

ETHNIC CONFLICT

*Su svi ratovi u bivšoj Jugoslaviji počeli nekim referendumom.
(All the wars in the former Yugoslavia started with a referendum.)*

Sarajevo's now legendary *Oslobodjenje*, page 11, 7.2.1999

ABSTRACT

Many community groups in many countries have taken the conscious decision never to put any decision to the vote. Admittedly, they sometimes use a form of (majority/plurality) voting when electing their committee members in their annual general meetings but, on decision-making, they prefer to base all their endeavours on a *verbal* consensus. In this paper, I will show that a *votal* consensus may often be an even more democratic and inclusive outcome. In so doing, I will suggest that our present democratic norms, based as they are on an adversarial exchange, are both inaccurate and inappropriate. Indeed, in many plural societies, it is this divisive democratic process which itself exacerbates tensions and may even provoke violence and war. Any community politics must be based on a more inclusive democratic structure.

INTRODUCTION

In 1988, when ethnic tensions first blew up in Nagorno-Karabakh, the headline in Moscow's '*Pravda*', (*The Truth*), the CPSU's main newspaper, was "Наш Ольстер", "*Nash Olster*", (*Our Northern Ireland*). We, perhaps, did not understand the similarities; indeed, most of us had never even heard of Nagorno-Karabakh. To the Soviet authorities, however, at least some of the parallels were obvious.

Azeris and Armenians had been living together, in Sumgait for example, for years. And then, suddenly, neighbour was fighting neighbour. Similarly, in 1992 in Bosnia, those who had lived and loved together - there were 28% mixed marriages in Sarajevo before the war - suddenly resorted to violence.

Sometimes the problem of ethnic conflict is internal as it was in Northern Ireland where, in 1969, the day-to-day administration of power was located within the province – and it was a maladministration. Sometimes it is caused by an external event and the fear of a future maladministration - the collapse of the Soviet Union was the warning signal for the Caucasus, while the fate of the Balkans was sealed by the demands of the IMF and the breakdown of the Yugoslav presidency. In all three conflict zones, then, the problem was and still is a question of how local power is to be administered.

In theory, this should be done democratically. If, however, the term "democratic" is taken to mean 'majority rule', the unscrupulous will whip up feelings of nationalism and/or religion wherever they can. It happens in many societies and, just a month ago, we saw it in France. Once these extremists get their majority, it does not take long before they put favouritism into job allocations, privileges into housing policies, segregated schools into single-faith education and so forth. It all too soon leads to separate 'ethnic' ghettos and the near collapse of any community politics. Eventually, in some instances, it leads to violence and war!

In this paper, I will endeavour to show, firstly, that 'majority rule' is invariably undemocratic. Secondly, I will present a different methodology, one which *could* facilitate an inclusive multi-multi society, both at community and at the regional/national level. Then, and on this basis, I will examine the causes of conflict and at least one weakness of the peace processes which, thankfully, have superseded some of the violence. And finally, I will suggest that a consensual politics will probably only be achieved at a governmental level, if first it is adopted by the local community.

MAJORITARIANISM - AN EXCLUSIVE 'DEMOCRACY'

Now in theory, the smallest *pluralist* community group consists of three people – whom we will call Messrs J, K and L – with, respectively, three different points of view: **A**, **B** and **C**. Imagine, then, the following scenario: this hypothetical trio is discussing a particular project, each, Ms J, Mr K and Ms L, puts forward their own proposal, **A**, **B** and **C**; and each has their own order of first-second-third preferences: Ms J likes **A-B-C**, Mr K wants **B-C-A** and Ms L prefers **C-A-B**.

If majority voting is to be used to resolve this issue, there will have to be two rounds, something like *A* versus *B*, and then whichever wins that contest versus *C*. In which case, the outcome of the vote, i.e., the outcome of the democratic process, will depend *only* upon the order of voting. If it's *A* v *B* and then against *C*, *C* will win: as we can see from the above, Ms J and Ms L both prefer *A* to *B* while only Mr K prefers *B* to *A*, so *A* beats *B* in the first round; then, in the second round, *A* v *C*, Mr K and Ms L both prefer *C* to *A*, so *C* wins. If it's *B* v *C*, Ms J and Mr K prefer *B* to *C*, so it's *B* versus *A* in the second round, where both Ms J and Ms L prefer *A* to *B*, so *A* will win. And if it's *C* v *A* and then against *B*, *B* will win. In other words, in many a majoritarian milieu, the outcome can be *fixed* either by a chairperson or facilitator, and/or, sometimes, by a noisy and dominant participant.

This binary voting, this series of majority votes, is what happens in many 'democratic' groups, associations and parliaments. Consider, for example, one of the simplest of all political discussions, consisting of (a) a motion and (b) one amendment. This means that, in total, there are three possible outcomes: *A*, the proposal unamended, *B* the proposal amended, and *C* the *status quo ante*. In which case, it's *A*, *B* and *C* again, so the answer may well depend upon the order of voting. In other words, the outcome, the democratic decision, may well be a fix.

Furthermore, if voting is not to be used and if a 'verbal consensus' is to be the basis of all decisions, the outcome can *still* be fixed by the chairperson or facilitator!

Take another example. Consider the same committee of three people is debating only two options, *A* and *D*, and let us imagine all three members, J, K and L, have preferences *A D*, (that is, each person gives a first preference to *A* and a second preference to *D*). The democratic will of this triplet, you might assume, is obviously *A*. If, however, *I* am the non-voting 'impartial' chair and if *I* prefer *D*, then I could proceed as follows.

I could introduce two other options, *B* and *C*, especially if I know that the three persons concerned have rather different preferences on these two other options: Ms J likes *A D C B* in that order, Mr K prefers *B A D C*, and Ms L opts for *C B A D*. You will notice that all three still prefer *A* to *D*. But *I* am the chair, and *I* like *D*! So I, the democrat, initiate the following series of either majority votes or 'consensual' decisions. Firstly, a choice of *A* or *B*, and *B* is preferred by a healthy majority of 67% (K and L). Then, with a choice of *B* or *C*, we find *C* is preferred by a similarly large percentage (J and L). And finally, between *C* and *D*, it is obvious that *D* is the more popular, again, by an another overwhelming margin (J and K).

To put it in a nutshell, I'll say this: majority or plurality voting is often a totally meaningless exercise. This may well be true in decision-making, but it is also true in many majority or plurality vote elections: the recent French presidential elections is a case in point. In the first round, you remember, 17% said they liked Le Pen the most. But, if they had had a more comprehensive measure of French public opinion, at least 17% would have said they liked Le Pen the least. Logically, therefore, on the basis of this scant information, we just cannot say Le Pen is the second most popular presidential candidate. We simply do not know!

Similarly, in the 1997 Welsh referendum, the people voted for or against a two-option question: *A* 'devolution' or *B* 'status quo'. *Plaid Cymru* wanted *C* 'independence' to be on the ballot paper as well, but Tony Blair said no: it's *A* or *B*. They voted: 51% for *A*, 49% for *B*. *A* won. But what does that result tell us? Maybe 3% wanted *C*, in which case *B* would have won. Maybe all 51% wanted *C*, in which case *C* should have won and maybe no-one wanted *A* at all. Again, we simply do not know! That vote does not tell us "the Welsh want *A*"; it only tells us "Tony Blair wants the Welsh to want *A*".

Little wonder, therefore, that two-option voting has been used and to 'good' effect by such notables (in reverse chronological order) as Musharraf, Tudjman, Milošević, Pinochet, Duvalier, Antonescu, Hitler, Mussolini and Napoleon. Only very occasionally has the dictator failed to dictate, as for example in the referendums of Mugabe and Pinochet again.

Logically, therefore, if we want our committees and parliaments to be consensual and inclusive, and if we want the local community to live in harmony, we should never use a majority vote unless, that is, all concerned agree to its use. Where such a consensus does not exist, i.e., in 99% of political debates, we need a more reliable and less manipulable procedure.

CONFLICT RESOLUTION - AN INCLUSIVE DEMOCRACY

The procedures used in some forms of mediation involve the following three steps. The first is to see what if any alternative proposals might exist; the second is to ascertain the preferences of the various antagonists; and the third is to identify that option which is the “highest average preference” of all concerned.

Democracy should work on a similar basis. In other words, and at all levels of government, the democratic process *should* be the means by which a society can identify *either* the unanimous viewpoint where one exists, *or* that option which is everyone's “highest average preference”, *or* at the very least everyone's best compromise.

This cannot be done by a majority vote. Mathematically, logically, “the will of the people” cannot be *identified* by a simple majority vote; and nor can “the will of parliament” (which should be roughly the same thing) be *identified* by a simple majority vote in the House. The public opinion or common consensus can be *confirmed*, perhaps, if the question asked is indeed that general will (to use Jean-Jacques Rousseau's expression). But in that case, this collective will has already been *identified* in some committee room or some such.

“The will of the people” and/or, in a representative democracy, “the will of parliament”, *can* be identified by using a non-majoritarian form of decision-making. It works like this. If there are, let us say, 6 options “on the table”, then all concerned could vote by putting all 6 options in their order of preference. We can then find out which option has the “highest average preference”. It may not be the first preference of anybody but, if it is the second preference of lots and the third preference of many; if, in other words, it is the most broadly acceptable option or even the perfect compromise, then that is obviously the most popular, and that will do.

By way of an example, let me recall the story of a couple, whose children had all grown up and left home, and who decided to move to something smaller. They scoured the property pages. Ah, he found the perfect answer: a small place, good garage, not far from the pub, perfect. Ah, she found the perfect answer: a small place, nice garden, not far from the shops, perfect. Oh dear. Total disagreement. So they scoured some more, arranged their preferences, and thus they found a compromise. Neither won their first preference but they are still together; and that's the main thing.

Society must also devise a methodology by which it, too, can always come to a compromise. This is particularly true in any plural society. Indeed, in cities like Belfast, Mitrovica and Mostar, majority voting is simply no good. Happily, a better methodology does exist, the preference voting outlined above.

THE CAUSE OF CONFLICT

In 1991, the European Union set up a commission to look into the constitutional future of Yugoslavia and, a few months later, M. Robert Badinter, a constitutional lawyer, decided that any group of people aspiring to independence should have a referendum, a simple, divisive, two-option referendum. As a result, there were over twenty referendums in that land, as each community sought to identify those borders in which it would have a majority. There were referendums in Croatia and the *Krajina*,¹ in Bosnia and *Republika Srpska*, in Montenegro and the *Sandžak*,² and in each of these pairs of referendums, the answer in one was a contradiction of the answer in another. The same was almost the case with the referendums in Serbia and Kosova. In all, not one of these referendums achieved any resolution of the differences or reconciliation of peoples; indeed, the very opposite is true – four of them were a cause of war!

This is partly due to the total nonsense of a majority vote. A majority in a big place may want to live in that big place, but a minority might not. The minority then concoct a small place – and both history and geography are full of borders – and hold a referendum, they can opt out if, that is, a majority of the minority so wish. But then the minority of the minority may object. And if a majority of the minority of the minority... and logically, the process continues until every single person is in a tiny tiny place, an independent nation state of only one individual! It is a nonsense!

In Northern Ireland, the original 1920's border was ‘concocted’ in order to ensure a Protestant majority. As soon as that majority was in power, the members of that majority then consolidated their power by

changing the electoral system, so to ensure that they then enjoyed a *permanent* majority. After that, they insisted, they were very 'democratic', i.e., they used the simple majority vote. It was an abuse of power, yes; but it was not an abuse of the majority vote. They just *used* it.

In the Caucasus, the situation was even more bizaare. The Abhazian population in Abhazia was of the order of 18%. A form of disproportional representation or positive discrimination was therefore devised so that the local Abhazians then had a majority in the local assembly. Those thus elected then took a majority vote, declared independence, and went to war! Mad.

What's more, the war itself was mad. The Abhazians were Moslem, and there was talk of a Northern Caucasus Moslem alliance. So the Chechens came to fight with the Abhazians. Georgia, of course, wanted independence from the USSR, (as would the Chechens in a year or two), but not for Abhazia from Georgia. Moscow was worried that any one break-away republic or *oblast*³ would prompt others, like the Chechens, to also break away. So the Russians, some of whom were Orthodox Christians, fought alongside the Moslem Chechens against the Orthodox Christian Georgians; and then the Chechens changed sides and fought the Russians. Mad.

Indonesia, to take another instance of ethnic conflict, has already been dubbed "Asia's Yugoslavia". In 1999, the West recognised the right of the Catholic Timorese to be independent of the Moslem Timorese, {just as it had recognised the right of the Catholic Slavs (Croats) to be independent of the Orthodox Slavs (Serbs) in 1992}. Partly as a result of the vote in East Timor, others in Ambon, Aceh and Irian Jaya, to name but three, are seeking referendums on independence. In a land of over 3,000 inhabited islands, are we really saying that the oft-quoted "rights of self determination" means that every society can determine itself on the basis of only a majority of itself? The collapse of any sense of community is indicated by the death toll: it is already measured in thousands!

PEACE PROCESSES

So what does peace bring? In Bosnia in 1990, before the war, the three sectarian parties of Boban, Karadžić and Izetbegović⁴ devised a form of power-sharing with a joint ruling council of seven persons: 2 Bosniaks, 2 Croats, 2 Serbs and 1 'Other', a Yugoslav. In the 18-months of its administration, each pair applied the veto on the rest of them and, collectively, they failed to pass a single law!

To-day, of course, there is the Dayton Agreement.⁵ The 'other' has been eliminated, and the joint presidency is now *more* sectarian, consisting of just three persons: 1 Bosniak, 1 Croat and 1 Serb.⁶ Meanwhile, in the elected chambers, decisions are still taken by majority vote. The frailty of this decision-making process is recognised, so safeguards are put in to ensure no 'ethnic' minority rights are endangered. But the methodology itself is not questioned at all.

In Northern Ireland, in contrast, we have only just invented the 'other'. Members in the new NI Assembly are asked to designate themselves as 'unionist', 'nationalist' or 'other'. As in Belgium, decisions on any non-contentious issues are taken by simple majority vote; if, however, the issue is really important or 'key', it is taken in a consociational majority vote.⁷ This means that if the 'unionists' say 'yes' and the 'nationalists' say 'yes', then 'yes' it shall be. But this implies that anyone who calls him/herself 'other' has less power than those who prefer a sectarian label. Unless, that is, as happened last autumn on the question of Trimble's election as First Minister, the 'others' became 'unionists', just for a day you understand.

At the same time, the Belfast Agreement talks of the possibility of a referendum, sometime in the future. Indeed, there is a prospect of just such a poll as to whether Northern Ireland is to be *either* British *or* Irish, to be *either* in the United Kingdom *or* in a united Ireland every seven years or so – it is always *either A or B*, never any *C or D*, never a compromise. Quebec has had two referendums so far and some Quebecois are hoping for a third; the result has been communal violence. In Northern Ireland, the referendum clause in the Belfast Agreement is probably the single largest factor behind the increasing sectarian tensions which have emerged in what is otherwise called a peace process.

Elsewhere, they sing its praises. Indeed, the Belfast Agreement has been read in many parts of the globe, and I met some officials in Nagorno-Karabakh who used this particular section to justify their own referendum. In the Balkans, as was noted at the head of this paper, such divisive referendums sometimes prompted a war. In the Caucasus, they did it the other way round: they had a war first and then held the referendum, by which time, of course, all the local Azeris were either exiled or dead!

COMMUNITY POLITICS

Those in power rarely, if ever, initiate changes which would reduce their power. For as long as society at large continues to believe in the majority vote, therefore, there is little reason why they should change.

If, however, society wishes to live in harmony; if, as so many suggest we should, people aspire to live in a tolerant multi-multi society, then surely we must devise a *modus vivendi* which does not involve the two-option majority vote.

When the issue is non-contentious, a simple majority vote, as implied earlier, is fair enough. Whenever the subject matter under debate is either complex and/or controversial, however, all concerned should try to seek a compromise. This can be done *verbally*, although here too, as we noted, there are dangers of manipulation and dominance. Or it can be done *votally*. In theory, if the procedures are correct, a verbal consensus should give almost exactly the same outcome as a votal consensus. And in many instances, the latter will be much more speedily facilitated.

CONCLUSION

There is, I'm happy to say, cause for optimism. One of these days, people in committees and elected chambers will start to use electronic voting systems. When they do, multi-option voting will become understandable and easy.

There have been a number of cases in the history of humankind when advances have been made, as it were, by chance. New Zealand, for example, progressed to a multi-option referendum on their electoral system almost by accident *and*, it must be said, under the opposition of both the main political parties.

In most places, however, I suspect it will only take place as a result of grass-roots pressure. Which is why the first change will most likely come about at the community level.

But a non-majoritarian form of decision-making is an ideal which should be sought for its own sake. If we are to achieve a long-term peace in lands like Northern Ireland, the Balkans and the Caucasus; if we are to ensure that other places like Indonesia and Kashmir do not descend into yet further chaos; and if we are to help new emerging democracies like that now evolving in Afghanistan from taking on a tribal and divisive nature, we should adopt a more consensual politics. The methodology is all there, just as organic farming is all there, waiting for us to re-invent it. And in fact, the points procedure of voting outlined in this paper was first proposed by one Nicholas Cusanus in the year 1435.

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- 1 The *krajina* were three areas of present day Croatia which were settled by Serbian frontiersmen under the Austro-Hungarians as a bulwark against the Ottomans. It comes from the Serbo-Croat word *kraj* meaning *end* or *frontier*.
- 2 The *Sandžak* is an area which straddles present-day Montenegro and Serbia, and its inhabitants are both Slav and Muslim. The word is an old Turkish expression for a region.
- 3 An *oblast* is the Russian word for a region.
- 4 After the 1990 multi—party elections, Boban, Karadžić and Izetbegović were the leaders of the three 'ethnic' groups, the Bosnian Croats, the Bosniaks and the Bosnian Serbs.
- 5 The Dayton Agreement is officially called The General Framework Agreement for Peace in Bosnia and Herzegovina.

6 Izetbegović, Jelavić and Krajišnik.

7 Although consociational voting was first suggested in the year 1603, it has only recently come to be given much serious consideration, and largely as a result of the work of Professor Arend Lijphart. In one form or another, consociational voting is used in many plural societies such as Belgium and Lebanon.