

# Democracy, ethnoicracy and consociational democracy

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## Abstract

This article questions the notion of ‘consociational democracy’. It argues that it rests on shaky ground, empirically and conceptually. As an empirical matter, a consociation is inherently unstable because it tends either to collapse into ethnoicracy (where the power is shared by the main ethnic groups so that citizens who do not belong to them are politically marginalized) or to become a non-consociational, liberal democracy. At the conceptual level ‘consociational democracy’ is an impossibility because a polity cannot be both consociational and democratic. This article argues that consociations can be at best democracies – that is, polities composed not of a single demos but of multiple demoi. Yet the problem of stability remains. The article concludes with the suggestion that the stability problem can be addressed by adopting a weak form of democracy – the ‘demoi-within-demos’ constellation – where a thin demos coexists with multiple demoi.

## Keywords

Consociationalism, centripetalism, democracy, democricy, ethnoicracy, demos

## Introduction

The notion of ‘consociational democracy’ has been widely adopted in the literature on institutional design for multi-ethnic societies. It is based on the idea that deep social cleavages may undermine the prospects for democracy but that this challenge can be met via elite-driven cooperation between subcultures. It is characterized by power-sharing in the executive (grand coalition), segmental autonomy, proportionality and minority veto. While it has been criticized by many, it is still the dominant approach among international and national political actors in efforts to build democracy in divided societies.

In recent years, the debate has been enriched by the distinction between ‘corporate’ and ‘liberal’ consociationalism (see McCulloch, 2014; McGarry and O’Leary, 2007, 2009). Briefly, in the former type the segments entitled to a share of power are pre-determined in advance of election results, typically on the basis of ascriptive criteria such as ethnicity. In the latter, institutions are

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designed in such a way to allow individuals to group themselves and form a party, if they wish so, and a party's share of power is determined electorally. Hence, it mostly relies on electorally based incentives for power sharing.

In this article I pursue the line of (I hope, constructive) criticism according to which consociational democracy rests on shaky ground, both empirically and conceptually. I shall argue that, as an *empirical* matter, consociations are inherently unstable: they have the tendency either to collapse into ethnoocracies (i.e. ethno-cracies, or polities dominated by two or more ethnic groups) or to become non-consociational, liberal democracies. At the *conceptual* level the very notion of consociational democracy is faulty. In this article I argue that it is, in fact, a conceptual impossibility: a polity cannot be both a consociation and a democracy (i.e. democ-racy).<sup>1</sup> With reference to the growing literature on democracy, I further argue that it is more appropriate to see consociations as demoi-cracies, that is, as polities lacking a common demos because they comprise multiple demoi. However, the question of stability continues to haunt such a polity. A potential solution is to adopt a weaker variant of democracy (Nicolaidis, 2015: 141; see also Hurrelmann and DeBardeleben, 2019: 300), where a common political demos can coexist with multiple demoi.

I start this article by addressing the empirical question and asking *how* consociations end up becoming either ethnoocracies or liberal democracies. I suggest, first, that a consociation is on the path towards ethnoocracy mainly because its institutional architecture is built upon the main ethnic segments of the society (i.e. upon ethnically conceived demoi). Consociational devices, such as ethnic quotas, tend to entrench the cleavages between ethnic groups and hinder the proper functioning of democratic institutions. In particular, they exclude or severely marginalize Others, that is, citizens who do not belong, or who do not want to belong, to any of the recognized segments (Stojanović, 2018). This problem lies at the core of the exclusion-amid-inclusion (EAI) dilemma, whereby 'the institutional inclusion of some groups also entails the exclusion of others' (see Agarín and McCulloch, this issue). Second, I argue that the transformation of a consociational democracy into a non-consociational, liberal democracy tends to happen when such a polity does not rely on consociational devices but employs institutions put forward by the rival, *centripetal* approach to institutional design in divided societies (Horowitz, 2014; Reilly, 2012). I illustrate both points by discussing selected empirical examples.

The conclusions of the first part of the article lead me to develop a different and, I hope, novel perspective on consociationalism, by drawing insights from the theory of democracy. In the second part of the article, therefore, I propose to see consociations as demoi-cracies. To do so I first proceed to establishing a conceptual link between the literature on consociationalism and a more recent literature on democracy (Bellamy, 2017; Besson, 2006; Bohman, 2007; Cheneval, 2011; Cheneval and Nicolaidis, 2017; Cheneval and Schimmelfennig, 2013; Nicolaidis, 2015). In particular, and in contrast to democratic theorists who have argued that democracy differs from consociation (Cheneval and Schimmelfennig, 2013: 335; but see Nicolaidis, 2015: 150, and Hurrelmann and DeBardeleben, 2019), I highlight a number of parallels between these two strands of literature. I shall argue that conceptualizing consociation as a democracy opens up new horizons and points at the possibility, under certain conditions, to have a stable consociational democracy.

I turn to this question in the concluding section of the article where I argue that, once we recognize that consociations should be seen as demoi-cracies, one possible way to keep consociational devices while avoiding the collapse into ethnoocracy or into a liberal democracy is to *combine* them with centripetal devices. The combination of these two approaches can trigger the construction of a thin, overarching demos without undermining the demoi that compose it – an outcome known as a 'weak form' of democracy (Cheneval and Nicolaidis, 2017: 236; see Nicolaidis, 2015: 141–142) or, in the literature on mono- vs multi-nation states, as 'nested nationalities' (Miller, 2001). I suggest that it be called the 'dmoi-within-demos' solution.

## Between ethnoicracy and liberal democracy

The concern with stability is central to consociational theory (McGarry and O’Leary, 2009: 47–69). Indeed, its *main* goal is to show that it is possible to build and maintain peace and a ‘stable’ democracy in contexts of ‘deeply divided societies’ (Lijphart, 1996: 258). As such, it stands in sharp contrast to theories that suggest that multi-ethnic countries are doomed to instability (e.g. Rabushka and Shepsle, 1971). But can a consociational regime become sufficiently stable over time? In what follows I shall show that a consociation tends to evolve in two separate directions: (a) by construing an overarching common political identity – an ‘effective and viable’<sup>2</sup> demos, typically accompanied by a sense of national identity – it sheds its vestigial consociational devices and becomes a typical liberal democracy, or (b) by freezing its ethnic cleavages and by marginalizing citizens (‘Others’) who do not belong to the main ethnic segments it becomes an ethnoicracy. I will address each of these points in turn.

### *From consociation to liberal democracy*

If citizens living in a consociational regime develop over time a sufficiently strong sense of common (political and/or national) identity, then the polity becomes a democracy (i.e. demos-cracy) and that no longer requires consociational institutions. Let me illustrate this point by considering two among the four original cases of consociations: Austria and Switzerland.

More than 40 years ago Lijphart (1977: 2) noted that consociationalism is a ‘passing phase’ in the development of Austria, Belgium, the Netherlands and Switzerland. In a 2002 article he provided a more detailed empirical analysis of the evolution of consociationalism in these countries and concluded that consociationalism was declining in Austria and the Netherlands (Lijphart, 2002: 11) but not in Belgium or Switzerland. To him, the most plausible explanation of this divergence ‘appears to be that consociationalism is necessary for longer periods when the cleavages are ethnic and linguistic than when they are religious and ideological’ (Lijphart, 2002: 20). Valid as this observation may be, I submit that consociationalism ceases to be necessary for countries that have succeeded in developing a strong demos.

According to a series of opinion polls that began in 1966, the percentage of Austrian citizens who think that they form a distinct, Austrian nation rose from 47% in 1966 to 80% in 1993 (Bruckmüller, 1998). This evolution has not come out of the blue. It is a product of specific nation-building policies such as the introduction of a *Tag der Fahne* (‘day of the flag’) in 1955, celebrated especially at schools. Hence, if this thesis is correct, it is no surprise that the level of consociationalism in Austria has decreased (Lijphart, 2002).

This intuition is further strengthened when we consider the case of Switzerland. Since 1848, both federal authorities and progressive, liberal movements within Swiss civil society have strenuously engaged in nation-building efforts in order to conjure a common Swiss political identity. As a result, contemporary Switzerland is best described as a multilingual nation-state – as having a strong demos – and not as a multi-nation state composed of different, ethnically or linguistically defined nations (Dardanelli and Stojanović, 2011). However, Switzerland can hardly be considered a linguistic consociation given that it has not fully incorporated any of the four elements of the consociational model.<sup>3</sup> On the other hand, it makes abundant use of direct democracy, a typically *majoritarian* institution practised within a single, country-wide voting space, as if Switzerland were a unitary, non-federal state. Direct democracy is intrinsically inimical to consociation (Barry, 1975: 485). Moreover, there is some evidence that the mechanisms of direct democracy follow the rival, *centripetal* approach to constitutional design in plural societies (Halpern, 1986: 189). Indeed, I argue that direct democracy has crucially contributed

to forming a common Swiss demos and thus Switzerland's identity as a typical liberal democracy in spite of linguistic cleavages (Stojanović, 2011: 106).

In my view, thus, Lijphart's (2002) contention that consociationalism is present contemporary in Switzerland – even more so than in the 1960s and the 1970s – *because* the relevant cleavage is 'ethnic and linguistic' is severely flawed. The reason is that the indicators that Lijphart (2002) uses to measure consociationalism in Austria, Belgium, the Netherlands and Switzerland all focus on the participation of *political parties* in government and not on representation of *linguistic* groups. This approach is perhaps relevant in the case of Belgium, where since the early 1970s all national parties are monolingual, but it is (I will argue) irrelevant for Switzerland where all national parties are multi-lingual.

One could argue that neither Austria nor Switzerland are 'post-conflict' societies that needed a consociational solution in the first place. I disagree. On the one hand, post-1945 Austria *was* a post-conflict society, with regard both to the First and the Second World Wars, and the inter-war period (i.e. the Austrian civil war in February 1934). Some of these conflicts were imported from abroad, but they also had an internal component. As for Switzerland, most of its current constitutional setup was put in place in 1848, in the aftermath of a (short but politically very significant) civil war fought between conservative Catholics and predominantly Protestant Liberals. Actually, one could argue that in the second half of the 19th century Switzerland *did* follow a (liberal) consociational logic with regard to its Catholic minority. For example, Catholics did not obtain quotas or reserved seats but a degree of overrepresentation in the second chamber of the federal Parliament, an informal quota in the executive (typically two out of seven members of the Federal Council) and territorial autonomy (via cantons). This purports to explain, I believe, why nowadays the Protestant vs Catholic divide has all but disappeared in Swiss politics and society.

The second objection is that the evolution from consociation to liberal democracy is not a problem for consociational theory given that consociationalism is typically seen as a 'transitional phase' (Andeweg, 2015: 693), a set of institutions meant to facilitate the transition from a non-democratic and/or conflict-prone divided society into a liberal democracy. In other words, or so the argument goes, the very success of consociationalism renders it unnecessary: '[I]t was so successful in accommodating the social cleavages that it rendered itself superfluous (e.g. in Austria and the Netherlands)' (Andeweg, 2015: 693–694).

Hence, in what follows I will focus on the second evolution – when consociation collapses into an ethnoicratic regime – that is much more problematic for consociational theory.

### *From consociation to ethnoicracy*

Ethnocracy has been defined as 'government or rule by a particular ethnic group' (Anderson, 2016; see also Horowitz, 1985: 499–505). If there are two or more ethnic groups that rule by sharing executive power at the top, but have exclusive powers in sub-polity units (as is often typical in a consociation), then the notion 'poly-ethnocratic regime' is more appropriate (Howard, 2012: 159). In this article I have opted for the term 'ethnoicracy' (i.e. ethnoi-cracy). In such a regime, therefore, citizens who do not identify with one of the ethnic segments – the 'Others' – are *de jure* and/or *de facto* marginalized and discriminated against in the exercise of their political rights and beyond (Stojanović, 2018). This phenomenon has been identified as the EAI dilemma (Agarin, McCulloch and Murtagh, 2018; Agarin and McCulloch, this issue).

In ethnoicracies, ethnic political parties compete for power in regular elections. It is important to note that citizens as *voters* – in contrast to citizens as *candidates* – are usually not required to disclose their ethnic identity in order to take part in elections. As an empirical matter, there is no clear line allowing us to distinguish a liberal democracy from a full-fledged ethnoicracy. Conceptually, we should place them on a continuum (Howard, 2012: 158).

The literature on both ethnocracies and ethnoicracies is relatively scarce and recent (Anderson, 2016; Howard, 2012; Yiftachel, 2006). Nonetheless it is striking that – with the exception of Israel (identified as an ethnocracy) – almost all empirical cases that have been considered ethnoicracies correspond to the cases of hard-core (i.e. ‘corporate’) consociations: Belgium, Bosnia, Lebanon and Northern Ireland.<sup>4</sup> There is therefore a clear connection between ethnoicracy and consociation. Howard (2012: 158) is quite explicit on this connection and considers ethnoicracy (or, in her words, a poly-ethnic regime) a ‘diminished subtype’ of consociational democracy.

Howard, however, thinks that ethnoicracy differs from consociation, as an *empirical* type, in two fundamental respects. First, not all consociational systems were based exclusively on ethno-religious or linguistic group membership; some – the Netherlands, for example, and (until the 1960s) Austria – also included class, ideological and regional identities, in a context of cross-cutting cleavages. In such polities, in contrast to ethnic consociations, it is easier for individuals to express different aspects of their identities. Second, ‘elite cooperation’ (e.g. in a grand coalition) is the ‘primary empirical signifier’ of a consociational regime, whereas such cooperation is ‘frequently absent’ in ethnoicracies (Howard, 2012: 159). Indeed, it is a matter of fact that in ethnoicracies such as Bosnia, Belgium and Northern Ireland the elites are constitutionally *obliged* to cooperate. The past 20 years or so have provided further support for Howard’s observation: in several ethnoicracies, despite constitutional obligations to form power-sharing executives, political leaders of the various ethnic segments have needed many months and in certain cases even years to form a government (Bosnia, Belgium) or to elect a president (Lebanon).

The distinction between ethnoicracy and consociation almost disappears, however, if we consider consociation a *normative* model. The main purpose of the normative type is prescriptive, and consociational institutions are used as conflict management tools in divided places across the globe. From *this* perspective, then, ethnoicracy and consociations are similar insofar as they both take ethnic identity to be ‘in the decisive sense something primordial, stable and bounded rather than something that can be influenced by human decisions’ (Howard, 2012: 159).

Thus, by summing up this first section of the article we can say that, contrary to its intended consequences, consociation is inherently unstable because it tends to evolve either towards liberal (non-consociational) democracy or towards ethnoicracy. In the following section I shall argue that, as a conceptual matter, the very notion of consociational democracy is an oxymoron. I will explore the recent literature on democracy to show that a consociation should be seen as a democracy composed of different *demos*. To make such I claim I will need to show that ethnic segments (in consociational theory) are comparable to *demos* (in the theory of democracy).

## Conceptual links between *demos/demos* and consociational segments

Democracy, with reference to Europe, has been defined as ‘a polity ruled by a *plurality of peoples* who govern together but not as one’ (Nicolaidis, 2015: 138; emphasis in original). Cheneval and Schimmelfennig (2013) distinguish between two ideal-types of democracy: federal and multilateral (inter-state). In the former, the different peoples (*demos*) do not have the right to unilateral exit nor can they veto basic constitutional principles. In the latter, they have both exit and veto rights (Cheneval and Schimmelfennig, 2013: 342, 343). For many authors, for example, the European Union is a multilateral democracy (or should strive to become one).

Cheneval and Schimmelfennig (2013: 335) maintain that, while there is ‘a certain affinity’ between democracy and normative elements of consociationalism, the latter differs from the former ‘in its bias for (potentially illiberal) group representation and power-sharing at the centre’. For them, consociationalism, in contrast to democracy, ‘is not based on an equal political status of

individuals and liberal democratic peoples'. For Nicolaïdis (2015: 150), however, in the EU context 'a democracy is precisely a kind of state-based consociational democracy' which 'relies on consensus-making institutions but is undermined by the monopolization of these institutions by the elites'. Notwithstanding these brief passages, in which advocates of democracy quote consociationalism but do not really engage with the conceptual linkages between democratic and consociational theories, the literature on democracy, to the best of my knowledge, does not systematically engage with the literature on consociations. And yet, the parallels are striking (see also Hurrelmann and DeBardeleben, 2019). The next paragraphs show this while clarifying the main concepts of the debate – the demos/demoi vs 'segments' in consociational theory – and establishing the conceptual links between them. I start with the notion of demos.

### *The demos and its cohesiveness*

There are at least two different ways to conceptualize the demos: the *compositional approach* and the *performative approach* (List and Koenig-Archibugi, 2010). The first approach asks who composes a demos and what the membership criteria are. The second approach asks what functions a demos must have in order to meet its role in the practice and theory of democracy.

Having in mind the discussion on consociationalism in the previous section, and in particular the EAI dilemma, here we shall focus on the compositional approach. In fact, we cannot investigate the EAI dilemma or identify who an Other is, unless we know who is supposed to constitute the demos. In particular, we shall ask if the members of a demos need to share a common culture and sufficiently robust social unity. The tentative answer is positive. We reach this conclusion if we consider, for example, David Miller's (2009) essay on 'democracy's domain'. The author discusses the significance of the demos from two distinct perspectives on democracy: radical and liberal. *Radical democrats* – for whom democracy is essentially about collective self-determination and as such has intrinsic values, regardless of the outcomes – do not admit too much cultural diversity within the demos because it could endanger bonds of solidarity among its members. They believe that a demos with too little solidarity 'may fail to function as a demos' (Miller, 2009: 207). More precisely, in this account the qualities that the group of people composing a demos must possess include: (a) sympathetic identification, whereby the members of the demos 'must identify sufficiently closely' with one another (Miller, 2009: 208), (b) sharing underlying ethical principles, (c) interpersonal trust and (d) group stability, where 'members of the demos come together repeatedly over time to decide upon the range of different issues' (Miller, 2009: 209). In sum, radical democrats value cultural homogeneity as a source of identification and interpersonal trust within the demos (Miller, 2009: 201).

The *liberal-democratic* conception of the demos, on the other hand, offers conclusions that are much less straightforward. For liberal democrats the value of democracy should be understood instrumentally – that is to say, democracy is important for the outcomes it produces (Miller, 2009: 205). For them, cultural diversity is *beneficial* as a check against the danger of majority tyranny. If there are many minorities, especially if the various cleavages (ethnic, linguistic, religious, etc.) are cross-cutting (i.e. not overlapping or mutually reinforcing), there is less risk that the majority will oppress minority rights.

That said, David Miller warns us *not* to conclude that, for liberal democrats, 'the more diverse the *demos*, the better for democracy' (Miller, 2009: 211). Some degree of need for social unity is recognized. This is evident in the much-quoted sentence of John Stuart Mill, for whom democracy is 'next to impossible' if people do not share a common national culture, especially if they speak and read different languages. Without a 'fellow-feeling' there can be no 'united public opinion', which is 'necessary to the working of representative government'.



In sum, as a conceptual matter the notion of demos requires that its members share a certain degree of cohesiveness, even though there is a disagreement on what the normative bond of the demos should be. For liberal nationalists it is a national culture, whereas for advocates of constitutional patriotism (e.g. Dolf Sternberger, Jürgen Habermas) it is a shared commitment to liberal-democratic principles embodied in the constitution (Müller, 2006).

Now, the question arises whether a polity can be ‘democratic’ even if its members – individuals, citizens – do *not* share a fellow-feeling, that is, even if they (feel they) belong not to a single *demos* but to different *demoi*. In contrast to Mill’s pessimist (or impossibilist) view, many scholars believe that under such conditions it is still possible to have a functioning polity that respects democratic standards. Demoicracy is one such solution. One of its main proponents, Francis Cheneval (2011: 27–42), argues for example that the idea according to which democracy is impossible without a *demos* does not imply that there must be only *one* people (*demos*).

### *The demos in demoicratic theory*

However, it is an open question whether, in demoicratic theory, the various *demoi* possess (or should possess) any particular ‘fellow-feeling’ and/or a common cultural/ethnic/linguistic identity (by this I do not mean among but *within* themselves). It is not easy to provide a ready-made answer to this question because demoicratic theorists, taken together, have not developed a clear position on it. Indeed, demoicratic theory has been criticized for not having a sufficiently clear definition of the *demos* (Hurrelmann and DeBardeleben, 2019: 299–301; Lacey, 2016). In Joseph Lacey’s (2016: 68) words: ‘Surprisingly enough, despite the centrality of the notion to their account of *demoi*-cracy, these authors [Bellamy, Cheneval, Lavenex, Nicolaïdis, and Schimmelfennig] have made few dedicated efforts towards defining exactly what they mean by the term “*demos*”.’<sup>5</sup>

Cheneval provides a minimal definition, according to which *demos* is ‘a group of human individuals engaged in generally binding collective action through common institutional practices’ (Cheneval, 2011: 57). For Cheneval and Nicolaïdis (2017: 238), whose main focus of interest is the European Union, the *demoi* are ‘statespeoples’, that is, citizens of the member states: ‘We call the group of individuals that authorises [. . .] collectively binding decision making the sovereign *demôs*, and the members of this groups citizens (we do not need at this stage to invoke qualifiers such as ethnic or civic characteristics to define such a *dêmos*).’ This resembles Bauböck’s narrow and legalist definition, according to which the *demos* consists of ‘all adult citizens who can vote or be elected’ (Bauböck, 2018: 257) – that is, ‘those who are called to participate in democratic elections and who qualify as candidates’ (Bauböck, 2018: 260).

If *this* is the *demos*, then the parallel with consociationalism and its concept of (ethnically defined) ‘segments’ (see next sub-section) is difficult to draw. Consider, for example, the EAI dilemma (Agarin and McCulloch, this issue), that is, the political marginalization of Others in consociations (Stojanović, 2018). If we adopt a strictly legalist definition of the *demos*, then it is impossible that an enfranchised adult living in a demoicracy is not a member of at least one of the *demoi* that compose such a polity. Hence, under this view, in a demoicracy there can be no Others.<sup>6</sup>

But there are many hints, in the theory of demoicracy, that the notion of *demos*/*demoi* is not (and perhaps *cannot* or *ought not* be) seen under a purely legalist light. Notice, to start with, that Cheneval and Nicolaïdis (2017: 238; see citation above) are actually quite explicit in *not* ruling out that the *demos* might have ethnic characteristics. Another demoicratic theorist interested in the EU, Richard Bellamy (2017), is more explicit on this point. He conceives the *demoi* not only as territorial but also as *cultural* communities (Hurrelmann and DeBardeleben, 2019: 299). A *demos*, thus, consists of a group of people who not only possess a high degree of interdependence on a given territory, but also conceive of themselves ‘as a public’; this self-conception is

supported by ‘a shared public culture and sphere’, themselves being ‘the product of a shared history, *language* and customs’ (Bellamy, 2017: 195; my emphasis).

On the other hand, the ‘cosmopolitan’ version of democracy, represented by Besson (2006) and Bohman (2007), also holds a non-legalist view of what demos is. Besson (2006: 188), in particular, explicitly mentions ‘ethnic groups’ and ‘members of religious movements’ among many possible ‘functional’ and ‘deterritorialized’ demoi in her theory.

In short, this brief review of the literature on democracy shows an ambiguity with regard to the role that cultural and linguistic, or even ethnic and religious, identities play or should play in the conception of demos/demoi. At a minimum, or so it seems to me, we have to conclude that it is *not* a purely legalist, static, and narrow conception, according to which the demos is composed of ‘all adult citizens who can vote or be elected’ (Bauböck, 2018: 257).

If this conclusion holds, one could even argue that the fact that democrats are silent over the problem of Others does not mean that it is conceptually impossible to have Others in a democracy but, rather, that there is an unspoken (and probably unintended) *presumption of homogeneity* in democratic theory. Statespeoples and their national identities are seen as a given, just like the segments in consociational theory. If I am wrong, then this presumption, at the very least, deserves to be addressed (and possibly refuted) by the theorists of democracy. While we cannot solve this issue within the limits of the present article, we can try to identify the links between the notion of demos and the notion of segment in consociational theory.

### *Segments in consociational theory*

Arend Lijphart and other consociational scholars, too, do not share John Stuart Mill’s pessimistic view and argue that it is possible to build and sustain democracy in divided societies (Lijphart, 1996: 258). They believe that a set of carefully designed institutions can make democracy possible even in divided societies: ‘[D]emocracy is possible in deeply divided societies but only if their type of democracy is consociational’ (Lijphart, 1996: 258).

Now an important question, for our purposes, is whether consociational theory conceptually and/or empirically presupposes the existence of different demoi? In other words, do individuals composing the constitutive ‘segments’ (e.g. ethnic, religious, linguistic) of a consociational polity (see Lijphart, 1977) belong to a single demos or to different demoi?

At the *conceptual* level the answer is not clear. One difficulty is that the notion of ‘segment’ itself is not sufficiently clear. In fact, as numerous critics have noted (e.g. Halpern, 1986), this is one among many notions of consociational theory that were defined with ‘vagueness and elasticity’ (Andeweg, 2015: 693), and the theory has thus increasingly become ‘ambiguous and contradictory’ (Dixon, 2011: 321). As noted in the introduction, more clarity has emerged only in recent years, with the distinction between ‘corporate’ and ‘liberal’ types of consociationalism (McCulloch, 2014; McGarry and O’Leary, 2007, 2009). So how have ‘segments’ been defined in consociational theory?

In his early piece *Consociational Democracy*, now regarded as ‘the “classic” statement of consociational theory’ (Lijphart, 2008: 3), Arend Lijphart (1969) describes the various groups composing a plural (divided) society as ‘political subcultures’ (p. 221). Referring to Almond, Lijphart (p. 219) states that in comparison to countries of the European continental type, the ‘political cultures’ of consociational countries are very fragmented and have ‘even clearer boundaries among their subcultures’. Such ‘distinct lines of cleavage’ are not necessarily a bad thing, in Lijphart’s opinion. He quotes David Easton’s suggestion that ‘a kind of voluntary apartheid’ may be ‘the best solution for a divided society’ (p. 219).<sup>7</sup> In such a context, political parties would ‘articulate’ the interests of the various subcultures, whereas aggregation of these clearly articulated interests would be performed by a ‘cartel of elites’ (p. 221) within an executive grand coalition.



It is in his later writings that the term ‘segment’ emerged to describe the groups that compose a ‘plural society’, for example when he argued that the ‘most important element’ of consociational democracy is ‘government by a grand coalition of the political leaders of all significant segments of the plural society’ (Lijphart, 1977: 25). They were defined as ‘separate subsocieties with their own political parties, interest groups, and media of communication’ (Lijphart, 2008 [1991]: 67). In more recent accounts, he dropped the notion of segment and referred to ‘grand coalition governments that include representatives of all major linguistic and religious groups’ (Lijphart, 1996: 258).

This brief overview of Lijphart’s formulation of consociational democracy does not allow us to claim that the segments composing a divided society are an equivalent of *demos*. Notice, however, that at an etymological level, a consociation refers to ‘a society of societies, or a people of peoples’ (O’Leary, 2005: xxii). In their defence of consociationalism, John McGarry and Brendan O’Leary also stress that their aim is to show that consociations can become stable ‘amid nationally divided *peoples*’ (2009: 83; my italics). Another hint that the segments can be seen as *demos* is the fact that in consociational theory the executive is an ‘elite cartel’ of representatives of various segments, similar to the EU democracy in which each national *demos* has one representative in the Commission.

The proposal that the different segments of a divided society should be considered equivalent to *demos* can be objected to on the grounds that Lijphart’s segments are ‘political subcultures’ that, in his own wording, are part of a broader, country-wide ‘political culture’. One could therefore argue that they are ‘sub-*demos*’ of a single *demos*. Another approach to the question whether consociations require the existence of different *demos* is to explore it empirically, by analysing the evidence from the cases of the existing corporate consociations, that is, Belgium, Bosnia and Herzegovina, South Tyrol, Lebanon and, at least partially, Northern Ireland (McCulloch, 2014: 506).

Consider the case of Bosnia. The supposition that it is composed of different *demos* is quite evident in the wording of its constitution – where Bosniaks, Croats and Serbs are referred to as ‘constituent peoples’ – and in the fact that its three ‘peoples’ have reserved seats in national institutions (Merdzanovic, 2015: chapter 7). For example, only representatives of the constituent peoples can be elected to the three-member Presidency. Also, the second chamber of Parliament is called ‘the House of Peoples’, where each people has five representatives. This confirms that Bosnia’s consociational regime is not democratic but (at best) *demo*cratic. (In the first section, I argue that it is actually an *ethno*cratic regime.) It also implies that citizens who do not (want to) belong to any of the three constituent peoples – the so-called ‘Others’ – enjoy a lesser degree of political equality and are not entitled to all *demo*cratic rights. Indeed, in two landmark decisions – *Sejdić and Finci v. Bosnia and Herzegovina* in 2009, and *Zorić v. Bosnia and Herzegovina* in 2014 – the European Court for Human Rights concluded that Bosnian citizens who belong to national minorities (e.g. Roma, Jews) or who simply do not want to belong to any ethnic group are discriminated against in elections to the Presidency and to the House of Peoples (Merdzanovic, 2015: 221–223). Similar patterns of political marginalization of Others nicely illustrate the EAI dilemma and can be found in other corporate consociations as well (Stojanović, 2018; Juon, this issue).

So, to sum up, the concept of segment in consociational theory matches, at least to a certain extent, the concept of *demos* in the theory of democracy. If this conclusion is correct, then (at a conceptual level) consociations can only be ‘*demo*cratic’ but not ‘democratic’. Can they be stable? I think that the ‘weak form’ of democracy mentioned – but in my view undertheorized – by theorists of democracy (see Cheneval and Nicolaidis, 2017: 236; Nicolaidis, 2015: 141–142) paves the way for a possible solution. I call it the ‘*demos*-within-*demos*’ constellation and will briefly develop it in the conclusion, after addressing a number of challenges that the present article faces.

## Discussion and conclusion

In this article I have tried to build a bridge between the scholarship focused on consociations and the more recent literature on democracy. I have also demonstrated that, as a conceptual matter, ‘consociational democracy’ is impossible. To put it simply: consociations are best seen as democracies; if they become democracies (i.e. *demos-cracies*), they cease to be consociations. However, it is possible to imagine a solution where a common *demos* co-exists with separate *demos* – the ‘*demos*-within-*demos*’ constellation.<sup>8</sup> It remains to be explored, conceptually and empirically, to what extent such a solution can be stable and to what extent it can allow us to tackle the EAI dilemma.<sup>9</sup>

Given its exploratory and mainly theoretical character, this article can be challenged from a number of perspectives. Let me address some of them.

The article could be criticized for focusing too narrowly on the ‘corporate’ type instead on the more recent, ‘liberal’, consociation. It is true that, as a conceptual matter, liberal consociationalism could solve the antinomy between consociation and democracy. In other words, it might be true that only *corporate* consociational democracy is a conceptual impossibility. Also, in his later writings Lijphart himself, together with other mainstream consociationalists (McGarry and O’Leary, 2007; see also McCulloch, 2014: 504), showed sympathy for the liberal model (Lijphart 2008 [1991]),

Nonetheless, I believe that focus on corporate consociation is justified for three reasons. First, it is what political actors themselves seek out, especially if they face existential anxieties (McGarry and O’Leary, 2009). Second, as Juon (this issue: 4) notes, the benefits of relying on liberal consociation to tackle the EAI dilemma ‘seem far from clear’ because we lack evidence on how Others fare in such contexts. Connected to this remark is, third, the observation that *de jure* liberal consociations often act like *de facto* corporate consociations. The examples in point are Iraq, Malaysia and Afghanistan. These are the *only* empirical examples identified as pure liberal consociations (McCulloch, 2014: 507). Yet other scholars identify Afghanistan and Iraq as *ethno*[i]cracies (Howard, 2012). As for Malaysia, it is actually questionable whether it can be seen as a consociation at all, given that it had ‘no grand coalition, no minority veto, no proportionality’ (Horowitz, 2014: 9). And even McCulloch (2014: 509) concedes that Malaysia ‘remains undemocratic’. Other cases are mixed, such as Northern Ireland. Some see it as liberal (McGarry and O’Leary, 2007), others as corporate (Juon, this issue). Probably they should be seen as hybrids (McCulloch, 2014). In other words, the distinction between corporate and liberal consociation is not as helpful as its proponents have imagined and its practical implications need more in-depth analysis. Hence, at the current stage of the debate and for the purposes of the present article, I believe that corporate consociation should remain the default position.

A second group of challengers could argue that the article focuses too much on the linkages between consociation and democracy, but neglects another important body of literature, the one on nationhood. Here, too, we can find many scholars arguing that there is a nexus between democracy and nationhood (for some examples, see Dardanelli and Stojanović, 2011). Some think that democracy presupposes a single (political) nation (Miller, 2001). Others, however, believe that multi-national polities can also be democratic (Kymlicka, 1995). Here, there is a certain parallel with academic proponents of democracy and also with advocates of consociationalism. Advocates of multi-nationalism face similar problems as well, especially with regard to the challenge of stability and shared identity. Will Kymlicka, for example, believes that a ‘fundamental challenge’ that liberal theorists face is ‘to identify the sources of unity in a democratic multinational state’ (Kymlicka, 1995: 192).

Is there a way out of such dilemmas? In my view, the most promising solution is to avoid rigid dichotomies – *demos-cracy* vs *demosi-cracy*, *mono-nation* vs *multi-nation* state – and to conceptualize the possibility of societies that have a sufficiently strong overarching *demos*, but also recognize their internal diversity and the existence of sub-*demos* *demos*. This constellation has been described

as a ‘weaker version’ of democracy (Nicolaïdis, 2015: 141) or as ‘nested nationalities’ (Miller, 2001: 307). With regard to institutional design, such societies should opt for a mix of consociational and centripetal solutions. One such example is the Pavia Group proposal for Belgium, which consists of creating a single, federal electoral district to which a portion of parliamentary seats would be allocated. It upholds the consociational structure of Belgium’s institutions but introduces a degree of centripetalism. Another example is the centripetal role of direct democracy in Switzerland (Halpern, 1986: 189; Stojanović, 2011).

In his earlier work Lijphart himself lists, among the ‘favourable conditions’ for the success of consociational settlements, ‘overarching loyalties’ (Lijphart, 1977), labelled ‘moderate nationalism’ (see Bogaards, 1998: 478).<sup>10</sup>

Overarching loyalties are even more important if they provide cohesion for the society as a whole and thus moderate the intensities of all cleavages simultaneously. Nationalism is potentially such a cohesive force. Not only its strength is important, but also the question of whether it truly unites the society or instead acts as an additional cleavage by providing a loyalty to a ‘nation’ that is not coterminous with the states. (Lijphart, 1977: 82)

In short, Lijphart does not exclude the possibility that there can exist a thin, overarching demos (to be built via ‘moderate nationalism’, in his wording) in consociationalism. But he sees it only as a ‘favourable’ condition – helpful but neither sufficient nor necessary for a successful enactment of a consociational solution. If my remarks in this article are correct, however, then we should give much more weight to the formation of a common demos on top of the existing demoi or ethnic segments. That said, we should be aware that ‘we may face a tradeoff between thicker and more motivationally powerful forms of national identity and thinner and weaker, but more inclusive, forms’ (Miller, 2018: 141). Having in mind the EAI dilemma (see Agarín and McCulloch, this issue), my hint is that the more inclusive form is what we should strive for.

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## Notes

1. To be sure, consociationalism has already been criticized for being undemocratic, primarily because it is too elitist and because its ‘grand coalition’ element hardly allows for alternation between government and opposition (see various critics cited by McGarry and O’Leary, 2009: 76). My argument may appear similar to such objections but upon closer inspection it is of a different kind. It is less based on (supposedly) undemocratic features of consociational settlements but rather on the idea that consociation presupposes the existence of two or more *demoi*, not of a single *demos*, and that therefore it can only be a democracy (i.e. demoi-cracy), not a democracy (i.e. demos-cracy).

2. For David Miller (2018: 126), an effective and viable demos is ‘one that can operate in the way that we hope a democratic body should’, that is, ‘is able to work as a viable democracy’. In his opinion, such a collective must have certain ‘essential features’, for example, ‘the members must speak a common language or languages’.
3. Regarding (a) the ethnolinguistic *power sharing in the executive*, care was taken in 1848 to appoint to the cabinet representatives of each of the three main ethnolinguistic groups. But it then became less important. Hence between 1864 and 1912, and more recently between 1999 and 2017, no Italian speaker was a member of the executive. In terms of (b) *group autonomy*, it is certainly true that federalism has allowed linguistic minorities to form majorities at the cantonal level and to enjoy a substantive autonomy. However, they do not enjoy autonomy as ethnolinguistic groups but as territorial entities. Given that, *pace* Lijphart (1996: 260), the cantonal boundaries do not conform to boundaries between the language groups, it is hardly a given that the federal structure of Switzerland is in line with consociational prescriptions. As for (c) the *principle of proportionality*, it is only partially applied with regard to the choice of the electoral system: the first chamber of Parliament is elected by proportional representation only since 1919, but the (equally powerful) second chamber is still largely elected by majoritarian rules. The principle of proportionality is applied, however, within the federal administration. Finally, (d) linguistic minorities do not have any *veto rights*.
4. The classification of Northern Ireland as a ‘corporate’ consociation is contested (Dixon, 2011). McGarry and O’Leary (2009) claim that it is a case of ‘liberal’ consociationalism. According to McCulloch (2014: 507), it uses both logics.
5. Lacey’s (2016: 68–69) own definition is that ‘a demos is an arena with sufficient identification among citizens across a polity to allow for forms of discursive participation and mobilisation that make political claims directed towards common institutions of authority’.
6. I thank an anonymous reviewer for this remark.
7. Recently, Lijphart declared that he regrets using this term because it was ‘not diplomatic’ (see Lijphart’s interview in Bogaards, 2015: 91).
8. Samantha Besson (2006) speaks of a functional and deterritorialized ‘demos of demoi’ in Europe. While this expression has evident similarities with my ‘demoi-within-demos’ notion, they are different because under my view the demoi remain territorially bounded (i.e. within the limits of the existing states).
9. The logical upshot of this discussion is to ask whether democracy, as such, can be stable. This is a matter for further investigation but my hunch is that it is indeed difficult to have a stable polity if it is composed of different demoi that do not share any overarching identity.
10. As Bogaards (1998: 477) has noticed, the notion of ‘overarching loyalties’ is confusing as it describes both intra-segment and inter-segment loyalties. After having discussed the former type, in this passage Lijphart refers to the latter.

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