoritarian systems into (i) classic **majoritarian democracy**, and (ii) **qualified majoritarianism**, in which

institutional constraints are introduced in order to modify its 'winner takes all' tendencies. We also distinguish between (iii) **consociationalist powersharing** among cooperating but autonomous groups, and (iv) **integrative powersharing** aiming to transcend group differences by encouraging groups to cooperate around common political goals. Let us consider each of these alternatives in turn.

(i) Majoritarian Democracy

Majoritarian democracy refers to those forms of democratic government which concentrate power in the hands of executives elected by a majority of the popular vote. It heavily emphasises political competition over the other three functions of democracy referred to in Section 1. The institutional forms that most often favour majoritarianism include strong Presidential rule (Stepan and Skach 1993) or alternatively parliamentary systems in which the Prime Ministers control strong parliamentary majorities; first past the post-electoral systems, which tend to produce such majorities; unicameral legislatures or bicameral legislatures with weak second chambers; relatively weak constitutional divisions of powers between the branches of government; and unitary, centralised state and administrative structures.

There is little shortage of empirical studies seeming to demonstrate that these institutional components of majoritarianism individually or in combination can increase ethnic polarisation, political instability and violent conflict (for summaries of the evidence regarding majoritarian rule in general and first-past-the-post electoral systems in particular, see Reynolds and Sisk 1998 and Reynolds 1999; on the relationship between Presidential rule and political instability see Stepan and Skach 1993). Yet, in our view, the waters are muddied by the tendency to lump all majoritarian systems together for the purposes of comparative analysis. One must distinguish (a) between functioning democracies in which strong rule by majority-supported executives is the intended product of constitutional arrangements; and (b) 'democracies with adjectives' as described earlier, where strong majoritarian tendencies largely reflect strongman rule by relatively non-accountable executives, and thus the relative **absence** of democracy.

Functioning majoritarian democracies subdivide into two groups. First, fully competitive systems where there is regular alternation among different parties in power, as in the UK or Sri Lanka. Second, single-party dominant systems in which, although elections are freely contested, one party controls the executive for long periods, as in Botswana or (until recently) Sweden and Japan.

In both variants, the basic case for majoritarianism is that it tends to promote stable, effective governance; especially under single-party dominant systems (White 1998; Leftwich 1998). In both, the case against majoritarianism is that it consistently excludes minorities from power and offers them insufficient protection from culturally and politically hegemonic majorities (although some have argued that single-party dominant systems allow rather more room for the accommodation of minorities, as has been argued in relation to Botswana). Thus, the basic trade-off seems to be between majoritarian democracy's tendency to exacerbate societal cleavages and its ability to assure effective government. Yet

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[38] Though Reynolds includes a third species of majoritarianism, termed (following Horowitz) 'integrative majoritarianism.' Our fourth category of 'integrative powersharing' in effect fuses the latter and what Reynolds terms 'integrative consensual powersharing'.

the extent to which it really is a trade-off should not be exaggerated, since the capacity of strong majority governments to deliver political stability, law and order and the pro-poor policies discussed the preceding section, may also increase their capacity to respond to minority grievances.

In contrast, in many non-Western democracies majoritarianism often reflects the accumulation of power in the hands of populist Presidents endorsed through plebiscitory elections, and largely unconstrained by any 'horizontal' accountability toward other democratic institutions including parliament, the constitution and the judiciary. This is what Latin American social scientists have termed 'delegative' democracy (O'Donnell 1994). It is also widely regarded as one of the principal legacies of communist rule in Eastern Europe. The crux of the matter is the absence of democratic politics. This democracy deficit more than majoritarianism *per se* may be why disaffected minorities take up arms against the state.

(ii) Democratic Counter-Majoritarianism

But if majoritarianism can so often be problematic, how can its defects be offset? 'Democratic counter-majoritarianism' (Devenish 1993) can take various forms. The least radical is to accept the basic principle of majority rule, but modify it to assure better political representation of minorities and more plural, decentralised centres of power. There is no single recipe for constitutional engineering that would best achieve this. Much depends on the political history of the country in question, its socio-economic structure and the extent of inter-group political polarisation and violence. The following is a menu of the constitutional, legal and political options that might be on the shopping list of a democratic Macchiavelli (see Appendix 1 for a more comprehensive inventory of the advantages and disadvantages of these options). Most of them could also be used to restrain the political excesses of over-powerful executives in semi-democracies as well.

TABLE 6: INSTITUTIONAL DESIGN: SYSTEMS OF GOVERNANCE AND CONFLICT MANAGEMENT IN CONFLICT-TORN SOCIETIES

CONSTITUTIONAL & LEGAL ARRANGEMENTS	***ADVANTAGES***	***DISADVANTAGES***	***CONSIDERATIONS***
Majoritarian Systems include: i) **Classic majoritarianism**, where 'winner takes all.' ii) **Qualified majoritarianism**, moderated by institutional arrangements to improve representation of minorities and ensure plural centres of power.	• Encourages coherent, single-party executives and effective governance. • Competition for power keeps governments on their toes and responsive to public opinion. • Strong, legitimate opposition institutions provide channels for the disaffected to express grievances & encourages them to remain committed to the constitutional order. • Qualified majoritarianism can help modify defects such as exclusion of minorities and over-centralisation of power.	• Majoritarian systems can consistently exclude minorities from power, and create situations whereby they may turn to violence. • Destabilising force in situations where winner-takes-all and loss of political office is equated with social and economic exclusion. • Majoritarianism can be particularly damaging in semi-democracies, fostering arbitrary non-accountable governance.	• Does the institutionalisation of ethnic and other differences facilitate resolution of identity based conflicts, or harden lines of social division? • Are ethnic, racial, religious etc. differences the most salient divides, or are there other faultlines, such as socio-economic inequality and the need to democratise access to resources, which cut across identity politics and minority concerns? • Are forms of power-sharing temporary or permanent? • Are they informal or inscribed into constitutional arrangements? • How can integrative tendencies be encouraged, while retaining the key inclusive confidence-building mechanisms needed in the short term?
Power-Sharing Systems are based on the ethos of inclusion rather than exclusion: iii) **Consociationalism**: 'grand coalitions' among autonomous cultural communities and minority vetoes written into constitutional settlements. iv) **Integrative powersharing** between all significant political forces including ethnic minorities, encouraging cross-cutting political alliances.	• Ensures political power is shared between majority and minority groups. • Decision-making by consensus fosters conflict-resolution and political stability. • Inclusive governance fosters broadly-based support for government policies. • Integrative powersharing encourages political alliances on issues rather than ascriptive communal traits and ultimate reduction in the political salience of the latter.	• Power sharing agreements not always sufficient to resolve deep-seated conflict and can entrench ethnic/racial/religious etc. divides. • Consociational systems tend to be negotiated from above, resulting in elite pacts and ongoing power monopolies, in which minorities acquire a subordinate cum spoiler role. • Consensus politics can result in political immobilism and failure to tackle issues like poverty. • Not enough political space for opposition can breed political complacency and non-accountable governance.	

Sources: Adapted from Reynolds (1999) and IDEA (1998); see also references to Appendix 1.

- **Strong, constitutionally guaranteed human rights protections** that would ally the fears of minority groups they would be discriminated against by the majority or be persecuted by the state. These might or might not include group rights, since the latter can sometimes undermine individual rights and freedoms and contribute to the isolation of minority communities.[39]
- **Affirmative action measures** to reverse previous legacies of discrimination (see Section II above in relation to gender inequality), or to assure inter-communal 'balance' as under the 'federal character principle supposed to govern the allocation' of political and administrative appointments in Nigeria (Ekeh and Osaghae 1989).
- **Forms of electoral representation** aimed at ensuring that political officeholders are representative of all or most politically organised groups, especially minorities. There is strong evidence that electoral systems based on **proportional representation** (PR) are better at ensuring minority representation (Sartori 1997; Reynolds 1999) and it is argued that this also minimises the risks of violent conflict (Reynolds 1999; Reynolds and Sisk 1998). However, there are other electoral devices that may be called upon, either to encourage electoral appeals across inter-communal divisions (e.g. the Single Transferable Vote, STV, a variant of PR) or to encourage representation of particular excluded minorities (e.g. electoral quotas - though under PR this may also be achieved through party lists).
- Various forms of **spatial devolution** aimed at creating plural centres of power and multiple decentralised points of access of citizens to the state, including different forms of administrative devolution, **federalism** and confederalism[40]. But whether decentralisation should be configured in ethnic or communal terms, so as to allow previous minorities to become majorities in particular regions is far more controversial. A particularly systematic example of the latter is the system of 'ethnic federalism' implemented by the government of Ethiopia, post-1994 (Cohen: 1997). As Ghai notes, 'spatial decentralization rarely resolves all minority fears, as it may help to create new minorities - the problem of minorities within minorities is well known, and has been used to refuse demands for decentralization (e.g. Nigeria in the 1950s, Sri Lanka now especially in relation to the merger of the Northern and Eastern provinces, the experiences in the former USSR and Yugoslavia) - or to create new states (India, Nigeria)' (1998: 64).
- An alternative is **corporate decentralisation**, which treats members of a community as a collective and vests cultural or political rights in it; rights to substantive entitlements, or to a veto over policies which have a negative impact on the community in question. But as Ghai notes, corporate decentralisation 'based on ethnic markers, tends to enhance ethnic values at the expense of national… corporate decentralization obfuscates national institutions - they become bi- or tri-communal institutions; all national decisions have to be ethnically negotiated, so ethnic politics are at

[39] See, for example, Iris Marion Young (1990) and George Devenish (1993) on the controversies surrounding group rights.

the heart of national politics, and the problems of consensus and governance are compounded by mutual vetoes which are so often associated with such a system' (Ghai 1998: 60-61). Examples of corporate decentralisation are special forms of representation - for example, representation of ethnic communities in a second chamber, perhaps along with professional or other groups, and electoral lists on the basis of ethnicity or multi-member constituencies. In Fiji, for example, a system of racial and mixed electorates was carefully constructed to ensure the political supremacy of indigenous Fijians (Ghai 1998). Where representation is based on groups, one device to encourage moderate rather than extremist candidates is to allow groups to vote for each other's representatives. This has been proposed by the International Crisis group in elections for the Bosnian Presidency.

- The tendency of Presidents or Prime Ministers to resort to populist electoral appeals and to disregard the rights and interests of minorities can be restrained through **'horizontal accountability'** (O'Donnell, 1998) - i.e. an executive which can be held to account by the legislature and is obliged to respect the constitution by an independent judiciary. Some evidence suggests that Presidential systems of government are more prone to majoritarianism and more likely as a result to generate serious dissent and be politically unstable than parliamentary forms of governance (Reynolds 1999; Stepan and Skach 1993). However parliamentary systems are by no means immune to the tyranny of majority (as the experience of the UK arguably demonstrates). A glance at Appendix 1 will reveal that there is a wide range of legislative and judicial constraints by which executives can be held in check; though whether they are effective partly depends on other political factors, notably the party system, that may not be so easily influenced through constitutional engineering.
- Another important protection against the arbitrary use of power by majoritarian governments, is the **embedded autonomy of state bureaucracies** (Evans 1996, 1995). On the one hand these bureaucracies should have an inbuilt capacity to resist attempts by governments to impose discriminatory policies and practices, construct patronage systems and engage in corruption. But on the other hand they should operate within the constitution and the rule of law and be accountable not just toward governments and legislature, but also in the broader court of public opinion.
- In societies that are prone to political violence, **democratic control over the armed forces and police** is particularly crucial (Stepan 1988; Hutchful, 1997; Luckham 1996). Governments should not be able to use them as partisan political instruments since this almost invariably encourages human rights abuses and fans the flames of conflict. But nor should the armed forces be allowed to constitute themselves as self-proclaimed guardians of the national interest, an ideological claim widely abused to justify intervention in politics. Indeed, one of the most crucial issues for most new democracies is how to roll back the political and professional prerogatives appropriated by military establishments and warlords during protracted authoritarian rule and/or armed conflict - without precipitating military reintervention or return to war by disgruntled ex-combatants.

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[40] See European Union, EC Somalia Unit (1995) for an interesting comparison of the advantages and disadvantages of these options in regard to rebuilding state authority in Somalia.

(iii) Consociationalism

Consociationalism (whose most celebrated exponent is Lijphart 1977) in essence aims to restructure the entire political system around the principle of corporate decentralisation (see above). Its central premise is that cleavages between communities in plural societies run so deep that constitutional tinkering with majoritarian democracy is not enough. Hence, political institutions need to be explicitly redesigned so as to bridge these cleavages, all the more so in societies coping with the divisive legacies of protracted armed conflict.

The model of consociationalism spelt out by Lijphart and others comprises four basic elements[41]: (a) **grand coalitions** ensuring executive powersharing among the representatives of all significant groups (in practice ethnic and other communally-based elites); (b) **segmental autonomy**, i.e. a high degree of internal political and cultural self-regulation for all groups that want it; (c) **proportionality**, i.e. both proportional electoral representation and proportional allocation of public funding and of government jobs on a communal basis (in the civil service, military, judiciary etc.); (d) **mutual vetoes**, granting all groups including minorities significant powers to block decisions on vital issues.

Many recent post-conflict agreements have been consociational in form; being designed to grant equal status and veto power to the constituent groups (in this respect they are not dissimilar to the conflict-resolution approach characterised by Baker (1996) in Table 5). This is the case with the Dayton and Oslo agreements for example, the recent agreement in Northern Ireland and the agreement establishing the Government of National Unity in South Africa. But a central question in all of these cases is whether or not the institutions which build peace between communities and facilitate transition to democracy are appropriate for consolidating democracy over the long run (see Maphai 1996 on South Africa).

Indeed, consociational systems can often entrench and exacerbate conflict, as was the case with the constitutions of Cyprus and Lebanon. Yet in some cases, it seems consocialisationalism is considered the lesser evil or best option under current circumstances. It is interesting to note that opinion polls in Lebanon in the 1990s showed that the majority of Moslems and Christians supported the restoration of the previous consociationalist constitutional arrangements (Smooha and Hanf 1992). Flawed as the latter may have been, they were clearly perceived as better than the alternatives in a society that had been deeply polarised by conflict.

However, while accommodation of identities needs to be the starting point, the point of the political process must not be to reproduce dualities or differences, but to transcend them. The problem with power-sharing arrangements is that identities become permanent artefacts institutionalised in the structures of the state and confirmed by the political process set in motion by that state. If such agreements, which are essentially truces not peace agreements, are to succeed in transforming truces into peace, this will be for political reasons. In other words, peace can be built in such circumstances, not because of the agreement and indeed perhaps despite the agreement. But it depends on public support for

[41] As conveniently summarised by Reynolds (1999: pp.110-3).

peace and public opposition to ethnic polarisation. Thus the Northern Ireland Agreement differs from the Dayton or Oslo Agreement because it was preceded by extensive bottom-up integrative processes which helped to build a powerful constituency for peace.

Hence, there is much room for dispute about whether powersharing should be made into a fully institutionalised feature of the constitutional settlement, as in paradigmatic cases of consociationalism such as Switzerland, Belgium, Malaysia or Fiji; or whether it is enough to leave democratic politics to produce the requisite inter-communal political accommodations. Lijphart himself (1996) has recently claimed that both Indian democracy and South Africa's post apartheid constitution embody the 'spirit' of consociationalism, despite constitutional arrangements which would appear to enshrine more orthodox versions of liberal democracy[42]. But in our view this seems to weaken the consociationalist case that formal rules and incentive-structures are needed to institutionalise cooperation between divided groups.

Above all it seems doubtful whether consociationalism is capable of tackling the basic social inequities which so often fuel conflict. It is too reliant on political cooperation among ethnically-based elites. It may sometimes be explicitly anti-democratic as in Malaysia where alternative measures, actions and quotas are designed to reinforce *bumiputera* political ascendancy, for instance by excluding certain ethnic groups from key military, police and bureaucratic posts: 'powersharing' in such cases may be something of a misnomer.[43] It is vulnerable to the spoiling tactics of groups (like Inkatha in South Africa, Taukei in Fiji or Serb ethno-nationalist politicians in Bosnia) willing to play the ethnic card to the hilt. And it is prone to political immobilism, due to the problems of negotiating consensus on important and controversial government decisions[44]. As Cherry notes in relation to South Africa since the 1994 elections (see also Nolutshungu 1982 for a powerful statement of a similar argument):

> it has become increasingly apparent that ethnic conflict is not the driving force in South African political life. There are other 'faultlines' in South African society,… which cut across ethnic forms of political identity and mobilisation. A more useful approach is one which emphasises the incorporation not of minorities, but of the majority of citizens: not only politically, but economically... [This entails the] democratisation of participation by ordinary citizens, and democratisation of access to resources.

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42 Although, arguably, there are aspects of India's constitutional and legal arrangements - such as the recognition of separate Hindu and Muslim family law - which are consociational.

43 In the sense that even if power is 'shared', it is shared unequally. The argument that this offsets the differential economic endowments of the various ethnic groups in Malaysia, does not alter the fact that it diminishes *political* democracy.

44 Although none of these are the *inevitable* result of consociationalism and there are important exceptions as Reynolds (1999: chapter 4) argues.

(iv) Integrative Powersharing

Are there forms of powersharing which could offset consociationalism's tendency to enshrine societal cleavages in constitutional and political formulas? For ethnicity, race and religion etc. are by no means the sole or even the most important determinants of political behaviour in plural societies. Only in the more extreme cases are political parties ethnically exclusive and elections simply ethnic censuses. Frequently parties mobilise across as well as within ethnic boundaries, and voting patterns reflect complex interactions between ethnicity and other variables (Reynolds 1999; Reynolds and Sisk 1998; Young 1993).

Hence, genuinely integrative forms of powersharing should not crystallise existing communal cleavages. Rather, they should construct cross-cutting coalitions transcending these social divisions. They could still rely on proportional representation and affirmative action to assure representation of all groups, especially minorities, in the legislature, government and other public positions. But powersharing arrangements themselves need not be constitutionalised. To the contrary they should be self-liquidating, and leave space for new forms of non-communal politics to emerge when the wounds of conflict heal.

A good example is South Africa, where the Government of National Unity formed during the post-apartheid transition was dissolved not long after the constitution-making exercise was complete - but not before there had been heated debate between advocates of longer-term powersharing and those who believed it would stifle democratic contestation and make governments less accountable[45]. In some other political systems powersharing has involved constantly shifting alliances among parties, as in Thailand and some countries in continental Europe. In others, party alliances have been longer-term, as in Colombia[46], Mauritius or Malaysia (though the latter is an example of consociationalism rather than integrative powersharing). In yet others, dominant but integrative political parties - such as the ANC in South Africa, ZANU-PF (after its merger with ZAPU) in Zimbabwe, CCM in Tanzania or (until the 1970s) the Congress Party in India - have been the principal vehicles for coalition-building. What matters is the overall commitment to political and social inclusion, rather than the particular political formula by which it is achieved.

Integrative powersharing may well be facilitated by explicit recognition of cultural differences, for instance through language and education policies and variations in personal law. Yet the ultimate goal of such recognition would be to depoliticise these differences and insulate them from partisan political debate. Affirmative action might be used to redress historical imbalances between regions, ethnic groups or religious confessions. But powersharing probably should not establish permanent ethnic quotas, provide for communal self-regulation, or accord veto powers to minorities - relying more on universal guarantees of human rights and constitutional checks and balances to assure political inclusion and protect minority interests.

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45 For the arguments on both sides see Jung and Shapiro (1995, 1996) and Koeble and Reynolds (1996). The latter advocate powersharing, but distinguish it from consociationalism, which Lijphart (1985, 1998) and others had advocated during the early stages of transition from apartheid.

46 Where, however, the basic lines of cleavage have been class-based rather than communal.

That is to say integrative powersharing calls upon much the same menu of constitutional and political choices as democratic counter-majoritarianism, summarised above. Its differences from the latter are partly a matter of degree. For instance, some constitutional devices that may or may not feature in democratic counter-majoritarianism - like PR or a two-chamber legislature - would seem to be more indispensable to integrative powersharing. Some institutional choices, moreover, would seem to be specific to the latter: for instance, not merely PR, but those forms of it like the STV which encourage political parties to make electoral appeals outside their own particular ethnic or regional constituencies.

However, even integrative forms of powersharing are open to the same objections as consociationalism (see Table 6): including their over-emphasis on elite politics, insulation of governments from opposition criticism and tendency to political immobilism. In Colombia, for example, powersharing among the main political parties did not enable governments to take the hard decisions needed to tackle the country's conflicts, including curbing the prerogatives of the armed forces and paramilitaries (Hartlyn 1993); and even the current Pastrama government which has finally grasped the nettle of negotiation with rebel groups still finds itself in a political impasse. Governments can easily manipulate coalition politics in order to fragment and weaken potential opposition, as in Senegal (Beck 1999; Diaw and Diouf 1998), thereby weakening democratic processes. Where redistributive politics takes place behind closed doors, as in all too many multi-ethnic states, the mutual suspicion among different ethnic constituencies can be more intense than where it is open to public scrutiny and debate. At the same time if governments' room for manoeuvre is not constrained by the need to play off different ethnic and regional constituencies against each other, they may find it easier to govern effectively and push through redistributive policies to benefit the socially and politically excluded.

Powersharing, in sum, should be seen as a tool of democratic politics rather than as a goal in its own right. It can be a valuable aid to confidence-building, encouraging politically organised groups in divided societies to cooperate and resolve their disputes peacefully. Yet democratisation should eventually be able to make powersharing redundant - by ensuring that disputes are resolved through the democratic process itself, and that the rights and freedoms of all are equally protected under the rule of law.

V. CONCLUSION

This working paper has focussed on four contemporary debates about democracy, namely: what does democracy mean, how far do democratic values and institutions penetrate society; how far do democracies provide conditions for effective anti-poverty policies; and how far do they help resolve - or provoke - new forms of conflict. Cutting across each of these discussions has been a distinction between democratic institutions and democratic politics. This distinction is a reminder that democratisation is not just a process of implanting formal institutions of liberal democracy, but a project of norm creation and cultural change to facilitate a democratic politics which accommodates diversity, opposition, and which aims at building social consensus.

We have chosen to address dilemmas of unequal citizenship rights, poverty, and conflict because contemporary governance debates are burdened with assumptions about the positive contribution of democracy to civil and political equality, poverty reduction, and conflict resolution, in spite of the inconclusiveness of the empirical evidence regarding these relationships. When one begins, as we have done here, with the 'deep politics of society' (social relations and conflict) rather than the high politics of the state, a range of democratic deficits are illuminated. These deficits are not always immediately apparent in governance debates which focus upon the formal institutions of democracy.

Awareness of the deficits caused by the inherent elite bias in democratic institutions and in political competition should not inhibit an appreciation of the room for agency and institutional engineering in democracies. Realpolitik dictates that institutions are seldom chosen purely on their merits, but rather upon the calculus of political advantage, reflecting the ability of different political interests to determine the outcome of constitutional settlements to their own advantage. Those who design institutions will usually belong to the politically and socially dominant group of the moment, and will chose institutions likely to entrench them in power[47]. The challenge is to see that in these moments of systems change, equity agendas are advanced too. Uganda and South Africa offer compelling contemporary examples of institutional engineering with social equity in mind. In Uganda, ethnic conflict was quelled somewhat by Museveni's strategy of national reconstruction which incorporated leaders of the old parties to the Assembly and Cabinet. Also, within two years he had integrated elements of the old armies to the new national army, thereby palliating anxieties of many ethnic groups. The exclusion of the North from these arrangements, however, has resulted in on-going insurgency there. In South Africa, gender equity has been institutionalised in the new democracy through the efforts of women's groups to secure representation of their interests in the legislature and in a range of special constitutional watchdog bodies, such as the Gender Commission.

It is actually rare for institutional change to occur rapidly; although vested interests in particular institutional arrangements can develop with astonishing speed. Moments of systems change, or rupture, often caused by conflict, therefore offer critically important but rare opportunities to institutionalise new interests in the political process. A great danger in building institutions around the politicised divisions which are salient at the time of a democratic transition is that such divisions - which may have simply been created by conflict and transition - may become enshrined in political institutions chosen during the brief period of transition. This seems to have been the case in many Eastern European countries in which politicians have mobilised ethnic differences. For members of socially excluded groups, smaller parties, or marginalised regions, it can be useful at such times to be aware of the consequences of particular

47 As Geddes shows for Eastern Europe, this tends to mean that when the previously dominant authoritarian party (the Communists) are strong and are confident about their electoral chances, they will support majoritarian electoral systems with strong presidencies elected from the legislature. Small or declining parties with an uncertain future will prefer proportional representation. Parties with charismatic leaders will opt for popularly elected presidents. It all depends on whether the parties are rising or declining, the security and size of the social groups which are at the base of party support, and the accuracy of information upon which politicians calculate their likely electoral performance (Geddes 1996).

institutional choices, such as are laid out in the inventory of institutional choices in democracies which is provided in the appendix to this paper.

One of the enduring dilemmas about democracy is whether political institutions will catalyse the development of a democratic political culture and democratic politics, or whether it is the other way around. We quoted earlier a conviction expressed by Mamdani, for instance, that multi-party competition cannot lead to democratic outcomes prior to the creation of a political community embracing every single member of a society. The collapse of the democratisation process in Rwanda will always stand as a reminder of the dangers of assuming that democratic institutions can foster democratic politics. Although blame for genocide in Rwanda cannot be placed on the imposition of multi-partyism, elite anxieties about power losses in a more competitive system made an important contribution to the way events unfolded in 1994.

It is possible to debate endlessly on the 'chicken or egg' question of whether institutions or a political culture come first. One thing is for sure: where democratic institutions do establish themselves, in however nascent a way, they often do create incentives to shape the behaviour of political elites to be inclusive in their politics, and to challenge excessive concentrations of power. As Barbara Geddes notes for Eastern Europe:

> Among the dynamics inherent in even seriously flawed competitive systems are the tendency of aspiring political leaders to mobilise previously excluded groups into the political system to support their own challenges to established leaders and the tendency of leadership competition within parties to result in party cleavages. (…) As a result, even narrow and flawed democracies contain within them forces that often lead to more inclusive and competitive systems in the long term (1996: 35).

Democratic institutions, then, can create incentives for democratic politics. They can also build conditions to resolve problems of inequality and conflict. In a formal sense, liberal democratic institutions sustain expectations of social equity because of liberal civil and political rights which the poor can use to promote their interests, and also because political ambitions for re-election may encourage parties to embrace broad interests. Democracies raise expectations about policy effectiveness because institutions for accountability promote hopes for public sector probity, and political competition allows for rational debate and the introduction of new ideas, needs and interests. And democracies are expected to provide avenues for the peaceful resolution of conflict because plural systems allow for the expression and electoral success of oppositional interests - and for compromise and balance between contesting interests through institutions for the redressal of grievances and discontent. Actually existing democracies rarely meet these expectations, and we should not be excessively sanguine about the ability of democratic institutions to entrench democratic politics in some of today's most fragile democracies. But as we have seen in this paper, there is enormous potential for constructive institutional design, policy choice, and changes to the culture of politics which can make democracy responsive to problems of inequality and conflict.

APPENDIX: INVENTORY OF INSTITUTIONAL CHOICES IN DEMOCRACIES

(i) Citizenship and Rights

CONSTITUTIONAL & LEGAL ARRANGEMENTS	***ADVANTAGES***	***DISADVANTAGES/CONTRADICTIONS***	***CONSIDERATIONS***
Citizenship and Immigration Laws assuring equal and inclusive entitlement to citizenship through birth and residence.	• Reinforcement of civic conceptions of rights and responsibilities of citizenship • No second-class citizens (e.g. ethnic minorities, those not speaking national language or practising the national religion). • Necessary (but not sufficient) for political equality. • Necessary (but not sufficient) for democracy and human rights.	• Clash with conceptions of national identity based on shared culture, language, ethnicity, religion etc. • Difficulties of protecting status and interests of threatened 'indigenous' groups and communities. • Contradictory requirements of citizenship law, immigration control and protection of rights of non-citizens. • Liberal conceptions of individuated citizenship can weaken sense of public obligation to communities and the state	• Do citizenship laws enshrine inclusive/ civic or exclusive/communitarian conceptions of political community? • How are disputes over citizenship resolved: via constitutional, legal or administrative procedures? • Do social and gender inequalities undermine equal citizenship? • How are such inequalities reproduced through established distinctions between public and private realms? • How are rights/freedoms of non-citizens protected, if at all?
Protections for Human Rights including • classic liberal rights and freedoms of individual citizens • group/community rights • economic and social rights	• Liberal rights ensure protection from tyrannical government • Freedoms of expression and organisation are essential prerequisites of democracy • Group/community rights accommodate diversity of culture, religion, language. • Recognition of group rights etc. can facilitate conflict-management. • Economic and social rights help ensure substantive and not merely formal equality of citizens. • Greater socio-economic equality necessary for full enjoyment of political rights and freedoms.	• Formal rights in public sphere can be negated within the private sphere (e.g. through inequality of women within households). • Individual rights (e.g. property rights) often coexist with high socio-economic inequality; may arguably increase it. • Tensions between individual and group/community rights. • Too much emphasis on group and community rights can endanger the rights of certain sections within the group (e.g. women). • Competing conceptions of group rights can be cause of further conflict. • Economic and social rights not easy to define or make justiciable. • Governments may prioritise economic and social entitlements to justify depriving citizens of political rights.	• How are legacies of previous human rights abuses dealt with: by normal judicial process or specially constituted tribunals, truth commissions? • Are HRs formally incorporated in constitutions, in legislation or left to working of the courts? • Are there special institutions (HR commissions, omsbuds etc.)? • Are they easily justiciable through independent, transparent processes? • Are economic and social rights constitutionalised? Are they purely declaratory or actually enforceable? • Reinforced by international mechanisms, such as adoption of international protocols?
Affirmative Action (AA) In favour of minority groups, women, and other groups who have experienced negative discrimination.	• Provides special protection for rights and interests of socially excluded. • Improved access of the latter to decision-making and public goods. • Useful signal of government determination to combat discrimination.	• Potential contradictions with universal conceptions of citizenship. • Problems of tokenism and continued *de facto* marginalisation. • Can generate backlashes • May not be consistent with requirements of efficiency.	• Potential contradictions between different forms and actions. For example, group rights for particular ethnic or religious minorities may clash with affirmative action for women.

(ii) Vertical Accountability of State to Citizens

CONSTITUTIONAL & LEGAL ARRANGEMENTS	*ADVANTAGES*	*DISADVANTAGES/CONTRADICTIONS*	*CONSIDERATIONS*
Independent Electoral Process: • Autonomy of national electoral machinery from government. • International monitoring of elections.	• Prerequisite of free and fair elections: thus cornerstone of democracy. • Existence of independent electoral commissions etc. assure impartial evaluation of electoral system, process & results. • International monitors can provide unbiased, external assessments.	• Dependence on administrative/ financial backup from government may compromise independence of electoral system in practice. • Formal electoral equality cannot entirely offset effects of poverty, illiteracy and inequality. • Formal electoral provisions insufficient *per se* to create level playing field where results can be affected by government advantages of incumbency, media biases, corruption and clientage. • International monitors may have limited access and knowledge of local situations.	• Whether or not political contestation is regarded as a zero-sum game will affect acceptance by all of declared results. • Is autonomy of electoral arrangements entrenched in constitution and enforceable by courts? • Degree of government control over appointment of electoral bodies. How far do the latter depend on government finance and administrative support? • Are there strong civil society organisations able to monitor electoral processes and results? • Extent to which international monitors are perceived to represent foreign interests or to be impartial.
Forms of Electoral Representation include: • First past the post (FPTP) • Proportional representation (PR) • Mixed systems • Electoral quotas, separate electoral rolls etc.	• FPTP increases accountability of elected representatives to their constituents in defined geographical constituencies. • FPTP tends to deliver government working majorities in legislatures; hence facilitates policy stability and effective government. • FPTP makes it easier for electorates to "throw the rascals out" on the basis of policies and record in government. • PR reduces the disparity between a party's share of national votes and its share of parliamentary seats. • PR facilitates political inclusion of minorities, women and other excluded groups. • PR can counterbalance 'winner takes all' political contestation. • Mixed systems (e.g. single transferable vote (STV) versions of PR or alternative vote (AV) variants of FPTP) involve varying tradeoffs between the advantages of both systems.	• FPTP tends to produce disproportional results; under-represent smaller parties and minorities; reduce the latter's stake in the political system; encourage zero-sum political contestation; and increase the risk of conflict. • PR encourages coalition governments, party system fragmentation & government instability; weak linkages between representatives and electorates; & is a difficult system in societies with embryonic party structures. • Mixed systems can combine the disadvantages as well as the advantages of FPTP and PR.	• Important to clarify which criteria (stable government, proportionality, political inclusion, accountability to constituents, etc.) are most important in a particular national context. • Needs of transitional and consolidated democracies tend to be quite different. • Hard to disentangle effects of electoral system *per se* from other determinants of electoral and political behaviour. • Electoral systems do not always produce the patterns of electoral behaviour predicted by their proponents.
Party Systems: Conventional criteria by which party systems are compared include: • Number of parties (multi-party, two party, single dominant, single and, no-party systems) • Degree of ideological polarization. • Degree of institutionalisation of the party system.	• Well institutionalised party systems are transmission belts between state and civil society. • Single dominant, single and no-party systems assure 'national unity' and policy stability. • Two and multi-party systems promote checks and balances, accountability, and competition for power; although the latter may also be present in certain single dominant party systems. • Two party systems allow governments and oppositions to appeal to electorates on the basis of their policies and political programmes. • Multiparty systems are potentially more inclusive, allowing the representation of a greater variety of political groups and interests	• Potential tensions between strong party organisation and internal party democracy. • Single and no-party systems are frequently authoritarian and 'delegative' providing few channels for dissent. • Two and multi-party systems may exacerbate conflict, especially where parties form along ethnic, racial etc. lines. • Weakly institutionalised party systems tend to be volatile; personalities rather than issues and party organisations dominate political scene; and elections and democratic politics lack legitimacy.	• Are no-party, single, and single-dominant party systems compatible with democratic politics? • Are there legal restrictions on party formation (e.g. bans on ethnic/regional parties; requirements that parties have minimum share of vote in regions)? • How to ensure well organised, rather than weak and fragmented parties. • Contradictory relations between party discipline and intra-party democracy; potential impact of legal requirements concerning the latter. • Reciprocal relations between party and electoral systems.
Devices of Direct Democracy: • Referenda & recall provision	• Can provide for more direct and active participation of all citizens.	• Open to media manipulation and populist political appeals.	• Logistical and communication difficulties of organising referenda, especially in developing countries with low literacy and poor communications

(iii) Devolution and Decentralisation

CONSTITUTIONAL AND LEGAL ARRANGEMENTS	*ADVANTAGES*	*DISADVANTAGES/CONTRADCITIONS*	*CONSIDERATIONS*
Federalism and other forms of spatial decentralisation: • Confederalism • Federalism • Forms of decentralisation and autonomy within a unitary state.	• Multiple points of contact between citizen and state promote responsiveness and accountability to local communities, particularly in large, complex societies. • Can grant opposition groups and minorities a measure of state power, not merely parliamentary representation, thus increasing their stake in the political system. • Offers minorities better prospects of preserving their cultural and linguistic identities. • A solution to conflict by accommodating regional, ethnic or other diversity. • May forestall demands for secession.	• Can entrench ethnic, racial, religious etc. divides if federal etc. units are defined and constituted in such terms. • Does not necessarily address (and may worsen) the persistent problem of the political weakness of the poor and other socially excluded groups. • Can exacerbate tensions between richer and poorer regions. • Can engender majority resentment and increase risk of conflict where leaders fear losing electoral support. • May encourage other communities to mobilise for autonomy. • May generate fears that autonomy will be a springboard to secession and state disintegration.	• Relative size of component units; do they reflect or cross-cut ethnic, linguistic, religious divisions? • To what extent is there real devolution of power to the component units? Do the latter have independent budgets and revenue sources? • How are revenues and resources are allocated between centre and units? Is this formalised in constitution, open to negotiation or at centre's discretion? • Role of independent judiciaries in maintaining viable federal systems. • How far law and order functions of state (including police, judiciary) are decentralised. • Is the 'federal character' of state reflected in affirmative action and quotas for political, administrative and military posts? • Interaction between party systems and federalism: are parties nationally or regionally based? • Do the component units have right to withdraw (as formally in Ethiopia)?
Corporate (ethnic, religious, etc.) forms of devolution such as powersharing on a communal basis; ethnic etc. recruitment quotas in state and military bureaucracies; representation of groups in a second chambers; electoral lists on the basis of ethnicity; or communal vetoes over policies which have a negative impact on groups rights.	• Gives all groups including minorities a stake in political system. • May therefore help resolve inter-communal conflicts. • Can foster inclusive governance, assuring broad support for government policies.	• May entrench differences based on ethnic/racial/ religious etc. markers, and hence perpetuate antagonisms. • Easily manipulated by elites and can lead to neglect of socio-economic inequalities that breed conflict. • Quota systems bad for efficiency and perpetuate communal rivalries. • Powersharing can result in political immobilism.	• Extent to which corporate and spatial forms of devolution coincide. • Are corporate devolution and powersharing permanently embedded in constitution or are they temporary and informal? • Scope for creating countervailing mechanisms, e.g. voting by different communal groups for each other's representatives, in order to encourage moderate rather than extremist candidates and political programmes.

(iv): Horizontal Accountability I: Relations Between Executive, Legislature and Parties

CONSTITUTIONAL AND LEGAL ARRANGEMENTS	*ADVANTAGES*	*DISADVANTAGES/CONTRADICTIONS*	*CONSIDERATIONS*
Executive-Legislature Relations: • Presidential systems • Parliamentary systems • Semi-Presidential systems	• Parliamentary systems can potentially promote greater inclusiveness (by including all or most parties in executive); consensus and compromise; flexibility (coalitions can change without recourse to elections); checks and balances (executive is answerable to people's representatives); and (at least in two-party systems) more coherent debate between alternative policies. • Presidential systems can provide a unifying figure, identifiable and accountable to voters, initiative and dynamism, and lead to stability & continuity in policymaking. • Semi-presidential systems sometimes advocated as a way of combining advantages of both parliamentary and presidential systems.	• Parliamentary systems with multi-party cabinets can result in problems of accountability, executive deadlocks, immobilism, and political instability. • Presidential systems can result in over centralised authority and 'delegative' democracy; are inherently majoritarian and exclusive. • Presidential systems may reinforce 'winner takes all' approaches to political contestation, and hence breed political instability and conflict. • Semi-Presidentialism can produce deadlocks between president and parliament, and ambiguous divisions of powers can contribute to lack of accountability.	• No one design for executive-legislative relations is appropriate to all circumstances. The legislature, the executive and the party system form interdependent parts of larger political system. • Reciprocal impact of party systems on executive-legislative relations include number of parties, impact of party discipline, extent of intra-party democracy, majority party versus coalition governments and different forms of coalition.
Types of Legislature: • Unicameral or bicameral • Different systems of representation in upper and lower houses • Corporate representation	• Second chambers provide supplementary perspectives on public policy. • Appropriate design of second chambers can diversify opportunities for representation and power sharing. • Corporate representation, of ethnic, religious etc. groups in second chamber can provide for special forms of representation & enhance inclusiveness	• Two separate chambers with equal legislative powers can lead to procedural deadlocks; resulting delays and conflicts may lessen legitimacy of the whole institution. • Corporate representation can result in ethnic & other group identities becoming permanent, entrenched within state structures.	• How is upper house selected: by election, selection by lower house or nomination? • Procedures for resolving deadlocks between the houses: do both enjoy mutual powers of veto, or does the lower house ultimately prevail? • Resource constraints; bicameral systems more costly.
Legislative Oversight: Committee systems, White Papers, Questions, etc.	• Small size and relative privacy of Committees allows for more discussion as well as compromises across party lines. • Committees able to make use of specialised expertise. • Committees can provide additional means of representing interests beyond party system. • Committees can increase government accountability on issues (e.g. intelligence and security) where open public discussion not possible.	• Majority party or government coalitions may be unwilling to share power in Committees with other smaller parties. • Committees may be less transparent and public than full parliamentary debate.	• Number and structure of Committees. • Membership of Committees and distribution of Committee 'chairs'. How inclusive and representative are they? • How flexible are committee procedures; do they allow full discussion of issues not addressed by the legislature as a whole?

(v) Horizontal Accountability II: Embedded Autonomy of State Decision-Making

CONSTITUTIONAL & LEGAL ARRANGEMENTS	*ADVANTAGES*	*DISADVANTAGES/ CONTRADICTIONS*	*CONSIDERATIONS*
Measures to Strengthen the Capacity of Civil Society/Organised Public Opinion to Influence Government: Lobbies, public interest groups, NGOS, the press etc.	• Only strong, organised civil society and public opinion can provide effective checks against government abuse of power. • Needed to ensure that a broad spectrum of opinion and interests have an impact on government policy. • Marginalised groups/interests (women, poor, minorities etc.) require mobilisation and organisation to ensure they are not ignored by government.	• Civil society not always 'civil'; may itself be arena of inequality and conflict. • Disproportionate influence of well-resourced lobbies/interest groups as opposed to the poor and unorganised. • Excessively influential civil society groups can undermine capacity & effectiveness of the state.	• Whether and how far governmental regulation of lobbies, public interest groups, professional association etc. is desirable or feasible.. • Interactions between media ownership and media freedom; 'capture' of media by powerful private interests. • Role of external assistance to civil society groups: whether it supports or undermines their capacities and those of the state.
Consultation/ Cooperation with Policy Stakeholders	• Institutionalised consultation between governments and stakeholders (e.g. business, unions, community associations) improve quality and reach of government policies and programmes. • Also can give a voice to a wide variety of social interests, allowing the latter to influence government	• Can result in cooptation by government or powerful interests. • Tends to leave out unorganised, marginal groups and interests.	• Should there be consultation only or more structured dialogue and cooperation? • Balance between government and non-governmental representation. • How to assure an equitable balance between more powerful, better resourced groups and those with grass roots membership?
Procedures to Enhance Capacity of the State Bureaucracies to Act Against Vested Interests (including those of ruling party/government of the day).	• Autonomous state bureaucracies insulated from direct pressures of powerful political and economic interests facilitate long term planning and policy effectiveness. • They can counteract abuse of power by governments, including elected governments with populist or authoritarian learnings. • They can (potentially) ensure interests of poor and unorganised are taken into account.	• State bureaucracies have their own vested interests, can create policy rigidities and may not be responsible to civil society or organised public opinion. • Danger of conflicts between unelected officials and elected governments & legislatures. • Not easy in practice to prevent hijacking by government and ruling party.	• How to establish appropriate mechanisms to assure 'arms length' relationships between politicians and officials without diminishing the effectiveness of elected government itself. • Should there be restrictions on lobbying, influence buying, and what form should they take? • Need for transparent mechanisms of public influence, such as public hearings.
Procedures to Ensure Independent Public Service: public service commissions, auditor generals, human rights commissions, ombudspersons, electoral commissions.	• Same as above. • Can prevent or limit encroachment of one state agency upon lawful authority of another. • Can provide checks against corruption or abuse of power by public officials.	• Same as above. • Proliferation of institutions and procedures can create confusion & reinforce institutional rigidities. • Dangers of such bodies being perceived as partisan against the government of the day.	• Need for such institutions to be adequately, and if possible, independently resourced. • Degree to which authority and remit of such bodies constitutionalised. • Extent to which supported by civil society, media, public opinion.
Control of Armed Forces, Police and Intelligence Establishments:	• Crucial for survival of democracy itself: to prevent coups, political instability, return to authoritarian governance. • Need for more open government in the most secretive, least transparent branches of the state. • Provides protection against human rights violations and other abuses of power. • Democratic control means more than just control by the civilian authorities: need for parliamentary and public accountability	• Too much political interference can undermine professionalism, effectiveness and impartiality of military and security bureaucracies. • Potentially conflicting requirements of state security and public accountability; secrecy sometimes necessary.	• Faustian bargains with armed forces etc. often the price that has to be paid for democratisation. • How to deal with deep-rooted legacies of military influence, human rights abuse and impunity in post-authoritarian states. • Institutionally weak and unprofessional military and police etc. establishments are also a danger to democracy. Yet professional autonomy & political impartiality also have their limits. • Dangers of cooptation of armed forces by civilian politicians of both ruling & opposition parties. • Mechanisms of control by civilian executive, including strong Ministries of Defence. • Mechanisms of parliamentary oversight and control. • Central vs regional, local government and community control of policing; mechanisms to ensure balance between them.

(vi) Horizontal Accountability III: Constitutionalism, Rule of Law and Judiciary

CONSTITUTIONAL AND LEGAL ARRANGEMEMENTS	***ADVANTAGES***	***DISADVANTAGES/CONTRADICTIONS***	***CONSIDERATIONS***
Constitutions & Constitutionalism:	• Required to check over-powerful and potentially tyrannical government. • Reinforce and reinforced by rule of law. • Widely used to entrench human rights protections. • Essential for federal and semi-federal systems of government. • Provide framework for the impartial and non-violent resolution of disputes.	• May restrict the freedom of action and political programmes of legitimate elected governments. • Can be used by well resourced groups to defeat redistributive programmes. • Constitutional rigidities and ambiguities can themselves be a source of conflict.	• Should constitutions be detailed and provide for all possible contingencies, or outline broad principles? • What should be entrenched, and how should this be balanced against the need for constitutional and political flexibility? • How much scope should there be for judicial review; what is appropriate balance between the latter, parliamentary sovereignty and executive autonomy? • The legacies of Faustian bargains with outgoing authoritarian governments; how far do they impose unwarranted constitutional restrictions upon elected governments and should they be regarded as binding?
Rule of Law:	• Reinforces and reinforced by constitutionalism. • Prerequisite of stable, rule-bound governance. • Provides infrastructure for private property, market economy, resolution of commercial disputes. • Framework for the non-violent resolution of disputes. • Provides procedures under which citizens may challenge irregularities and abuse of power by government.	• Legal system itself doesn't assure rule-bound governance or protect rights of citizens: depends how it is used. • Law is never a completely neutral instrument and tends to favour those with the resources, abilities and skills to use it. • Excessive legalism may frustrate popularly supported government measures, including redistributive programmes. • Potential conflict between different sources of law in plural societies. • Excessive legalism may reduce access to the legal system, especially of the poor.	• Variations in autonomy of legal systems from state. • Is rule of law possible under non-democratic regimes? • Narrowly or broadly constructed and interpreted? Is the emphasis on formal or substantive justice? • Balance among different sources of law, especially in plural societies. • How far is interpretation of law litigation-driven? How much scope is there for judicial initiative? • Is the emphasis on private property, individual rights and narrow public sphere, or on broader interpretation of law? • How far is the law more accessible to the rich and powerful than to the poor and unorganised and does this diminish its broader public legitimacy?
The Judiciary & Judicial Independence:	• Strong, autonomous judiciary crucial for constitutionalism, rule of law and human rights. • Important to ensure impartial adjudication of disputes. • Helps assure public respect for the law and the legitimacy of constitutional government.	• Potential clashes between non-elected judges and elected governments. • Judicial conservatism may result in biases and block redistributive programmes. • Possible judicial biases in favour of police and other public authorities versus ordinary citizens.	• Is judicial independence purely formal or does judiciary have real capacity to stand up to government? • Is judiciary proactive in interpreting constitution and shaping law, or confined by narrow conceptions of judicial interpretation? • How are judicial appointments etc. protected from political interference; do other legal roles enjoy similar protections?

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