Managing Ethnic Conflict: The Merits and Perils of Territorial Accommodation
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Dawn Brancati, *Peace by Design: Managing Intrastate Conflict through Decentralization*. Oxford: Oxford University Press, 2009. ISBN 978-0-19-954900-9. 292pp. Index.

Caroline A. Hartzell and Matthew Hoddie, *Crafting Peace: Power-sharing Institutions and the Negotiated Settlement of Civil Wars*. University Park, PA: The Pennsylvania State University Press, 2007. ISBN 978-0-271-03208-5. 194pp. Appendix. Index.

Sujit Choudhry, ed., *Constitutional Design for Divided Societies: Integration or Accommodation*. Oxford: Oxford University Press, 2008. ISBN 978-0-19-953541-5. 474pp. Index.

1. Introduction
Among the strategies aimed at preventing, managing, and settling internal conflicts in divided societies, territorial approaches have traditionally been associated in particular with self-determination conflicts. In the way in which I use the term, these are conflicts in which territorially concentrated identity groups demand to exercise a greater degree of self-governance in the territory in which they reside. Crucially, the identity of these groups and their members is, in part, derived from association with this territory, to which they would normally refer as a homeland. Not only are such groups are more likely to demand self-determination (e.g., Jenne et al. 2007; Saideman and Ayres 2000; Toft 2003; Toft and Saideman 2010) but they are also more prone to be engaged in violent conflict in its pursuit (Fearon and Laitin 1999).

Situations in which ethnic groups demand self-determination (by violent means or not) occur very frequently and across all continents. According to Quinn (2008, 33), since the end of the Second World War alone, "79 territorially concentrated ethnic groups have waged armed conflicts for autonomy or independence, not counting the peoples of former European colonies" (Quinn 2008: 33). By 2006 there were twenty-six ongoing violent self-determination conflicts, as well as fifty-five ethnic groups who pursued their self-determination agenda with non-violent means and an additional forty groups that used both non-violent and violent means. Thus, at the beginning of the twenty-first century there are more than 120 territorially concentrated ethnic groups worldwide that seek a greater degree of independence from their host state, with demands ranging from cultural and territorial autonomy to secession, leading either to independent statehood or unification with another state (ibid.). Once violence has broken out in such conflicts fought over territory, the initiation of peace negotiations is significantly less likely as are government concessions (Walter 2003).

While violence is not uncommon in territorial disputes, it is not, however, inevitable nor does it always occur at the scale of all-out civil war. The dissolution of the Soviet Union occurred without violence—even though it triggered violence in a number of successor states clearly related to territorial self-determination disputes, such as in Moldova (Transnistria) and Georgia (Abkhazia and South Ossetia). The 'velvet divorce' of Czechoslovakia happened without violence, and the subsequent dispute in Slovakia (about the status of the country's ethnic Hungarian minority) did not escalate into large-scale violent conflict. Canada and Belgium offer two other examples of how territorial self-determination disputes can be managed in ways that avoid violent escalation, while in Russia and Spain the track record of peaceful accommodation of territorially-anchored self-determination movements is more mixed: compare the Basque Country to Catalonia, or Tatarstan to Chechnya.

Regardless of whether there is an escalation to violence, conflicts in which territory is at stake present formidable policy challenges to the governments of states in which they occur. Undoubtedly, these challenges are more significant after prolonged civil war, yet territorial institutional accommodation is a feature of most solutions adopted for such territorial self-determination conflicts irrespective of the degree of violence. Hence, focusing on the range of territorial institutional designs adopted across a wide range of territorial self-determination conflicts can offer a very useful perspective on the designs available and the conditions under which they are likely to prove useful tools for settling the conflicts they are meant to address.

Unsurprisingly, territorial accommodation in the management of ethnic conflict has been the subject to much scholarly debate. Yet, the academic community is deeply divided over the issue whether territorial approaches to conflict resolution in divided societies offer appropriate mechanisms to keep or restore peace while preventing the break-up of an existing state. For example, Cornell (2002, 252) in his analysis of ethnic conflicts in the Caucasus argues that the "institution of autonomous regions is conducive to secessionism", a point that Roeder (1991) made more than a decade earlier in relation to Soviet ethnofederalism and later reiterated in a broader empirical study (Roeder 2007), in line with similar findings by Hale (2000, 2004) and Treisman (1997). While these authors are thus highly skeptical of territorial approaches to resolve conflicts, arguing that rather than being a cure, territorial approaches induce conflict, others have presented empirical evidence to the contrary. Gurr (1993, 301) argues that the "recent historical track record shows that, on balance, autonomy arrangements can be an effective means for managing regional conflicts." Saideman et al. (2002, 118) find that "federalism reduces the level of ethnic violence", Bermeo (2002, 97) concludes that "federal institutions promote successful accommodation" in cases of ethnic conflict. Cohen (1997) and Schneckener (2002) similarly endorse the use of territorial approaches to resolving self-determination conflicts, while Wolff (2009) offers a survey of the widespread use of territorial approaches in contemporary conflict settlements. Harff and Gurr (2004, 186) argue that "if no autonomy options are open to regionally concentrated groups, armed conflict may occur."

In the following, I discuss the three volumes under review here in turn by focusing on their central argument in relation to the question of whether territorial accommodation is a viable strategy for conflict management. While neither of them offers a conclusion to the debate over the merits of territorial approaches to conflict management, they all provide sophisticated answers to some of the key questions continuously raised in this debate and all have significant potential to inform its policy dimension and shape future research.

2. Brancati: Short-term Gains, Long-term Losses?

Dawn Brancati's volume poses the question "why is decentralization more successful in reducing ethnic conflict and secessionism in some democracies than in others" (p. 5) and in her answers she differentiates clearly between different sets of conditions and timeframes in which decentralization—conceptualized as federalism, i.e., a system of government in which central and sub-state governments have their distinct legislative competences—might prove a successful mechanism for addressing conflict within states. Divided into three parts, the book contributes significantly to theory development, offers three individual case studies (Czechoslovakia, Spain, and India), and tests the author's core hypotheses in statistical analysis.

Theoretically, Brancati's argument is grounded in constructivist theories of identity formation and rational choice theories of individual (leadership) political behavior. This allows her to argue in Part I of the book that it is not regional differences per se that determine the emergence of regional political parties but rather the structure of decentralization that creates incentives for politicians to mobilize voters by appealing to regional differences. Once created, regional parties, in Brancati's view, tend to exacerbate, rather than reduce, ethnic conflict (i.e., inter-communal conflict) and

secessionism (i.e., anti-regime rebellion) by "creating regional identities, advocating legislation that threatens other regions in a country and/or regional minorities, and by mobilizing groups to engage in ethnic conflict and secessionism or supporting extremist groups that do" (p. 5). Decentralization and ethnic conflict are thus connected through regional parties in a dynamic relationship: the structure of decentralization determines the degree to which regional parties are encouraged; and these parties then are said to have an incentive to promote conflict and secessionism (p. 60). Structure is particularly important in this context and has, according to Brancati, four dimensions—the regional distribution of national legislative seats, the number of regional legislatures, the procedure for electing the upper house, and the sequencing of regional and national elections (p. 56).

Brancati offers credible evidence in support of all these contentions in her three case studies and the statistical analysis, demonstrating "that decentralization reduces anti-regime rebellion while regional parties increase it, and that the ability of decentralization to reduce anti-regime rebellion declines as the strength of regional parties grows" (p. 176), and that the same can be observed for the effect of decentralization and regional parties on inter-communal conflict. Subsequent instrumental variable regression, in combination with the process-tracing in the three country case studies, shows that "decentralization and regional parties have a strong, independent effect on ethnic conflict and secessionism, not vice versa" (p. 193). Moreover, Brancati finds that decentralization strengthens regional parties electorally, especially if it is extensive, occurs in large regions containing compact ethnic groups and where elections to regional and national legislature are not held simultaneously (p. 195, 213). Taking these findings together, the main point that can be derived from Brancati's analysis is that decentralization will initially always reduce conflict and secessionism, but that over time it may lose its utility to do so as regional parties grow in strength. In other words, the design of decentralization (i.e., whether it strengthens regional parties) is essential in determining the long-term conflict-reducing abilities of political decentralization.

Through the broader statistical analysis Brancati is able to identify very specific factors that facilitate the electoral strength of regional parties, which, thus, in turn offers an explanation for the differential degree to which decentralization reduces or exacerbates ethnic conflict and secessionism. Knowledge of these factors, in turn, can be used to inform strategies of decentralization aimed at reducing conflict. While Brancati's overall finding is that decentralization increases the electoral strength of regional parties, this happens particularly when the regions are large and elections at regional and national level are not held simultaneously (p.224). Moreover, non-concurrent presidential elections and congruence between regional and ethnic boundaries increase the vote for regional parties (as opposed to parliamentary systems), while cross-regional voting laws limit their success.

The detailed findings of both the statistical and case study analysis prompt Brancati to offer some concrete recommendations on how to design decentralization in order to reduce, rather than exacerbate ethnic conflict. This is a very worthwhile and commendable undertaking as it connects academic research with policy making on the one hand, and engages with long-standing debates among academics on the merits of decentralization as a mechanism for conflict management. What Brancati recommends is not entirely new, but it is empirically informed rather than normatively driven. She concludes on the basis of her analysis that regions should be "moderately and equally sized", that upper houses should not be elected by regional legislatures, that national and regional elections should be synchronized, and that cross-regional voting laws be introduced so that parties need to consider the interests of multiple regions and groups within them in their political agendas (pp. 229-30). At the same time, Brancati rejects partition and consociationalism as suitable strategies to manage intra-state conflict (p. 228). Such sweeping conclusions will, of course, be challenged, not least on the basis of questioning whether decentralization systems along the lines advocated by

Brancati would be seen as acceptable compromises by the very governments and self-determination movements at whom they are aimed. Such context-sensitive analysis would be vital to determine the viability of these general conclusions on a case-by-case basis.

The more important contribution, in my view, that Brancati's volume therefore makes is to drive home a more general theoretical and empirical point about the impact of institutions for conflict management, namely that institutions have a broader range of consequences than is often foreseen in narrow, interest-driven bargaining between conflict parties. Demonstrating some of the potentially destabilizing consequences of decentralization is important as it can inform the judgement of negotiators and mediators in peace negotiations. It may not always change the outcome of these negotiations, but at the very least it should allow for some future contingency planning so that even poorly designed decentralization schemes need not lead to renewed violence.

3. Hartzell and Hoddie: The More, the Better?

Focused on the negotiated settlement of civil wars, and thus broader in scope than Brancati's focus on decentralization as a mechanism of ethnic and secessionist conflict settlement, Caroline Hartzell and Matthew Hoddie share with Brancati a conviction of the importance of institutional design. This "institutional approach to the resolution of civil wars…emphasizes the need to look beyond simply stopping the killing and encourages adversaries also to participate in constructing the institutional underpinnings of a lasting and self-enforcing peace" (p. 4f.). Their main argument is that conflict settlements (after civil war) are the more stable the more they institutionalize power sharing and power dividing across four dimensions—political, economic, military, and territorial. In particular, Hartzell and Hoddie seek to broaden the range of institutional options available "to stabilize peace by dividing, rather than sharing, power among former adversaries" (p. 40). And it is in this area that territorial approaches to conflict settlement figure prominently as "[t]erritorial autonomy…can be very reassuring to groups that seek an extra measure of distance and thus protection from those with whom they have so recently been fighting" (p. 40).

This is not dissimilar to a notion of separation that was, controversially, propagated a decade earlier by Chaim Kaufmann who argued that "[s]table resolutions of ethnic civil wars are possible, but only when the opposing groups are demographically separated into defensible enclaves" (Kaufmann 1996: 137). But while Kaufmann emphasized separation as the ultimate remedy after civil war, Hartzell and Hoddie argue for it to work in conjunction with other mechanisms of political, economic, and military power sharing.

The combination of different mechanisms is important as "different dimensions of power-sharing or power-dividing institutions have the potential to reinforce one another" (p. 66). Again, the territorial dimension is seen as pivotal here as it "can be used to help reduce the stakes of competition among rival groups in a divided society by enabling a collectivity to rise within its own state bureaucracies and educational systems" and as this, in turn, "is likely to be reinforced if a settlement requires economic power-sharing measures that guarantee the allocation of resources to the same group that has been granted territorial autonomy" (ibid.).

Hartzell and Hoddie conceptualize the creation of multiple power-sharing and power-dividing institutions across the four dimensions of state power (political, military, economic, and territorial) as "highly institutionalized negotiated settlement" (e.g., p. 41-2, 155-6) and argue that the higher the degree of institutionalization, i.e., the more of the four dimensions of state power are shared and/or divided among former adversaries, the lower the risk of a return to civil war. Further additional analysis focused on the impact of individual aspects of power-sharing and power-dividing arrangements suggests that among all four dimensions of state power control over territory is particularly significant as there is some statistical evidence that "[d]esigning a negotiated settlement

or negotiated agreement to include this institutions lowers the risk of a return to war" (p. 169). However, Hartzell and Hoddie caution against an over-optimistic reliance on territorial power sharing and admit that they have no sound theoretical reason to break down their analysis of highly institutionalized settlements into their component parts (ibid.).

This, however, begs the question why Chapter 4 offers a detailed analysis of the impact of the implementation of military power sharing on the recurrence of civil war. The evidence offered here is quite compelling in suggesting that in nine out of ten cases in which agreed power-sharing and power-dividing institutions were fully implemented peace was maintained for at least five years (pp. 97-104). Territorial power-sharing and power-dividing institutions were present in only marginally more cases of negotiated settlements and ceasefires (22 compared to 18), and a similar comparative analysis should have been feasible, and indeed desirable given the recognition by Hartzell and Hoddie that territorial power sharing seems to be indeed a significant factor in the maintenance of peace after civil war. Moreover, while the authors correctly acknowledge that implementing territorial power sharing and power dividing may not be feasible in conflicts in which groups are not associated with a particular territory (p. 169), the question that could have been addressed is the extent to which agreement on, and implementation of, territorial power sharing and power dividing is significant for the preservation of peace in all those cases where control over territory was at stake in the conflict. Creating such a sub-set of cases would have also been valuable from the perspective of providing more context-sensitive policy recommendations.

Nonetheless, as with Brancati's volume on decentralization, Hartzell and Hoddie's work lends itself to drawing practical conclusions about how to ensure that institutional designs enhance the chance for durable peace rather than promote future conflict. Hartzell and Hoddie offer two sets of pertinent recommendations aimed at the international community and its efforts to help local conflict parties make and sustain peace. The first is about the timing of international interventions which should happen only once local conflict parties have come to realize that military victory is unattainable (p. 155-6). Well-timed interventions need not mean longer-time inaction, rather there is also an imperative to limit the numbers of casualties, as higher intensity is associated with lower likelihood of highly institutionalized negotiated settlements (p. 156). Finally, the deployment of peace-keeping forces is a factor that is also conducive to achieving the kinds of settlements Hartzell and Hoddie advocate, precisely because they offer former combatants a sense of security in which committing to various power-sharing and power-dividing institutions is less risky (ibid.).

The second set of recommendations pertains to cautioning against the imposition of settlements and advocating building local parties' capacity to understand the value (and range) of multiple power-sharing and power-dividing institutions as crucial for achieving long-term peace and stability (pp. 156-7).

4. Choudhry: It all depends?

The debate over whether territorial approaches are suitable for the accommodation of ethnic conflicts overlaps with a similarly fierce debate between proponents of integration and accommodation as strategies for ethnic conflict management which is at the centre of Sujit Choudhry's edited volume that combines theoretical reflection and detailed case studies. One dimension of this overlap is the question whether territorial approaches simply exacerbate conflict rather than reduce it; the second is more specifically about territorial state *construction* in the sense of how territorial approaches balance integration and accommodation.[1] Both the theoretical reflections and the case studies in Choudhry's volume reflect these two dimensions well and add considerably to our knowledge and understanding of the dynamics of success and failure of territorial approaches to ethnic conflict settlement.

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[1] The dual character of territorial approaches to ethnic conflict settlement is discussed at length by Horowitz (2007).

McGarry, O'Leary, and Simeon's essay that conceptualises the debate between integrationists and assimilationists defines that form of state construction which aims at accommodating "territorially concentrated and ethnically or nationally mobilised" communities as "territorial pluralism" and foresees two principal forms of state in which such accommodation can be achieved, namely "in a pluralist federation or in a pluralist union state" (p. 63). As McGarry, O'Leary, and Simeon further elaborate (pp. 64-6), pluralist in this conceptualization denotes respect of identity differences in the drawing of internal boundaries in the state, albeit to different degrees. A perfectly pluralist set-up would provide each identity group with its own self-governing entity. However, demographic and other realities are more often than not unkind to this ideal-typical notion, and less perfectly pluralist forms of state construction emerge as a result in which, for example, one or more groups may be divided across several, still more or less homogeneous entities (e.g., German-speakers in Switzerland, Sunni and Shi'a Arabs in Iraq) or in which the self-governing entities are heterogeneous, and potentially resemble divided societies themselves (e.g., Northern Ireland, South Tyrol). Territorial pluralism is commonly associated with federations (Canada, Switzerland, Belgium, Bosnia and Herzegovina) and with autonomy arrangements in union states (e.g., United Kingdom, Spain, Denmark). In both cases, it is possible to combine intra-state territorial accommodation with forms of inter-state institutions that permit a degree of cross-border cooperation between a given ethnic group and its kin-state (or a kin-group in a neighbouring state).

These empirically substantiated observations raise a number of questions on the use of territorial approaches to ethnic conflict that are elaborated further in subsequent chapters. Will Kymlicka, for example notes that the predominant tendency in Western democracies to accommodate what he calls "old minorities" qua some form of territorial self-governance, frequently in combination with other mechanisms, has not translated into a universally accepted minority right to some form of territorial autonomy (p.118).

The "modern appeal of the federal approach" to serve "as a proxy for enabling minorities to experience some degree of autonomy, security, and recognition" is also emphasised by Richard H. Pildes (p. 198). He makes four points about why federalism and territorially based devolution have emerged as "one of the most important structural and constitutional mechanisms for dealing with ethnically divided societies" (ibid.).

First, he finds that, in contrast to (corporate) consociational mechanisms, territorial approaches entrench geographically-based distinctions rather than ethnically-based ones and thus allow for greater flexibility in the sense that movement of people between territorial entities and demographic change "provide a built-in mechanism that enables a democratic system to be responsive to diminished ethnic conflict over time" (p. 199).

Second, devolution of power from the centre to the federal entities diminishes competition over control of the centre and can lead adversaries to find their own particular solutions to specific problems while at the same time stabilising and enhancing the legitimacy of the political system as a whole (ibid.).

Third, homogeneous and heterogeneous federal units can both contribute to reducing ethnic conflict—by increasing intra-group competition in homogeneous units and by offering opportunities for inter-ethnic cooperation in heterogeneous ones (p. 199-200).

Fourth, "[m]odern federal systems...are...likely to ensure that national institutions, including courts, are given the power to ensure that fundamental rights are protected at all levels" (p. 200) thus safeguarding local minorities against abuses by local majorities at all levels in a federal system.

When it comes to the case studies covered in Choudhry's volume, that is, when we consider the practice of territorial state construction, two dominant patterns of usage of territorial approaches emerge. One is the accommodation of ethnic groups' demands by granting of powers of self-governance to territorial entities claimed by ethnic groups as their traditional homelands and combining this with mechanisms of integrating these entities into the overall political, economic, administrative, and legal systems of the state, thus seeking to militate against the presumed tendency of territorial self-government to be a precursor of state break-up.

The second pattern is more clearly reflective of integrationist and centripetalist thinking on how best to respond to ethnic conflict: territorial state construction is used to divide ethnic groups into multiple and potentially heterogeneous entities. While limited in number, the case studies in Choudhry's volume offer good insights into how and under what conditions either strategy might prove successful as a response to ethnic conflict.

Choudhry's own study of the Canadian model (pp. 141-72; oddly placed among the theoretical chapters in Part II of the volume) emphasises the dual usage of federalism to accommodate (Quebec) minority nationalism and to integrate Quebec into the federation. This is achieved by distributing power such that on some key issues (language and education in particular) Quebec has concurrent and exclusive legislative powers, while in other areas, of equal or similar importance (immigration, trade, taxation, foreign policy, etc.), the central government holds key competences, thus requiring Quebec's participation in federal institutions (directly elected and federally appointed) in which decisions are made by simple majority vote. Among the few (quasi-consociational) rules that apply at the centre, Quebec is guaranteed three of the nine seats on the constitutional court. Choudhry interprets the Canadian system overall as a rejection of the consociational method to accommodate minority nationalism, partly because of the failure of the United Province of Canada (1840-1867) that was built on power-sharing institutions. The territorial accommodation of the demands by a particular ethnic community in Canada is not unique, even though the Canadian model, and its viability, may well be.

As Jacques Bertrand's case study of Indonesia shows (pp. 205-32), even highly integrationist, and arguably assimilationist, states like Indonesia may find their way to territorial accommodation. In Indonesia, this has taken two forms: on the one hand, a referendum was permitted in East Timor that saw this province embark on a path to independent statehood; and on the other, "a quasi-federal form of decentralisation [was adopted], designed to introduce flexibility without threatening the integrationist core" (p. 209). Thus, both Aceh and Papua were granted special autonomy. Although arrangements for neither province are flawless from a conflict-reduction perspective and fall short of fully entrenched and protected federacy arrangements (and very considerably so in the case of Papua), there is a clear trend in Indonesia towards more accommodation, visibly also in the significant improvements that the 2006 Law on Aceh has seen compared to its 2001 predecessor.

Christina Murray and Richard Simeon, in their case study of South Africa (pp. 409-37), note that the white minority's federal ambitions, while enshrined in the principles to guide the writing of a final constitution for South Africa, did not fully materialise in the actual document. The three-layered system of multi-level governance devolves very few real powers to provinces, retains most budgetary powers at the centre, and gives the central government, dominated by the ANC, wide powers to overturn provincial legislation, even in areas where provinces hold exclusive powers. In all but name, South Africa emerges as a highly centralised, strongly integrationist federation with predominantly heterogeneous units, thus providing "some, albeit limited, space for minority empowerment" (p. 434).

John Boye Ejobowah's analysis of the Nigerian experience with federalism (pp. 233-57) is highly critical of its integrationist components, but less so for their intentions than for the failure of constitutional designers to complement them with more accommodationist measures, including a rotational presidency and the partial devolution of resources.

In contrast to Canada, Indonesia, and Nigeria, where consociational complements to territorial approaches are either weakly developed or explicitly rejected, Michael Keating demonstrates that "less formal consociational mechanisms through the political parties" in the Spanish system have been "the main mechanism for reconciling peripheral autonomy with state integration" (p. 330-1). Party-political integration, at least in the sense of a strong local presence of national parties, the unified civil service, and the quasi-formal, but Westminster-dominated Joint Ministerial Committee have had a similar effect on making the system of devolution in Scotland work relatively smoothly since its inception, as Stephen Tierney points out in his case study of devolution within the unitary state of the United Kingdom (pp. 438-60).

In contrast to all other cases discussed in Choudhry's volume,[2] consociational mechanisms are more formalised in two other chapters that offer interesting insights into the advantages of flexible territorial approaches to managing ethnic conflict—Iraq (pp. 342-68) and Northern Ireland (pp. 369-408), both by John McGarry and Brendan O'Leary.

In Iraq, a major liberal consociational innovation in constitutional design is that it explicitly recognises one federal region (Iraqi Kurdistan), but leaves it to popular decisions in local referenda whether other governorates (or provinces) want to 'upgrade' their status to that of constitutionally protected and more autonomous federal regions. While thus not ruling out the territorial-institutional constitution of ethnic or religious or other regional differences, the liberal consociational approach to territorial state construction is predicated upon "democratic preferences rather than on predetermined ethnic or communal categories" (p. 357). This is also reflected in the way in which power-sharing is practically achieved at the centre. Under the 2005 (transitional) constitution, a three-person presidential council is to be elected by a two-thirds majority in parliament (thus making a representative presidency a strong probability). As the presidential council appoints the prime minister (i.e., the presidential council needs to be *elected* before the prime minister can be appointed), any government coalition (likely to emerge because of the PR List election system) is also likely to command some cross-communal support beyond the simple majority nominally required for it to be voted into office by parliament.

McGarry and O'Leary suggest that such consociational mechanisms should be extended beyond the transitional period rather than be abrogated or be replaced by an executive presidential council (with its membership possibly drawn from federal regions) similar to the case of Yugoslavia or Switzerland. With the transitional constitution still in place and negotiations over a final one still ongoing, it is difficult to estimate the future constitutional design of Iraq, yet the protracted nature of several unresolved disputes in Iraq (apart from the constitution also over territorial boundaries and a federal hydrocarbons law) suggests that some consociational safeguards might indeed be called for to enable parties now to make compromises without jeopardising their future representation and participation in Iraqi politics.

In the case of Northern Ireland, consociational institutions are present at the regional level only, yet they are very innovative. Clearly liberal consociational in their nature, they are in fact a precondition for a territorial approach to work and be acceptable to the local conflict parties, assuring them that

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[2] South Africa's transition period did also include some consociational features, in particular, in relation to representation and decision-making concerning the country's permanent constitution, as detailed by Murray and Simeon (pp. 424-5). However, these have given way to a much more majoritarian system enshrined in the country's 1996 constitution.

neither would be subjected to majority rule in the future, regardless of demographic and constitutional developments. Moreover, the conflict settlement for Northern Ireland (principally embodied in the 1998 agreement) includes one relatively rare feature of territorial pluralism, namely formal cross-border institutions. These take the form of the North-South Ministerial Council which embodies the 'Irish dimension' of the conflict in and over Northern Ireland (i.e., formalised cooperation between the Belfast and Dublin executives with any decisions subject to consent by the respective legislatures), and a British Irish Council reflecting the 'British dimension' (i.e., assuring Unionists of their continued links with Westminster).

5. Making Peace and Making it Last: Three Phases, Three Dynamics, and Three Levels of Settlement Stability

What becomes clear from the range of case studies in the three volumes reviewed here is the great deal of diversity in the way in which divided societies approach territorial accommodation as a mechanism to settle ethnic conflict. What is more, territorial strategies for conflict management can be both integrative and accommodationist in nature (to use the dichotomy central to Choudhry's volume) and conflict-reducing and exacerbating (as demonstrated by Brancati). The practice of constitutional design in divided societies in practice combines territorial and other institutional mechanisms of power sharing and power dividing to a significant degree (as highlighted by Hartzell and Hoddie). Yet, while it is clear that institutional design is an essential element in the overall viability of any settlement reached, it alone cannot explain why in some cases peace (and democracy) prevail but not in others.

Taken together, the discussion in the three volumes hints at another promising avenue for future research into the conditions under which particular conflict settlements which utilize territorial approaches to accommodate divisiveness can be achieved and sustained.[3] These conditions are best conceived of and structured according to three phases (negotiation, implementation, and operation), three dynamics (leadership, diplomacy, and institutional design), and three levels (local, regional, and global) of settlement stability. All three volumes address these issues in different ways and in varying degrees of systematisation. Focused, as they are, primarily on institutional design, their overall treatment of the dynamics of settlement stability is more comprehensive than that of the phases and levels of such stability, even though they all recognise the relevance of these other two aspects, as well as the links between them.

When it comes to the dynamics of settlement stability, institutional design, for obvious reasons, is the one most comprehensively explored. However, the two other factors—leadership and diplomacy—are noted as important as well. Thus, Brancati argues that leadership style is among the conditions that determine "the effectiveness of regional party appeals...or the ability of statewide parties to successfully attract votes in regions" (p. 15-6). Within her framework, which combines a constructivist approach to identity formation with rational choice theory, "rationally motivated leaders politicize whichever societal difference—be it ethnic, religious, economic, or territorial—that offers them the greatest political advantage" (p. 30-1). Of the three case studies, especially Czechoslovakia and India confirm the importance of political leaders and leadership styles.

Hartzell and Hoddie put a different emphasis on the role of leadership, focusing on how important it is that leaders are seen to commit to peace, i.e., take actions that foster peace even at the danger of losing them the support of (some of) their constituents. As they put it, "leaders who agree to design extensively institutionalised settlements are sending their adversaries a clear signal of their commitment to the agreement through their willingness to pay a steep price in the interest of peace" (p. 68-9). This is clearly borne out in their case study of the Philippines when they argue that

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[3] The following observations do not only apply to territorial approaches, but these are pertinent to the topic of this review essay.

"[t]he mutual commitment of both [rebel leader] Misuari and President Ramos to the agreement despite the prevalence of the protests enhanced the likelihood of peace, providing each side to the conflict with valuable information concerning the commitment of its former adversary to maintaining the emerging peace" (p. 133).

The case of the Philippines is also instructive in relation to the second factor that is important in explaining the variable impact of institutional design on the achievement of durable peace, namely diplomacy, or, more generally speaking, the role of third parties in bringing about and sustaining settlements. Not only were the talks that eventually led to the Tripoli Agreement of 1996 initiated and facilitated by Indonesia and the OIC, but when they stalled at a critical juncture because the parties could not reach agreement over the duration of office of an interim government in Mindanao, the intervention of Libya and Indonesia helped achieve a compromise and prevented the failure of negotiations at this stage (pp.130-2). Unfortunately, the role of mediators is omitted from the statistical analysis, even though the reasons for doing so (the lack of detailed and coherent information on the role played by them) are credible in terms of the research design.

Contributions in Choudhry's volume, as they are predominantly focused on individual cases, give more space to the role of third parties. This is most evident in Will Kymlicka's analysis of the way in which specific minority rights were internationalised (or not) through the UN system and in the highly institutionalised European context (pp. 111-40) and in Choudhry's own discussion of the presumed model character, and thus transferability, of the Canadian system of federalism to other divided societies (pp. 141-72). Among the case studies, Murray and Simeon make a detailed case about the impact of the debate among accommodationists—principally the centripetalist school represented by Donald Horowitz and the consociational school represented by Arend Lijphart—on the outcome of the constitutional debate in South Africa (pp. 418-22). Ghai and Cottrell in their discussion of Fiji (pp. 287-315) show how the debate over the design of the country's electoral system was shaped by, and has subsequently in turn influenced, the academic debate on one of the core centripetalist recommendations, namely the use of the Alternative Vote.

McGarry and O'Leary's examination of the Northern Ireland settlement (pp. 369-408) offers the most insightful and detailed discussion of the role of third-party diplomacy that had hitherto been neglected in consociational theory (pp. 379-82). They argue that "[b]enign external interventions facilitated Northern Ireland's Belfast Agreement" among which " the most important exogeneous influence, outside the region if not the state, was the UK government" (p. 379). Other positive outside factors included the role played by the Irish government, the mediation of talks by former US Senator George Mitchell, the personal interventions of Presidents Reagan and Clinton at crucial moments on the long road to a peace agreement in Northern Ireland, as well as the subsequent role played by international bodies overseeing the decommissioning of paramilitary weapons and police reform, and by the European Court of Human Rights in protecting individual citizens' rights. While perhaps most comprehensive (and positive) in Northern Ireland, McGarry and O'Leary point to similar third-party influences elsewhere, including in Afghanistan, Bosnia and Herzegovina, Cyprus, Iraq, Macedonia, and Kosovo (p. 381-2).

Like Hartzell and Hoddie (p. 53-4) they also emphasise the importance of security guarantees offered by external actors (p. 382). While not explicitly saying so, external security provision in the context of territorial approaches work in two ways: they assure those that seek self-governance qua offering an additional guarantee that their status will not be unilaterally revoked, while simultaneously indicating international support for the preservation of the existing state's territorial integrity. Having said that, recent developments in Kosovo and Georgia, however, indicate that there is no absolute guarantee for effective international guarantees of states' territorial integrity.

The relevance of third-party diplomacy, and the way in which it is treated in the Choudhry and Hartzell and Hoddie volumes, respectively, provides the link to thinking about different levels and how factors there influence settlement stability. These three levels can be broadly conceived of as local (the area of immediate conflict), regional, and global.[4] The local level is the one given most attention in all three volumes, and it intersects closely with discussions on the role of leadership as noted above. Regional and global dynamics receive less coverage in Brancati's volume (understandably, given the objectives of her study).

Hartzell and Hoddie factor international system structure into their statistical analysis, focusing particularly on the end of the Cold War as a major juncture that "lessened complexity to negotiations as the superpowers are unlikely to have vested interest in the results of the war and thus a reduced motivation to become active players at the bargaining table" (p. 54). Again, recent developments in Kosovo and Georgia, as well as in relation to China's role in Sudan, and especially the Darfur crisis, may warrant a more cautious approach here.

In Choudhry's volume, it is especially Kymlicka's analysis of the internationalisation of minority rights and McGarry and O'Leary's treatment of the lessons of the Northern Irish experience with reaching a regional liberal consociational settlement that points to both the constraining and enabling influences at work at the global and regional levels.

Finally, all three volumes make a good, albeit again more implicit than explicit case, that different conditions shape settlement stability over time. Factors that lead to successfully completed negotiations are not necessarily the same that facilitate successful implementation and enable long-term stability of the operation of a settlement. In other words, skilled negotiators (i.e., local leaders) and mediators (i.e., external third parties) may reach a bargain over institutional design, but without adequate resources, often supplied externally, the full implementation of negotiated settlements is often impossible. Moreover, while negotiation and implementation phases of settlements often require a more forceful and determined external approach, longer-term 'over-involvement' of third parties is unlikely to generate the conditions of self-sustaining peace. This does not mean that external actors should completely disengage, but it begs the question, in cases like Bosnia, whether the kind of settlement agreed in Dayton would be sustainable without any international presence.

Thus, in terms of guiding further research into the stability of territorial (and other kinds of) settlements for ethnic conflicts, the role, nature and impact of leadership, diplomacy and institutional design need to be analysed across time (from negotiation to implementation and through to operation of settlements) and in terms of how they operate at local, regional and global levels of analysis. This is most likely going to be a task best accomplished by a comparative case study approach, and the case studies offered by Brancati, Hartzell and Hoddie, and in Choudhry's volume (especially on Northern Ireland, Nigeria, and South Africa) indicate that this is indeed a promising avenue to our further understanding about the viability of territorial settlements.

The three volumes reviewed here offer much in terms of understanding individual cases of territorial settlements, and they should heighten policy makers' sensitivity to the wide range of options within the territorial approach to conflict management, to the diversity of objectives and outcomes they can have, and above all to the need for context sensitivity to assess properly the potential merits

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[4] It may, at times, be necessary to distinguish further between a state and sub-state level of analysis in order to capture fully the complexity of the influence and interaction of different factors relevant for settlement stability. This more nuanced approach is outlined in greater detail in Cordell and Wolff (2010), who draw, among others, on Singer (1961) and Brown (1996) and Levy (2001), and applied to studying EU conflict management in Wolff (2008) and Whitman and Wolff (2010). Two much earlier (applied) versions of the approach are Wolff (2002, 2003).

and perils of a particular territorial conflict settlement strategy and its interaction with other mechanisms in an overall institutional design.

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