Consociational STV?

The Oxymoron of the Good Friday Agreement, exemplified by the Northern Ireland Assembly election 2017.

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Introduction

On the 2nd of March 2017 Northern Ireland (NI) saw a snap election to the Northern Ireland Assembly (NIA), its regional legislative. This devolved body was established by the Good Friday Agreement (GFA) in 1998. The GFA halted thirty years of violence between pro-British Unionists and Irish Nationalists, both of which perceive Northern Ireland as legitimate part of their respective homeland. The treaty is a compromise among these ethno-national groups, whose competition continues to divide society in multiple ways (e.g. religious denomination, schooling, housing, [. . .] c.f. Evans & Tonge, 2013). This social divide is expressed politically through an "ethnic dual party system" (Mitchell, 2012) in which Nationalist and Unionist parties compromise for government. Northern Ireland exemplifies, hence, a "segmental cleavage" (Eckstein, 1966, p.34; cf. Zuckerman, 1975).

The GFA's prevision of the Single Transferable Vote (STV) for NIA-elections is rather paradoxical. Arguably, the nature of the electoral system is decisive when mitigating ethnic conflict. Unsurprisingly, electoral previsions prove important to the two dominant schools of conflict mitigation, both of which seem to merge in the GFA. Using STV is typical for *centripetalism*. The rest of the GFA rather adheres to *consociationalism*. Considering two competing theoretical frames intermingled, one conjectures some degree of institutional misfit in NI. While scholarly attention on the ever-shifting power-ratios between extremist and moderate parties accumulates, little is known regarding the influence of STV on these currents. To fill this gap, this paper investigates how STV affects election outcomes regarding ethno-national representation by sectarian parties in consociational systems like NI.

In the following I will briefly introduce centripetalism and consociationalism, their meta-theoretical concepts, and how they are transposed into predictive models. Formally modelling theoretical assumptions is thought to engender accurate predictability of STV's influence on elections (deviations from other systems' prone outcomes). However, I shall address some flaws of past formalization-efforts and propose an adapted model. Latter will be tested against the outcome of the 2017 NIA elections. Findings include the accumulation of lower-preference votes towards moderate parties and, thus, some degree of barrier to extremist-dictate under STV. A short summary and a hint at possible improvements conclude this work.

Conflict-mitigating constitutional engineering

The GFA is the first of many NI peace-treaties that has, so far, proved somewhat successful. However, developments in NI continue to be observed thoroughly. Mirroring the GFA's complex equilibrating efforts, NI has become an empirical testing ground for constitutional

theorists of conflict mitigation, seeking to remedy conflict in plural societies through "constitutional engineering" (Horowitz, 1991c).

The academic discourse in this field evolves around two competing theories. Consociationalism promotes peaceful coexistence of conflict-groups. It departs from the assumption that, where segmental cleavages divide society, people are resilient "to assimilate, fuse, or dissolve into one common identity" (McGarry & O'Leary, 2009, p.26). Consequently, consociationalists propose proportional power-sharing through "government by elite cartel [. . .] to turn a democracy with a fragmented political culture into a stable democracy" (Lijphart, 1969, p.216). Such a design tailors institutions including grand coalition government, ethnic self-government, mutual veto rights, and proportional representation (PR) (Lijphart, 1977; Nagle & Clancy, 2012, p.82). Built-in assurances like veto rights tend to build sticky institutions, i.e. once established it proves increasingly difficult to destabilize the existent system. However, resilience to alteration also prevents further conflict-resolution and integration of opposed, yet appeased, groups into one homogeneous society (c.f. Horowitz, 2014). Accordingly, Lijphart, who champions consociationalism, aknowledges that his assumptions are designed to stabilize democracy, not to unify society.

For NI, the GFA prescribes e.g. that the two highest executive positions be equal in rank and be chosen one each from the two conflicting groups. Hereby, the GFA implicitly assumes persisting segmentation for the future and constructs government, institutionalizing ethnic plurality. Unsurprisingly, the paragraphs concerning executive government (cf. O'Leary, 1998) have awakened revisionism regarding the GFA (Nagle & Clancy, 2012, p.93). Likewise, consociational regimes have proved vulnerable to shocks, which might cause the conflicting parties in NI to return to (armed) conflict (p.84). The shortrun-efficacy of consociationalism might, thus, merely acompany serious set-backs in the long run. To summarize, consociationalism juxtaposes relatively stable institutions with perpetuated social segmentation and continous risk of violence. It fails, by definition, to fill in the social cleavage(s) at the root of conflicts.

Centripetalists are arguably more ambitious than Consociationalists; assuming identity - e.g. Protestant Unionist or Catholic Nationalist (Evans & Tonge, 2013) - was less deterministic than consociationalists argue, then conflict resolution (*not* management) through social transformation is possible, creating homogeneity where there once were social segments. By suggesting so, centripetalists blame consociationalists of falling for "Civilizational Incarceration" (Sen, 2006). While consociational democracy is driven by proportionality, centripetalism favors majority rule to prevent institutionalized segmentation of political rule. Centripetalists also promote liberal democracy as a platform for "'bottom-up' transformative processes located at the

level of civil society and designed to encourage intergroup reconciliation" (Nagle & Clancy, 2012, p.83). This opposes rigid pluralist frameworks like veto-rights under Lijphart's 'government by elite cartel'.

However, one major shortcoming of centripetal theory is the deterioration of minority representation. This results from the "familiar aversion of ethnic majorities to limits, whether consociational or centripetal, to unfettered ethnic majority rule" (Horowitz, 2014, p.10). Surely, the stiff corporate rules (e.g. the obligation to inter-ethnically cooperate in government) and underpinned minority representation through PR under consociationalism allow less for these tendencies than centripetalist liberal majoritarianism. Centripetalism might, thus, have the theoretical assets to transform divided societies into homogenous ones, but the intrinsic risk of relapse has limited its applicability substantively.

Constitutional engineering and electoral system

Let us now turn to one of the major aspects of the theoretical assumptions above: how votes are cast and seats are allocated. The nature of electoral rules preferred depends on the nature of regime to be achieved. Centripetalists promote systems producing majority rule, whereas consociationalists prefer those leading to PR of the societal segments.

Lijphart repeatedly expresses his preference for Party-List PR (Lijphart, 1977, 1991, 1996, 1997), a system where the voter is asked to choose from parties on account of lists of these parties' running candidates. In so-called closed systems, the order of candidates is predetermined at party level (e.g. Albania, Argentina, Israel, or Turkey). In open systems, the voter is given the choice amongst the listed candidates of the party preferred, either in a multi-seats constituency (e.g. Austria) or in a National-level of vote pooling (e.g. Brazil, the Netherlands). In terms of consociationalism, Party-List PR maximizes "the power and flexibility of segmental leaders" (Lijphart, 1977, p.137), promoting, thus, those strong positions for sectarian elites which enable them to force their respective interests onto the agenda of inter-ethnic compromise. It provides for grand coalitions and, by its pluralistic nature, renders self-representation for ethnically distinct constituencies. Intra-party vote transfer in open list-systems gives the voters control over their vote's fate, considering second, third, [. . .] choices. This has shown to produce highly proportional seat-allocation. (Gallagher, Laver, & Mair, 2011).

In contrast, centripetalists' preference of majoritarian regime over PR springs from their promotion of majoritarianism. Majority-government can be obtained through either of two methods: second ballot (SB) or alternative vote (AV). Logically, no other than a single-seat

constituency can always provide for majoritarian outcomes[1]. SB consists of two rounds of voting, first of which eliminates all but the two highest scoring candidates/parties. The consequent second voting serves as a run-off and yields a winner. Additional administrational and monetary burdens of SB limit its application to highest-office elections. The political tensions customarily experienced by any society foreseeing elections might well constitute a major trigger of violence, especially in ethnically divided societies and more so if experienced repeatedly. Moreover, SB has seen criticism because it forces voters, whose primary choice has failed to ascend to the run-off, to decide between two candidates which might not even have been their third choice initially. Some voters will, hence, tactically deviate from their true preference in the first round to prevent such a dilemma. SB diminishes voters' freedom of choice substantially.

AV excludes these flaws, but this is only part of why centripetalists recommend it for elections in plural societies. It requests voters to provide their lower preferences for candidates in the first and only election round, *disregarding* party affiliations. "In the absence of an initial majority, all but the top two candidates are eliminated. The alternative preferences of voters whose first (or second) choices are not among the top two contenders, but whose second (or third) choices are among the top two, are reallocated to them to compute a majority" (Horowitz, 1985, p.460). Horowitz (1985, 1991a, b, c, 1993) has argued repeatedly that AV promotes inter-group voting, cross-divide cooperation, the election of moderates, and contains extremist tendencies on either side. Latter two assertions coincide with the assumption that moderate parties from either side of a divide contend better at cross-ethnic vote pooling than extremist parties in a system where every preferential tier can go to a different party's candidate. AV would thus reward moderation and penalize extremism (Horowitz, 1991b, p.452).

Fraenkel & Grofman (2004) introduced a formalization of Horowitz' assumptions along single-peaked preference curves. The ethno-national divide in NI would, translated into their model, yield preference curves as can be seen in chart a., depicting the assumed preferential tiers for resolute nationalists (RN), moderate nationalists (MN), moderate unionists (MU) and resolute unionists (RU), choosing from the four major sectarian parties Sinn Fein (resolute nationalist), SDLP (moderate nationalist), UUP (somewhat moderate unionist) and DUP (resolute unionist)[2,3]. According to Horowitz' prognosis, voters will over time prefer moderate parties over radical ones. This effect, other variables constant, should replace the unionist-nationalist divide with a

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[1] An exception is the USA's "winner-take-all" system used in all but two federal states to elect the Electoral College which, consequently, elects the President.
[2] 1st preference =0; 2nd preference = -1; 3rd preference = -2; and 4th preference = -3.
[3] For more details on the Northern Irish Party System: c.f. Gillard Lutz & Farrington, 2006.

moderate-radical divide, where a majority falls towards moderation. This would yield preference curves like those depicted in chart b.

a.) "Pure" Ethnic Single-peaked Preference Curves

b.) "Mild" Ethnic Single-peaked Preference Curves
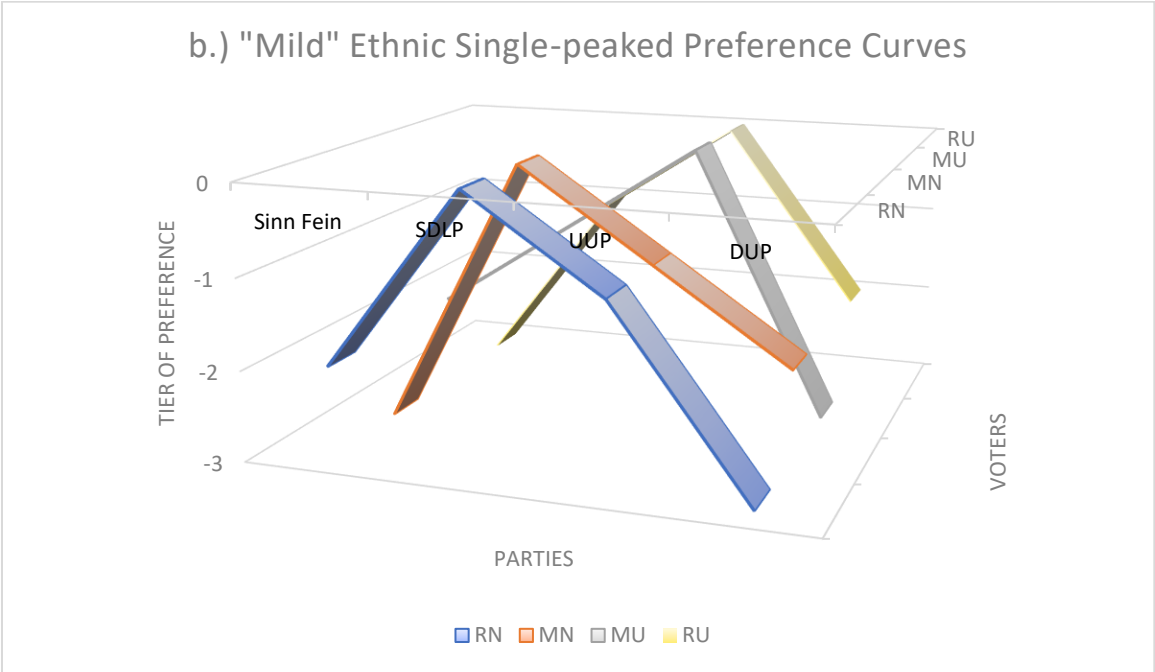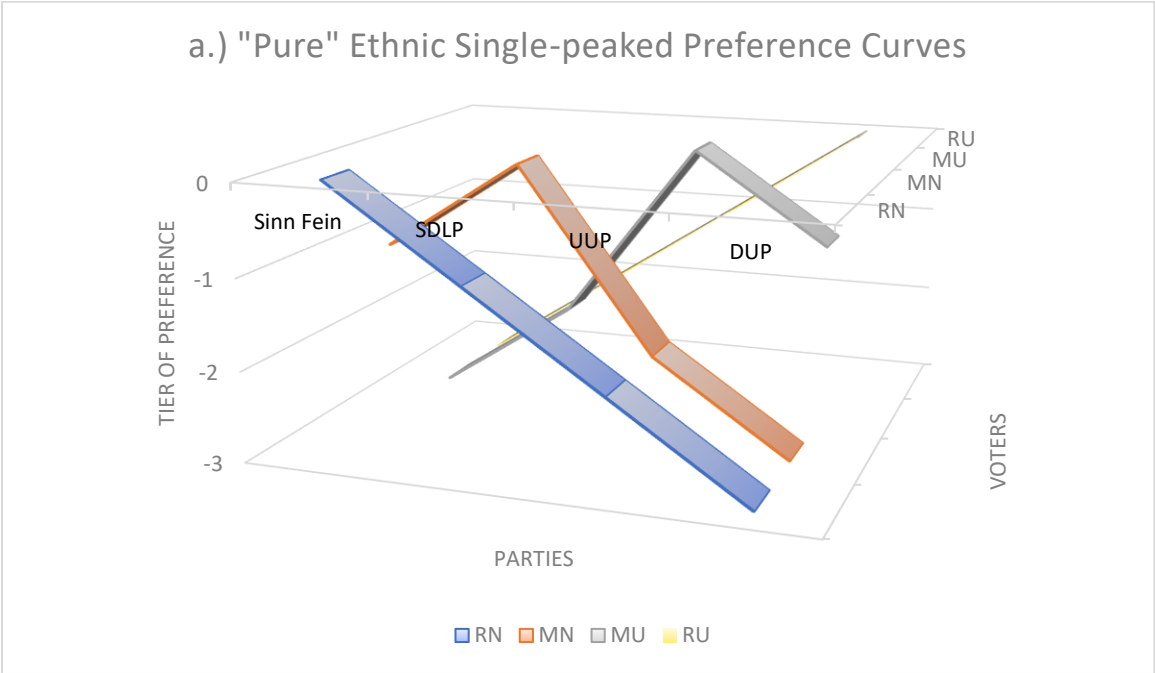
Especially the second of these formalizations is somewhat misleading, because it remains doubtable that e.g. moderate unionists would ever prefer Sinn Fein to DUP or *vice versa*. Horowitz himself argued that Fraenkel and Grofman's model was "based on perverse interpretations" of his work (2006, p.652). A variety of possible societal factors (consider e.g. personal bonds, socio-economics, or right-left divide) are kept constant to facilitate the modelling along the ethnical divide only. The model, thus, fails to account for minor cleavages which may exist next to the

major segmental one and may well influence voter's preferences. Another flaw is the assumption that sectarian party-distribution along bipolar axes (e.g. left-right) occurs symmetrically towards the center. Contrarily, SDLP might be more moderate than UUP and Sinn Fein more radical than DUP. Although this is no formal flaw, it must be considered when interpreting empirical cases. Meliorating some of these shortcomings and considering the rest, the Fraenkel-Grofman-model, yields, at best, a basic vectoral expectation for the otherwise abstract concept of intra- and intergroup propensities to vote (PtV, cf. Garry, 2014) for two or more sectarian parties of varying orientation in a segmentally divided society.
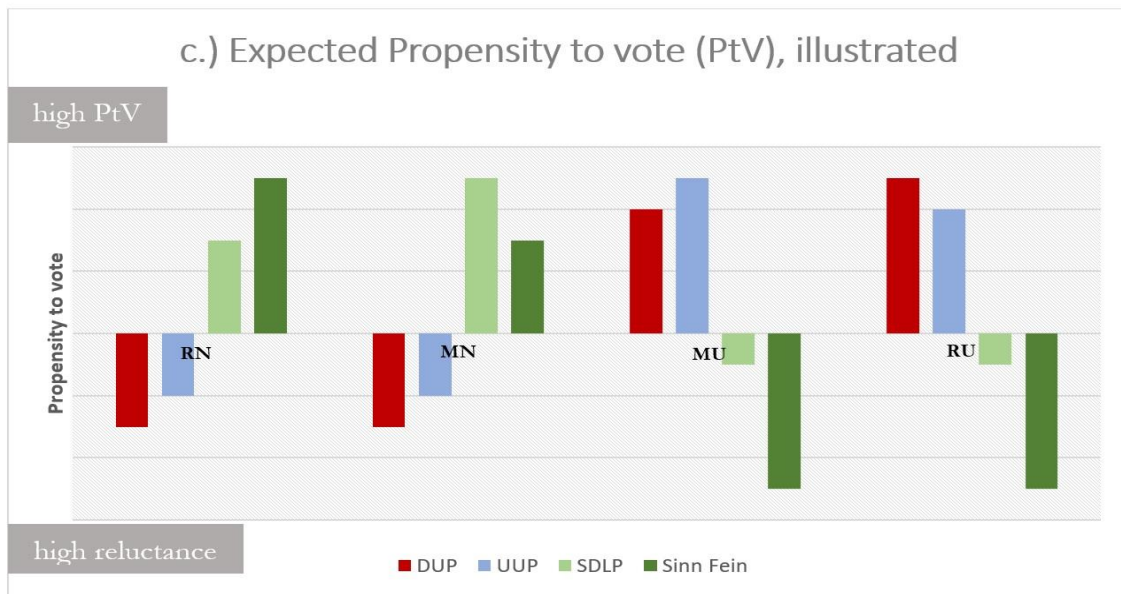
PR-STV in Northern Ireland

As described above AV produces majoritarian outcomes in a single round. If the same system is applied to multi-seat constituencies in combination with a simple droop quota[4] to determine the required number of votes to get elected, the system is called Single Transferable Vote (STV) and yields PR (cf. Sinnot, 2010). This system arguably combines the incentives to cross-voting present in AV with the proportional outcomes demanded by consociationalists (Copeland, 2010). Peculiarly, the GFA is a predominantly consociational design but foresees PR-STV for NIA-elections. The persistence of the segmental cleavage in NI, thus, juxtaposes the fact that, in absence of formal party-compulsion, "ethno-national blocs could disappear if voters decided to put their support behind parties who advanced non-ethnic issues that crosscut cleavages" (Nagle & Clancy, 2012, p.83).

Adjusting the Fraenkel-Grofman-model, it must be noted that in NI the intra-bloc differences between the more moderate and the more radical parties are asymmetrically perceived by the significant other respectively: While Unionists greatly differentiate between Sinn Fein and SDLP, Nationalists tend not to differentiate between the UUP and the DUP as sophisticatedly (Garry, 2014, p.13). Unionists' PtV for SDLP is, hence, greater than Nationalists' PtV for UUP. *Vice versa*, Unionists' reluctance to vote for Sinn Fein is presumably even higher than Nationalists' reluctance to vote for DUP. Among Nationalists and Unionists, intra-ethnical PtV tends to be asymmetrical regarding extremism/moderation too.

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[4] [v/(s+1)] + 1; v valid votes casted, divided by the sum s of seats to be filled and one, plus one.

c.) Expected Propensity to vote (PtV), illustrated

high PtV

Propensity to vote

RN   MN   MU   RU

high reluctance

DUP   UUP   SDLP   Sinn Fein

NIA Elections 2017

Four hypotheses can be made based on the assumptions delivered above. Firstly, that vote-transferal, intra- and interethnic, will benefit moderate parties (SDLP and UUP). Secondly, transfers will occur within rather than between ethnic groups; more from Sinn Fein to SDLP than from DUP to UUP. Thirdly, cross-ethnic vote-transfers (if any) will benefit moderate parties; the distribution of cross-ethnic transfers will benefit SDLP rather than the UUP.

To translate my hypotheses and the official election data (EONI, 2017) into comparable variables, lower-tier preferences are assumed accumulated where a party wins a seat, which by the first-preference votes would have gone to another party. Pluralities of seats per party and constituency are derived for, both, first-preference stage and final outcome. Prior are subtracted from latter to obtain the deviation of seats per party. Positive deviation means won seat(s), which could not have been won at first-preference stage. Negative deviation means lost seat(s) compared to the first-preference stage. Eventually, comparing the deviations of all parties, the preferential currents can be approximated. These operations were executed on constituency-level and aggregated to the whole of NI[5].

In total, 5 of the 90 seats changed their destiny after the first-preference counting. Confirming the first hypothesis, the current moved, indeed, from the wings towards the center. All 5 seats that "moved" were lost by either Sinn Fein (-2) or DUP (-3). Out of these 5 seats, 2 moved to UUP, two to SDLP and one to the Green Party (which was considered more broadly under non-sectarian Parties). Only one of the 5 seats crossed the segmental cleavage, from DUP

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[5] Accessible in XLS-format on request.

to SDLP. Another seat went from the DUP towards the non-sectarian Green Party. The remaining seats moved intra-ethnically towards the moderates, two from Sinn Fein to SDLP and one from DUP to UUP. Hence, hypothesis two is also confirmed, although correlation is less strong. Because the only instance of cross-divide transfer consisted in a seat moving from DUP to SDLP, the third hypothesis persists, but at margin. Lastly, although net-transfers benefited moderate parties as projected, the two more radical parties still hold most seats in the NIA, with the DUP accounting for 28 and Sinn Fein for 27 out of 90. Pro-moderate lower-preference votes, hence, did not suffice to disempower radical wings on either side of the cleavage. Latter's ongoing deradicalization efforts (cf. Nagle & Clancy, 2012) might explain this retention, but it also shows that the segmental cleavage remains defined.

Limitations and Conclusion

The model used does not genuinely account for shifts towards non-sectarian parties, e.g. the Greens. Additionally, the revised method disregards decision-variables other than party-affiliation, e.g. gender, profession, or regional bonds. They might, however, prove important. Some theorists argue that STV may undermine party-cohesion (Gallagher, Laver, & Mair, 2011, p.389), possibly conditioning voter's decisions to those factors disregarded by the model. While this proved insignificant for NI, caution is encouraged when applying the model to other cases.

The findings of this paper constitute a modest contribution to the broader formalization-effort of constitutional engineering. It tried to answer how the use of STV affects election outcomes regarding the ratios of ethno-national representation through sectarian parties in consociational systems like Northern Ireland. Drawing from centripetalism and consociationalism I went on to revise the Fraenkel-Grofman-Model of voter's preference-curves. The expectations were adopted to better reflect recent insight into the NI segmental cleavage; notably the initial symmetric expectation across the two ethno-nationalities was replaced by a more realistic, asymmetric pattern of party-perception among Nationalists and Unionists. The revised model proved promising for the rough prediction of lower-tier preference vote-currents, measured by inter-party seat-transferals between the first and the eventual stages of the counting process.

Regarding the centripetalist conjectures concerning STV's causation of integration in divided societies, the case study remained, at best, inconclusive. The recent collapse of coalition negotiations between DUP and Sinn Fein, however, suggest flaws in that postulation. Direct rule from Westminster might even be reinstated (Kroet, 2017). Additionally, Brexit puts the GFA to the test yet again (Belfast Telegraph, 2017). Hope remains that the peace-process may continue

under the auspices of careful and reasonable political leaders. Further testing, comparing, and extending the Model's scope towards other elections is recommended.

List of Abbreviations

NI	Northern Ireland	MN	moderate nationalist
NIA	Northern Ireland Assembly	MU	moderate unionist
GFA	Good Friday Agreement	RU	resolute unionist
PR	Proportional Representation/Rule	SDLP	Social Democratic & Labour Party
UK	United Kingdom	UUP	Ulster Unionist Party
US	United States (of America)	DUP	Democratic Unionist Party
SB	Single Ballot system	PtV	Propensity to Vote
AV	Alternative Vote	STV	Single-Transferable Vote
RN	resolute nationalist	STV-PR	the variant of PR based on STV

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