

Designing Peace: Cyprus and the Comparative Method

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THE POLITICS of MAJORITY NATIONALISM

Framing Peace, Stalemates, and Crises



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DESIGNING PEACE

Cyprus and Institutional Innovations
in Divided Societies

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The Intractability thesis

- Failures of Peacemaking: the absence of ‘consensus politics’ in our immediate neighborhood
 - no functioning federation in our part of the world
 - negative demonstration effects
- Majoritarian Nationalism: the constraints societies face when trapped in antagonistic frames and institutions
- Conflict-Mitigating Institutions: lack of knowledge with regards to institutionalizing peace

Can Institutions address intractability?

- Power-sharing arrangements
 - What explains endorsement and durability elsewhere?
 - Northern Ireland d'Hondt process/ Brussels Capital Region
- Referendums in Peace Processes
 - How do people vote for peace agreements?
 - International Comparisons and South Africa
- Refugees and Forced Displacement
 - What factors explain voluntary return and durable solutions?
 - Bosnia's return and remote vote mechanisms – Dayton Today

Northern Irish Experience

- Short-lived experience of Sunningdale (1973-4)
- D' Hondt inspired by the European Parliament (McEvoy, 2006)
- Membership in the executive is automatically determined by electoral strength (rather than post-election negotiations)
- Brussels Capital Region (two-tier system)

Mediations with Referendums

Relatively Stable Peace Processes/ Constitutional Reforms	Unstable Peace Processes/ Protracted Stalemates
<p>West –Indies (Constitutional- Jamaica, 1962)</p> <p>Spain (Constitutional-Catalans, 1978)</p> <p>S. Africa (Mandate- apartheid, 1992)</p> <p>N. Ireland (Post Agreement- Good Friday, 1998)</p> <p>Latvia (Mandate- Russian Speakers, 1998)</p> <p>Comoros (Constitutional- Anjouan, 2001)</p> <p>Papua New Guinea (Bougainville, 2001)*</p> <p>Burundi (Constitutional, 2005)</p> <p>Turkey (Constitutional, 2010)</p>	<p>N. Ireland (Mandate, poll, 1973)</p> <p>Spain (Constitutional-Basques, 1978)</p> <p>Haiti (Constitutional, 1987)</p> <p>Philippines (Post Agreement-Mindanao, 1989)</p> <p>Bosnia (Mandate for ‘No’- Serbs, 1994)</p> <p>Colombia (Citizen’s Mandate for Peace – 1997 & Mainz Agreement 1998)</p> <p>Guatemala (Constitutional-Maya, 1998)</p> <p>Philippines (Post Agreement-Mindanao, 2001)</p> <p>Cyprus (Post Agreement-Annan Plan, 2004)</p> <p>Sudan (South Sudan, 2005/2010)*</p> <p>Iraq (Constitutional, 2005)</p> <p>Kyrgyzstan (Constitutional, 2010)</p> <p>Egypt (Constitutional, 2011)</p> <p>Yemen (Constitutional, 2011)*</p>

(Non)Referendums Mediations

Relatively Stable Peace Processes/ Constitutional Reforms	Unstable Peace Processes/ Protracted Stalemates
Israel/Egypt (Camp David, 1978-9) Angola/Namibia (1988) Lebanon (Taif Accords, 1989) Cambodia (Paris Accords, 1991) Mozambique (Peace Pact, 1992) El Salvador (Chapultepec Agreement, 1992) Angola (Lusaka Protocol, 1994) Bosnia (Dayton Accords, 1995) Mexico (Chiapas, 1996) Guatemala (Peace Accord, 1996) Sierra Leone (Lome Peace Accord, 1999) Solomon Islands (Townsville Peace Agreement, 2000) Liberia (Comprehensive Peace Agreement in Accra, 2003)	Cyprus (Zurich-London power-sharing, 1960) N. Ireland (Sunningdale Agreement, 1973-4) Israel/Palestine (Oslo Accords, 1993) Rwanda (Arusha Accords, 1993) Philippines (Mindanao, 1996) Fiji (Constitutional power-sharing provisions, 1997) Afghanistan (Bonn Agreement, 2001)

Referendum in South Africa

- Enabled De Klerk to preempt outbidding challenges in 1992 while concluding a peace agreement with Mandela
- Safeguards the peace process from reversals in public opinion
- Incorporate early feedback in the negotiations and prepare the public for a settlement

Bosnian returnees

- Post-1995 Dayton Bosnia aim to empower displaced communities for peaceful voluntary return
- The Bosnian return process, regardless of its inherent limitations, has been one of the first relatively successful attempts to reverse ethnic cleansing in the Balkans and the Middle East
- Property, policing and electoral design provisions relevant for divided societies

Institutional Mechanisms

- The property and voting rights of the displaced are clearly entrenched in Dayton and universally enforced across the republic through the direct involvement of the international community:
 - Legally-binding right of return
 - Policing, arbitration and judicial mechanisms
 - Remote voting and civil associations
 - Lack of continuity and sustainability

Responses to the Question: 'If there was a referendum on

Dayton tomorrow how would you vote?'

by language spoken at home

	Bosnian	Croatian	Serbian
Definitely For	24%	8%	42%
Probably For	15%	26%	23%
Not sure	25%	37%	18%
Probably Against	10%	9%	7%
Definitely Against	18%	13%	2%
Non Response	8%	7%	8%
Totals	100%	100%	100%

**Source: Nationwide survey conducted by IPSOS in
2013**

Cyprus: intractable conflict or partial success story?

- “Sewage Diplomacy” in Nicosia (Papadakis, 2005)
- Bu *Memleket Bizim Movement* but also political party adaptation (Trimikliniotis and Bozkurt, 2012, Moore et al, 2014)
- CMP described by Ban Ki-moon, “as a model of successful cooperation between the Greek Cypriot and Turkish Cypriot communities” (Kovras, 2014; Yakinthou 2008)
- Return of displaced in Kormakitis -importance of community/remote voting (Elston Alphas et al, 2016)

Confidence-Building Measures in Post-2004 Cyprus

- The 2004 aborted referendum ended the comprehensive UN peace mediation:
 - Greek Cypriot hardliners gained public support
 - Widespread Turkish Cypriot disappointment
- Breakthrough in the exhumations for the missing after 2003 described by Ban Ki-moon, “as a model of successful cooperation between the Greek Cypriot and Turkish Cypriot communities” (Kovras, 2014)
- Delinking humanitarian aspects of the Cyprus settlement from the political settlement

Making institutions work

- Institutions do not eliminate risks entirely but allow leaders to take essential “calculated risks”
- Confronting the legacy of the past requires institutional designs combining new ideas with local expectations
- Constraints in ‘Designing Peace’ but also opportunities in familiarizing the public with alternative institutional formulas

Power-Sharing Arrangements

- Consociationalism (Lijphart, 2004; McGarry and O'Leary, 2009) v. Centripetalism (Horowitz, 2003) are seen in most accounts as hostile to each other
- A 'difficult marriage' or novel synthesis of the two?
 - Parties in the mediations have preferences towards either consociational or centripetalist arrangements
 - Past mediations have also included either presidential or parliamentary forms of power-sharing.
- Both durability and negotiability are critically important (McGarry and Loizides, in prep.)

Allocations under the d'Hondt

- Assume four parties A, B, C and D
- Seats A (34), B (32), C (15) and D (9)
- Divisor 1, 2, 3 (please see handout)

Modified Cypriot Version

(d'Hondt plus semi- presidentialism)

- Political parties will be entitled *automatically* cabinet positions on the basis of their seats in the Senate after each election
- A cross-voted presidency as agreed in 2009 will form an additional arbitration mechanism
- Executive power will lie with cabinet but the two co-presidents will maintain joint arbitration powers

Advantages of the Proposal

- The formula is fair and inclusive to all political parties regardless of their national/ideological orientation
- It eliminates two negative scenarios:
 - A single party running the country alone with a weak majority
 - A party which aims to be included to be permanently excluded from power
- It is functional by safeguarding decision making through a 'triple lock' (i.e. executive, joint presidency, and judiciary)
- It is more likely to be endorsed by everyone including hardliners in power

Ratifying a Peace Agreement

- How to ratify, why and when?
- South Africa's 1992 Mandate Referendum :
 - “Do you support continuation of the reform process which the State President began on February 2, 1990 and which is aimed at a new constitution through negotiation?”
- Mandate to sign "binding agreements"
- “Meaningless” to ask white voters to reauthorize such agreement

Bosnian returnees

- Property, policing and electoral design provisions for the victims of ethnic cleansing in post-1995 Dayton Bosnia empowered community mobilization for peaceful voluntary return
- The Bosnian return process, regardless of its inherent limitations, has been one of the first relatively successful attempts to reverse ethnic cleansing in the Balkans and the Middle East

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General Lessons

- Seemingly unimportant institutional changes can have major effects on peace processes
- Less critical periods allow constructive experimentation on humanitarian issues
- Institutions do not eliminate risks entirely but allow leaders to take essential “calculated risks”

Conclusions

- Cross-issue linkages, automaticity and proportionality could secure mutual gains
- Innovation is not a panacea for the problems of divided societies
- Institutions do not eliminate risks entirely but allow leaders to take essential “calculated risks”

Evren's proposal for a federal Turkey

- “Those who are fooled by insensibleness of Evren and his like and hope for disintegration of the country are mistaken” Zeki Sezer, Democratic Left Party
- “One who proposes dividing Turkey into eight provinces is not a man,” Independence and Change Party (HURPARTI) leader Yasar Okuyan

Pan-Arabism

- A pan-Arab state would ...be considerably larger than Europe, Canada, China, or the United States. . . .(Lustick, 1997:653)
- By 2000 it would have more people than either of the two superpowers and contain almost two-thirds of the world's proven oil reserves. (ibid)
- The aggregate military strength and political influence of this strategically located state would be formidable. . . . (ibid)

Federal projects guided by nation-state logic in Cyprus

- “Bizonality is not only unavoidable but beneficial...”
- In this way we will isolate the Turks in the north and we will organize the Greek Cypriot sector in a way that has the overwhelming superiority and safety with regards to the Turkish one....
- This will leave the road for possible union of the Greek sector with Greece if the Turks agree on a double union.”
(Karamanlis, 1976)

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We are 'one people' (Pan-Arab)

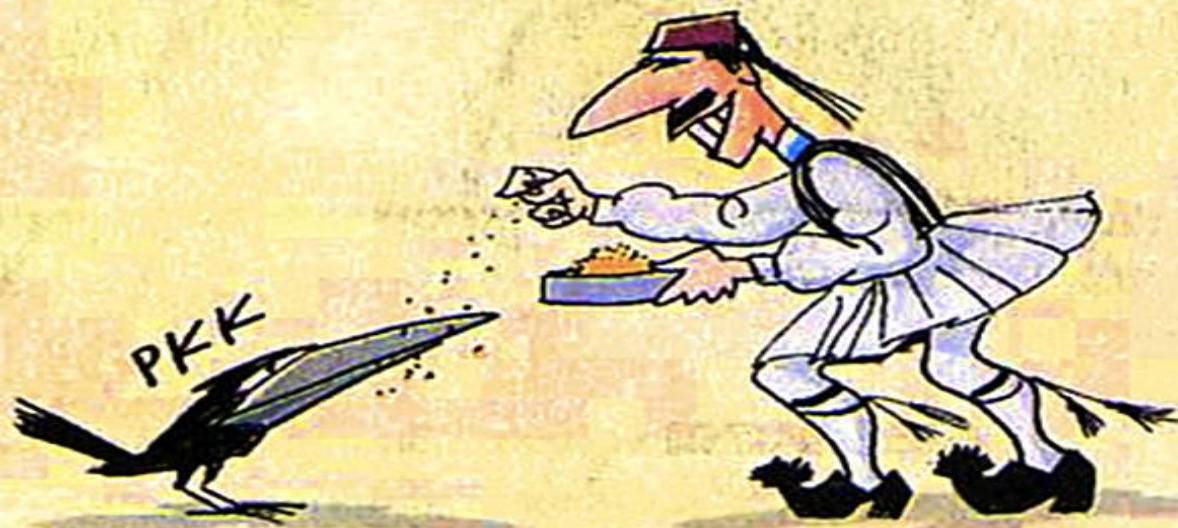
- We were one people in the past. If the Kurdish people have any grievances, they are in countries other than the Arab lands, as there was no segregation or discrimination between them and the Arabs. They were treated in the Arab homeland the way Arabs treat Arabs (Aflak, 1974)

‘Power-sharing will fail’

- It is for *certain* that Skopje will not exist as a unitary entity in a while (emphasis added)” Samaras (15/3/2008).
- “the core of the problem is that if Iraq is divided (author: federalized), there will be *definitely* civil war and *definitely* neighbouring countries will be involved in this (*emphasis added*) ” (Gul, 2006).



Η Τουρκία «αναγνώρισε» τα Σκόπια...
(Του Β. Χριστοδούλου)



Ideational Interpretations

- (False) historical analogies (Jervis, 1968, George, 1980)
 - Accommodation in various forms has failed in the region
 - Competing negations of the Ottoman legacies
- Rightwing and leftwing anti-federalist biases
 - Leftwing nationalisms see federalism as unnecessary downplaying ethnic differentiation.
 - Rightwing nationalisms reject multiethnicity and see federalism or power-sharing as a stepping stone to partition