

## Politics and Society in Europe

### **Is consociational democracy democratic?**

Today, democracy is both a pervasive presence and a valued symbol in European politics<sup>1</sup>. Theorists of the concept generally agree on the fundamental principles of democracy but have tended to differ radically in their conception of popular rule and democratic practices<sup>2</sup>. Consequently, it was somewhat inevitable that democracy as an ideal emerged in different forms across the diverse societies prevalent in Western Europe. Arend Lipjphart's seminal work on 'consociational democracies'<sup>3</sup> contributed to democratic theory - concerned primarily with political stability of democratic regimes in plural societies<sup>4</sup>. The democratic viability of Lipjphart's theory has recently been called into question however<sup>5</sup>. What then is 'democracy'? Establishing the benchmarks of the concept at the outset will allow us to evaluate the extent to which 'consociational democracy' can be seen as 'democratic'. An assessment of the key themes of Lipjphart's theory – that of 'grand coalitions', 'segmental autonomy', 'proportionality' and 'minority veto' respectively – will set the structure to the following discussion. Drawing examples from the Belgian and Swiss 'consociational' regimes will provide illustrations of the emerging argument that consociational democracy is undemocratic<sup>6</sup>.

Abraham Lincoln famously described the concept of 'democracy' as 'government of the people, by the people, for the people'<sup>7</sup>. Lincoln's prominent phrase encapsulates three fundamental principles, which, roughly translated, mean that we as citizens govern through political parties representing our interests; exercise our choice through franchise to elect those in control; and have the right to hold persons in power

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<sup>1</sup> What democracy is and is not, p.70

<sup>2</sup> <http://www.xrefer.com/entry/343784>

<sup>3</sup> <http://www.keele.ac.uk/depts/spire/Staff/Pages/Luther/researchint.htm>

<sup>4</sup> Politics and Society in Western Europe, Lane + Ersson, p.156

<sup>5</sup> <http://www.xrefer.com/entry/343729>

<sup>6</sup> Consociationalism has been practiced in Belgium and Switzerland since 1945 and 1943 respectively. Note: It has been argued that the Swiss model does not strictly fit into the consociational mould (Barry, Review article), but for the purpose of this analysis we will discuss Switzerland due to its grouping as one of the four original identified 'consociational' societies (Paul Pennings, party elites in divided societies, p.21, also Kenneth D Mc Rae p.520)

<sup>7</sup> <http://www.xrefer.com/entry/343784>

accountable for their actions. Moreover, the fourth striking characteristic noted by academics is that democracy represents political stability<sup>8</sup>.

For Lipjphart, “consociational democracy means government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy”<sup>9</sup>. ‘Grand coalitions’ would be used to prevent cultural diversity from being transformed into “explosive cultural segmentation”<sup>10</sup>. Politics, by its very nature, feeds on conflicts arising from social heterogeneity<sup>11</sup> and the stability of divided societies often depends on whether the elites of rival subcultures are willing and able to reject confrontation in favour of compromise<sup>12</sup>. A grand coalition enables political leaders of all the segments of the plural society to jointly govern the country<sup>13</sup>. Nobel prize winning economist Sir Arthur Lewis endorses the system by arguing that all who are affected by a decision should have the chance to participate in making that decision, because “to exclude losing groups from participation clearly violates the primary meaning of democracy”<sup>14</sup>. In this sense, by embracing the notion of grand coalition, consociationalism can be said to be ‘democratic’<sup>15</sup>.

There is, however, evidence to suggest that in practice the principle of ‘grand coalition’ does not adhere closely to the benchmarks of democracy. The Belgian governmental arena has overall remained fairly closed to non-pillar parties, which seems to contradict the very essence of grand coalition government<sup>16</sup>. In Switzerland, even though the major parties are represented on roughly proportional grounds in the Federal Council, the representatives are not always those nominated by the party<sup>17</sup>. Does this lie comfortably with the initial conception of democracy as government ‘of the people’? What of accountability? Since the Federal Council makes its decisions

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<sup>8</sup> *‘On Liberty’*, J.S. Mill, Cambridge University Press, 1989

<sup>9</sup> Sited in *Politics and Society in W Europe*, lane + ersson p.157

<sup>10</sup> *The odd fellow*, Switzerland, p.135

<sup>11</sup> *Politics and society in Western Europe*, Neo Taqu. p.2

<sup>12</sup> <http://www.keele.ac.uk/depts/spire/Staff/Pages/Luther/researchint.htm>

<sup>13</sup> Arend Lipjphart, *Consociation and Federation* p.500

<sup>14</sup> W. Arthur Lewis, *Politics in West Africa* (London: George Allen and Unwin, 1965) p.64

<sup>15</sup> Since 1959, Switzerland has been governed by a grand coalition of the four major political parties. The Belgian state is also maintained according to Luther’s framework of vertical linkage within the subcultures as well as engagement in overreaching accommodation to bridge the gap between the pillars (From consociation to federation, Belgium, p.104)

<sup>16</sup> From consociation to federation, Belgium, p.98. In Belgium, to an increasing extent, the system of consociational accommodation became the ‘system’ of Christian Democrat and socialist cooperation. In 1999, the ‘natural’ centre left coalition has been in power for twelve years

in a collegial manner, no party can hold its representative government directly responsible<sup>18</sup>. The Swiss consociational system cannot therefore be said to be truly accountable to the electorate – contrary to one of the fundamental principles of democracy<sup>19</sup>. Moreover, the Swiss referendum system has often highlighted flaws inherent in a ‘grand coalition’. Although the outcome of a policy decision is one of ‘amicable agreement’ among the elite, it might be opposed by 49% of the electorate at referendum<sup>20</sup>. Papadopoulos argues that the major problem stems from the fact that, since some decisions are taken at the end of the process by popular vote, it effectively excludes any further appeal or bargaining<sup>21</sup>. Can the ‘grand coalition’ system truly coincide with the democratic principle of representativeness if binding collective decisions may be taken on very small popular majorities?<sup>22</sup> Furthermore, since accommodating strategies are not always effective, they are more easily gridlocked<sup>23</sup> and potentially unstable<sup>24</sup>. Consequently, it seems that elite accommodation does not fulfil its proposed stabilising function and thus does not conform to the ultimate proposition of democratic stability.

In all democracies power is necessarily divided to some extents between the central and non-central governments in order to avoid a concentration of power<sup>25</sup>. The ‘consociational’ school, inspired by the writings of Tocqueville, sees decentralisation of power as the essence of democratic government<sup>26</sup>. The principle of ‘segmental autonomy’ seeks to ensure that decision-making authority is, as much as possible, delegated to the separate subdivisions of society whereas issues of common interest are decided jointly. In contrast with majority rule, it may be characterised as

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<sup>17</sup> Brian Barry, review article, p.482

<sup>18</sup> The odd fellow, Switz, p.154

<sup>19</sup> Indeed, it has been said that power and strict accountability for its use are the essential constituents of good government. Woodrow Wilson, Congressional Government: A study in American Politics (New York: Meridian Books, 1956) p.186

<sup>20</sup> Brian Barry, review article, p.483

<sup>21</sup> The odd fellow, Switz, p.138

<sup>22</sup> In a multi-party system without a majority party, the coalition’s programme will be a compromise between the individual party platforms – a compromise made by political leaders instead of mandated directly by the voters. (Democracies, p.110)

<sup>23</sup> Comparative constitutional engineering, p.71

<sup>24</sup> Party Elites in divided societies, paul pennings, p.22

<sup>25</sup> Democracies p.169

<sup>26</sup> Politics and Society in Western Europe, Ersson + Lane, p.169

“minority rule over the minority itself in matters that are their exclusive concern”<sup>27</sup>. This follows from Jan-Erik Lane’s proposition that all societal groups will respect the rules of democracy if they have autonomy over their own affairs<sup>28</sup>. Federalism is the best-known method of giving segmental autonomy to different groups in society. Segmental autonomy may also be provided on a non-territorial basis which is of particular relevance to plural societies where distinct sub-societies are not geographically concentrated. Such non-territorial autonomy characterised the Belgian system prior to its transformation into a federal state in 1993. Switzerland is also a federal state in which power is divided between the central government and a number of cantonal governments. Both systems, according to Tocqueville’s analysis, are conducive to democracy.

It is evident that one of the subsidiary characteristics of segmental autonomy in the form of federalism is that the smaller component units are overrepresented in the federal chamber – their share of legislative seats exceeds their share of the population<sup>29</sup>. The maximum extension of this principle seems to be equality of representation regardless of the component units’ population. Such parity is evident in Switzerland where two representatives stand for each canton. Can an overrepresentation of minorities be truly democratic if it disregards the will of the majority? Moreover, the form segmental autonomy takes in the Netherlands is that pillar organisations in areas such as education, health care and housing are recognised and financed by the government. Each organisation has considerable influence in the running of their policy sector, but the increasing intervention of the state in imposing standards means that “the organisations that are autonomous in name are, in practice, quasi-governmental agencies”<sup>30</sup>. Thus, it can be argued that the pillars are to an extent no longer democratically representative of the societies they act for. What of democratic stability? In the Swiss context, highly decentralised federalism has been accused of being a hindrance of effective government<sup>31</sup> and Belgium’s new system of

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<sup>27</sup> Lipjphart, consociation and federation, p.500

<sup>28</sup> Lipjphart, consociation and federation, p.500

<sup>29</sup> Democracies, p.173

<sup>30</sup> Party elites in divided societies, Rudy Armstrong, p.124

<sup>31</sup> The Swiss Labyrinth, p.25

federal consociationalism is bipolar, which is not always a good condition for its smooth operation<sup>32</sup>.

“There can be no doubt that the adoption of a system of elected administrative officers plays a most vital part in the process of democracy”<sup>33</sup>. The notion of ‘proportionality’ serves as the basic standard of political representation<sup>34</sup>. The rule of proportionality, said to be so central to the ‘politics of accommodation’, attempts to ensure that all parties have access to state resources<sup>35</sup>. Indeed, it seems that if partisan conflict is multi-dimensional, a two-party system must be regarded as an “electoral straight jacket that can hardly be considered to be democratically superior to a multi-party system reflecting all of the major issue alternatives”<sup>36</sup>. Moreover, in two-party systems the party gaining an overall majority will tend to be overrepresented in parliament, whereas votes translate into seats proportionally through the adoption of proportional representation<sup>37</sup>. The Swiss consociational system, takes representation a step further through referenda, whereby the public effectively have a veto on state policy<sup>38</sup>. Thus, with regard to representation, it would seem that consociational democracy acquires the higher democratic ground.

On the other hand, even if we concede that ‘proportionality’ is more ‘representative’, it is implicit that a defining characteristic of consociational democracy is the absence of competition since the campaigning is directed at the mobilization of the sub-cultural constituency, not at competition with other parties. Competition between parties is, however, a defining feature of democracy<sup>39</sup>, stemming from the notion of freedom and choice. Can non-competition be equated with absence of choice and thus be seen as undemocratic? Conversely, certain academics have argued that in its pure form the system of proportional representation “generally backfires and may turn

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<sup>32</sup> From consoc. To fed. Belgium, p.107

<sup>33</sup> European democracy between the wars, p.23

<sup>34</sup> Consociation and federation, Lipjhart, p.501

<sup>35</sup> Parties, Pillars, Rudy B. Andeweg, p.129

<sup>36</sup> Democracies, p.113

<sup>37</sup> Democracies, p.151. The two-party ‘leader’s bias’ was strongly illustrated in the UK in 1997, with Labour gaining 65 per cent of British seats on 45 per cent of the vote, while the Conservatives were under-represented in the commons (Dunleavy, *Developments in British Politics* p.147)

<sup>38</sup> Indeed, Switzerland has developed “the theory and practice of the referendum to a pitch to which no other nation has begun to match” (Butler and Ranney, eds., *Referendums: A Comparative Study of Practice and Theory* (Washington, D.C.: American Enterprise Institute, 1978) p.5

<sup>39</sup> What democracy is and is not p.70

out to be the kiss of death”<sup>40</sup>. Indeed, party volatilities may have significant consequences for the political process in consociational democracies<sup>41</sup>. The Swiss party system is highly fragmented<sup>42</sup>, and the increasing fractionalisation of the party system in Belgium has led to high volatility elections and instability<sup>43</sup>. Does this adhere to the democratic notion of stability? Moreover, in the Swiss context it may be argued that referendums are basically majoritarian in their effects, because they are usually decided by simple popular majorities. Indeed, it has been suggested that, due to the inability to discuss matters emerging in referenda, they are bound to be more dangerous than representative assemblies to minority rights<sup>44</sup>. Additionally, statistics show that the level of participation in Swiss referenda has been low – often below 50 per cent of those eligible to vote<sup>45</sup>. In the light of some assertions that ‘too many referenda kill democracy’<sup>46</sup>, can this aspect of proportionality in Swiss politics be described as democratic?

The ‘grand coalition’ system of government serves to give each societal segment a share of power at the central level. There is no provide a guarantee, however, that the policy will not be outvoted by a majority when its primary objectives are contested<sup>47</sup>. The purpose of a ‘minority veto’<sup>48</sup> in consociational democracies is to provide such a guarantee. The ‘minority veto’ tool provides a strong system of checks and balances and reinforces the notion of separation of powers at the heart of government. Indeed, academics have noted that Belgium’s federal state is “replete with checks and balances”<sup>49</sup>, and the notion of separation of powers in both Belgium and Switzerland

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<sup>40</sup> Comparative constitutional engineering, p.73. It has been said that the dispersal of power across several minority parties adds profusion to confusion, Ibid. p.71

<sup>41</sup> Paul Pennings, party elites, p.38

<sup>42</sup> The odd fellow, p.141

<sup>43</sup> From consociation to federation, Belgium, p.93. In ‘*Democracy or Anarchy?*’ Ferdinand A Hermens warned of the dangers proportional representation posed to the survival of democracy, arguing that the instability created by the latter would invoke the rise of autocratic regimes. (F.A. Hermens, *Democracy or Anarchy? A study of Proportional Representation* (New York: Johnson Reprint Corporation, 1972) p.293)

<sup>44</sup> Democracies, p.31

<sup>45</sup> The Swiss Labyrinth, p.5

<sup>46</sup> The Swiss Labyrinth, p.5

<sup>47</sup> Consociation and Federation, Lipjphart, p.501

<sup>48</sup> Note: The term ‘minority veto’ will be used interchangeably with ‘mutual veto’

<sup>49</sup> From consociation to federation, Belgium, p.103. The Belgian constitution can only be changed by two-thirds majorities in both chambers of the legislature. This rule is effectively a minority veto where a minority or a combination thereof controls at least a third of the votes in one chamber.

manifests itself through a bicameral legislature with equal legislative powers. Consequently, it may be argued that the ‘minority veto’ sustains the democratic principle of holding the government to account.

Does ‘mutual veto’ work in practice? One of the ‘rules of the consociational game’ was ‘the government’s right to govern’ with the corollary that the parties should not interfere thus allowing the government to “rise above inter-subcultural strife”. To a considerable degree, this “aloofness from party politics has given way to a politicisation of the cabinet by the governing parties”<sup>50</sup>, making the minority veto principle largely redundant. However, when it does have an effect, the reciprocal control of power inherent in mutual veto often results in mutual obstruction and blocked decision-making. Swiss constitutional amendments, for example, must be approved by a majority of the cantons – which effectively gives the smallest cantons, with less than 20 per cent of the population, a potential veto<sup>51</sup>. It is implicit in Switzerland that good solutions are often difficult to reach because the Federal council “does not observe the implicit rules of the accommodation game”<sup>52</sup>. Can a system that disregards the wishes of the majority be truly democratic? Some have even commented that “to admit the minority veto as a major and normal means of limiting power is to admit a shuddering principle”<sup>53</sup>. If you reward divisiveness through veto power, you institutionalise those divisions. In this light, Lipjphart’s machinery seems to engender “consensus-braking than consensus-making”<sup>54</sup>. Divisiveness and instability can hardly be reconciled with the traditional concept of democracy.

Is consociational democracy democratic? Assessing the main themes of Lipjphart’s concept has highlighted “fundamental weaknesses” in consociational theory<sup>55</sup>. Even though ‘grand coalitions’ seek to represent all groups in society, the collegial manner of decision-making raises problems of accountability. ‘Segmental autonomy’ may be praised in theory, but it seems that in practice, smaller pillars tend to become institutionalised through heavy regulation at central level, thus negating the

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<sup>50</sup> Parties, Pillars and the Politics of accommodation, Andweg p.127

<sup>51</sup> Democracies, p.190

<sup>52</sup> The Swiss Labyrinth, p.27

<sup>53</sup> Comparative Constitutional Engineering, p.71

<sup>54</sup> Comparative constitutional engineering, p.72

democratic essence of the notion. The concept of ‘proportionality’ aims at a fair distribution of power, yet the party volatilities produced as a result can hardly be conducive to democratic stability. Academics of the consociational school argue that ‘minority veto’ resolves the accountability deficit inherent in grand coalition government since it provides a system of checks and balances. On the other hand, critics contest that mutual veto encourages gridlock and frustration at the heart of administrations. The Swiss and Belgian experience has shown that consociational democracies tend to be stable, but are they stable because they are consociational<sup>56</sup>? At the very least, empirical evidence highlights a ‘democratic deficit’ in consociational theory<sup>57</sup>.

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<sup>55</sup> <http://www.sagepub.co.uk/journals/details/issue/abstract/ab013998.html>

<sup>56</sup> <http://www.xrefer.com/entry/343729>

<sup>57</sup> Craig and De Burca p.155