RESEARCH BRIEF – AUGUST 2011
CAN POLITICAL INSTITUTIONS AVERT VIOLENCE FROM CLIMATE CHANGE?

EXECUTIVE SUMMARY

Climate change is likely to cause floods, droughts, and migration in Africa that could trigger political instability. But violent consequences are not inevitable. Domestic political institutions– "constitutional design"–could buffer the impact of climate change by channeling societal stress into non-violent outcomes. This research on Constitutional Design and Conflict Management (CDCM) in Africa explores which institutions are likely to moderate–or exacerbate–the impact of climate change. Seven leading scholars investigate seven African countries to identify how past climate-related and other shocks have been mediated by constitutional design. The project aims to develop policy recommendations to reduce violent conflict in Africa. Specifically, the CDCM research will pinpoint African countries that are especially vulnerable to political instability. It will also identify the political institutions that the U.S. government should promote through its democracy and governance aid programs to minimize the security consequences and human suffering that could result from climate change in Africa.

AUTHOR

Alan J. Kuperman leads the CCAPS project on Constitutional Design and Conflict Management. He is an Associate Professor at the LBJ School of Public Affairs at The University of Texas at Austin.

CLIMATE, CONFLICT, AND CONSTITUTIONS

Recent evidence suggests that climate change could cause violent conflict in Africa. Temperature and rainfall changes and extreme weather events contribute to floods, droughts, and migration flows. These shocks can exacerbate tension between elements of society, including ethnic groups who compete for scarce resources, and may bolster revolutionary tendencies. Increased societal stress threatens to trigger a range of violence, including protests, strikes, riots, declarations of emergencies, coups, revolutions, ethnic cleansing, massacres, and – in the worst cases – civil war and genocide.

The good news is that such violence is not inevitable. African societies have institutions that may buffer shocks, channeling their impact into nonviolent outcomes. The most fundamental of these are domestic political structures, or "constitutional design."

The Climate Change and African Political Stability (CCAPS) program's research on Constitutional Design and Conflict Management (CDCM) aims to determine which state institutions in Africa are likely to moderate, or exacerbate, the impact of such shocks on political stability. The research brings together seven of the world's leading scholars to compare and assess the experience of the last several decades through illustrative African cases. The ultimate goal is to formulate recommendations for U.S. policy to reduce violent conflict in Africa.

WHY CONSTITUTIONAL DESIGN?

The links between climate change and violent conflict are more complex than suggested by some popular reporting on the subject that implies a simplistic linear causation, as represented in Figure 1.

Figure 1. This research aims to move beyond the models of simplistic linear causation shown above and often reflected in reporting on the topic of climate change and violent conflict.

Constitutional design may affect both the level of societal stress and the propensity of such stress to cause violent conflict.

In the real world, climate change is only one, and not always the most decisive, influence on societal stress. Constitutional design may affect not only the level of societal stress, but also the propensity of such stress to cause violent conflict. In addition, international aid programs to promote democracy and governance (D&G) may alter constitutional design, affecting its ability to mediate shocks. The resulting causal relationships are more complex, as depicted schematically in Figure 2.

Other ongoing CCAPS research projects explore some of these additional causal relationships, including how climate change and adaptation efforts each affect societal stress, and how D&G aid influences constitutional design.[1] By contrast, the CDCM project focuses on how constitutional design mediates the impact of climate-related and other shocks on societal stress and violent conflict, as detailed below.
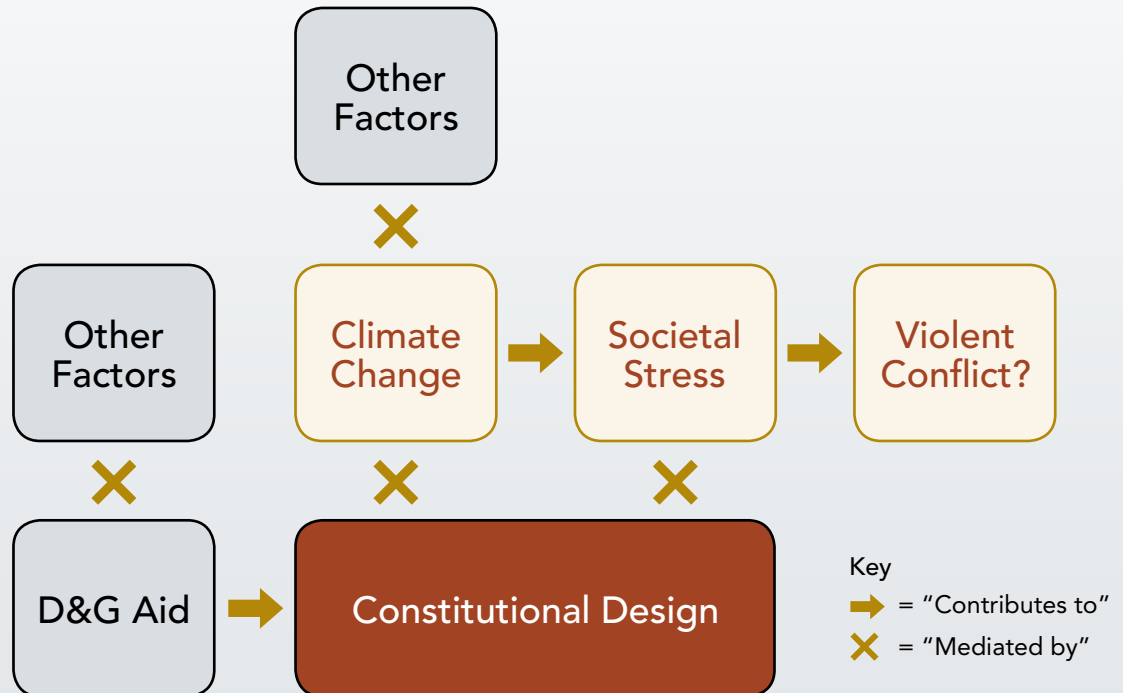

Figure 2. The case studies conducted in this research examine the complex causal relationships between constitutional design, aid programs, climate change, societal stress, and violent conflict.

WHAT WE KNOW

Relevant scholarly literature can be broken into three categories: comparative African studies, comparative global studies, and specific African studies.[2] In the first category, there is one, relatively old, cross-state African statistical study, which suggests that parliamentary systems of proportional representation may reduce conflict in multi-ethnic states.[3] However, the only qualitative comparative studies of the continent, focusing on southern Africa, fail to reach consensus on that question.[4]

In the global study of divided societies, scholars typically characterize constitutional strategies along a spectrum from "integrative" (aiming to erode the political salience of identity groups) to "accommodative" (guaranteeing autonomy or rewards to groups based on identity).[5] But consensus is elusive on the best approach for conflict management.

Arend Lijphart famously advocates the accommodation approach of "consociational" democracy that guarantees each major identity group a share of executive power, some autonomy, proportional representation and benefits, and a veto over fundamental decisions.[6] Donald Horowitz criticizes such arrangements as insufficient to promote cooperation and instead advocates the somewhat more integrative strategy of providing electoral incentives for political candidates to appeal across identity lines, which could erode such divisions over time.[7] Lake and Rothchild criticize the accommodation approach of territorial decentralization on grounds that it is an unstable outcome, destined to devolve into secession or re-integration, often entailing violence. By their reasoning, the integrationist strategy of territorial centralization is the only stable alternative to secessionist dissolution of the state.[8] Recent scholarship suggests that conflict management is best fostered by flexibility of constitutional design over time, a hypothesis that has yet to be tested rigorously.[9]

CDCM's research strategy is to focus on historical "shocks" in Africa that induced societal stress, in order to examine how constitutional design mediated their impact.

Existing case studies of African countries provide a rich evidentiary base for future scholarship,[10] but to date they lack a common methodology, which is essential to drawing broadly applicable lessons.

A NEW RESEARCH STRATEGY: SHOCKS AND OUTCOMES

A major innovation of CDCM's research strategy is to focus on historical "shocks" in Africa that induced societal stress, in order to examine how constitutional design mediated their impact. In methodological terms, shocks are the "independent variable" that causes violence (the "dependent variable"), if not buffered adequately by constitutional design (the "condition variable"), as illustrated in Figure 3.
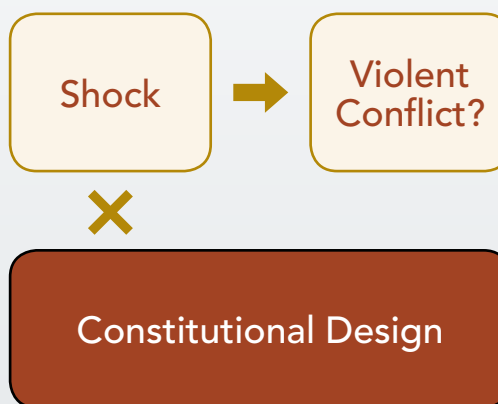

Figure 3. This research focuses on shocks as the independent variable to assess the mediating role of constitutional design.

"Shocks" are defined by the project as relatively sudden changes that affect the distribution of resources and power in a country–whether arising from economic, demographic, or

political dynamics, as shown in Figure 4. Shocks are linked to climate either directly, indirectly, or not at all. Direct climate shocks include floods and droughts. Indirect shocks include migration flows and environmental degradation that may result from climate change. Climate-unrelated shocks include trade shifts, resource windfalls or shortages, and momentous elections or political acts (domestic or foreign).

Shocks Related to Climate:
Drought, flood, and resulting famine
Rapid environmental degradation
Immigration, emigration, or internal migration

Shocks Unrelated to Climate:
Elections
Land redistribution
Dramatic changes in "terms of trade"
Resource windfalls

Figure 4. This research examines both climate-related and other shocks in Africa.

CDCM examines not just climate-related shocks, but all types, for two reasons. First, the dynamics of societal stress, which can trigger violence if not buffered by constitutional design, are similar regardless of whether induced by climate or other factors. For example, an influx of refugees may threaten instability whether triggered by drought in a neighboring country or by war in that country. Second, the project aims to produce findings that will be useful even if climate change proves not to be as significant a problem as currently feared. By exploring shocks unrelated to climate change, the project can thus provide policymakers recommendations to reduce violence in Africa from stresses that are almost certain to occur, such as elections.

"Constitutional design" is defined by the project as the formal and informal structures of countrywide governance. This comprises institutions of integration and accommodation—such as election rules, federalism, and guaranteed benefits for identity groups—as shown below in Figure 5. It also includes the separation of powers—that is, provisions for the judiciary, legislature, or opposition to challenge the executive—and transitional justice for states emerging from autocracy or war. Finally, it entails the citizenry's acceptance of the political institutions as legitimate, and any procedures for modification and interpretation of constitutional design, whether by courts, amendments, or informal pacts. Not included is the historical evolution of

Components of Constitutional Design:
Accommodation, such as quotas, vetoes, or autonomy for identity groups
Integration, typified by a strong presidency
Election rules, including proportional representation in legislatures and qualified-majority voting by legislatures
Devolution of authority to sub-national territories
Mandated transfer payments or other redistribution to sub-national territories
Separation of powers provisions for the judiciary, legislature, and/or opposition to challenge the executive
Informal elements of constitutional design, including norms and pacts
Legitimacy of constitutional design among the populace
Procedures for modifying and interpreting constitutional design–whether formally by supreme courts or amendments, or informally via deals among parties
Transitional justice mechanisms

Figure 5. This research considers several key components of constitutional design.

political institutions prior to each case study, so that constitutional design is treated as an independent causal variable in our research.

Rather than mechanically assessing each of the above elements, the project's scholars highlight the aspects of constitutional design that have the greatest mediating role in each case study. Their studies also explore if various elements of constitutional design interact with each other in ways that alter their mediating effect. Shocks may be mediated as well by factors other than constitutional design, including antecedent, proximate, structural, and individual characteristics in each country. Accordingly, the case studies report when such additional factors play an important mediating function, but emphasize the role of constitutional design in accordance with the project's main research question.

To the extent possible, CDCM aims for detailed insight into the capabilities and limitations of constitutional design to buffer climate-related and other shocks. The project

The project will identify African countries whose constitutional design is likely to exacerbate the impact of climate-related shocks and magnify risks of violence.

recognizes that such shocks vary along many dimensions, including rate of onset, magnitude, and duration. For example, a flood can arise in a matter of days, whereas desertification might take years or decades. Some political institutions may be capable of buffering a gradually arising shock but not a sudden one, or a short shock but not a prolonged one. Moreover, constitutional design may mediate at different moments along the pathway from shock to violence. Some political institutions might inhibit shocks from leading to ethnic rioting, while others could inhibit a subsequent escalation to full-blown civil war. The case studies highlight such nuanced lessons wherever possible.

CASE STUDIES

The CDCM research examines seven illustrative African countries, exploring how the evolution of constitutional design over time has mediated the following shocks:

- **Burundi (1988 – 2010):** Shocks include large-scale ethnic violence of 1988, subsequent land redistribution, and the migration of internally displaced persons and returning refugees.

- **Ghana (1957 – 2008):** Shocks include two floods in the 1960s, construction of a dam in 1965 that forced the resettlement of many residents, and elections over the last two decades, all while the country transitioned between two constitutions and suffered several military coups.

- **Kenya (1990 – 2010):** Shocks include the collapse of export commodity prices in the early 1990s, two protests during that decade against single-party rule, subsequent international sanctions imposed by donors, the high-profile electoral violence of 2007, and subsequent increases in international pressure, all in the context of five different constitutions.

- **Nigeria (1960 – 2010):** Shocks include an initial economic windfall in the 1960s from discovery of large oil reserves, the resulting environmental degradation that came to prominence in the 1980s, and oil price spikes over the last decade. During these years, Nigeria revised its constitution five times.

- **Senegal (1982 – 2010):** Shocks include the denial of independence for Casamance, subsequent demands by this region for secession, and periodic droughts and floods.

- **Sudan (1983 – 2011):** Shocks include the drought of the 1980s, war-induced famine beginning in 1998, the oil windfall of the last decade, the 2010 elections, and the 2011 secession vote by southern Sudan. During this period, the country had three different constitutions.

- **Zimbabwe (1979 – 2010):** Shocks include state-led ethnic massacres of 1982, land seizures by war veterans over the last decade that triggered the exodus of white farmers, and the regime's 2008 refusal to accept its defeat in democratic elections.

GLOBAL EXPERTS

The project's primary researchers are seven recognized experts on Africa, constitutional design, and conflict management:

- **Justin O. Frosini** is a Lecturer of Public Law at Bocconi University, Milan, and Director of the Center for Constitutional Studies and Democratic Development, Bologna, Italy. He has published widely in the field of Comparative Constitutional Law.

- **Gilbert M. Khadiagala** is the Jan Smuts Professor of International Relations and the Head of the Department of International Relations at the University of Witwatersrand, Johannesburg, South Africa. He is author of *Meddlers or Mediators? African Interveners in Civil Conflicts in Eastern Africa* (Brill, 2007).

- **Eghosa E. Osaghae** is a Professor of Comparative Politics and Vice Chancellor of Igbinedion University, Okada, Nigeria. He was leader of the Ford Foundation's Program on Ethnic and Federal Studies and Director of the Center for Peace and Conflict Studies at the University of Ibadan.

- **Andrew Reynolds** is an Associate Professor of Political Science and Chair of Global Studies at the University of North Carolina, Chapel Hill. His books include *Designing Democracy in a Dangerous World* (Oxford, 2010) and *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy* (Oxford, 2002).

- **Filip Reyntjens** is a Professor of African Law and Politics at the Institute of Development Policy and Management, University of Antwerp. For over thirty years, he has specialized in the law and politics of Sub-Sahara Africa, and the Great Lakes Region in particular, on which he has published a dozen books and hundreds of scholarly articles.

- **Stefan Wolff** is a Professor of International Security at the University of Birmingham, England, UK. The latest among his 15 books is *Ethnic Conflict: Causes, Consequences, Responses* (Polity, 2009), and he is the founding editor of the journal *Ethnopolitics*.

- **I. William Zartman** is the Jacob Blaustein Distinguished Professor Emeritus at the Nitze School of Advanced International Studies (SAIS) of The Johns Hopkins University in Washington. He is author and editor of many books on negotiation and diplomacy and has received a lifetime achievement award from the International Association for Conflict Management.

Some climate-related shocks seem inevitable. The hopeful news is that violence and political instability need not follow.

POLICY IMPLICATIONS

The CDCM project aims to provide two types of guidance for U.S. policymakers to reduce violent conflict in Africa. First, the project will identify African countries whose constitutional design is likely to exacerbate the impact of climate-related shocks and magnify risks of violence. This will enable the U.S. government to focus its conflict-management efforts on the African countries most vulnerable to political instability from climate change. Second, the project will inform U.S. aid programs for democracy and governance by identifying the political institutions that the U.S. government should promote in Africa to buffer the impact of climate change.

Addressing climate change will certainly require a multi-pronged effort. Mitigation may curtail the buildup of greenhouse gases, and adaptation may reduce some of the physical consequences. Even with the best efforts, however, some climate-related shocks seem inevitable. The hopeful news is that violence and political instability need not follow. By studying African political institutions, and their past role in mediating climate-related and other shocks, the CDCM research aims to minimize the security consequences and human suffering that result from climate change in Africa. The case studies are currently underway and will be released at a public conference in fall 2011.

ENDNOTES

1. For more on the full range of CCAPS research, see http://ccaps.strausscenter.org/research.

2. For more detail, see Eli Poupko and Alan J. Kuperman, *Selected Annotated Bibliography: Constitutional Design and Conflict Management* (Austin: Robert S. Strauss Center for International Security and Law, March 6, 2011).

3. Shaheen Mozaffar, "Electoral Systems and Conflict Management in Africa – A Twenty-Eight State Comparison," in *Elections and Conflict Management in Africa*, ed. Timothy D. Sisk and Andrew Reynolds (Washington: U.S. Institute of Peace, 1998), 81-98. The findings on proportional representation are not as clear in Shaheen Mozaffar, James R. Scarritt, and Glen Galaich, "Electoral Institutions, Ethnopolitical Cleavages, and Party Systems in Africa's Emerging Democracies," *American Political Science Review* 97, 3 (2003): 379-390.

4. Joel D. Barkan, "Rethinking the Applicability of Proportional Representation for Africa," in *Elections and Conflict Management in Africa,* ed. Timothy D. Sisk and Andrew Reynolds (Washington: U.S. Institute of Peace, 1998), 57-70; Andrew Reynolds, "Elections in Southern Africa – The Case for Proportionality, A Rebuttal," in *Elections and Conflict Management in Africa*, ed. Timothy D. Sisk and Andrew Reynolds (Washington: U.S. Institute of Peace, 1998), 71-80; Andrew Reynolds, *Electoral Systems and Democratization in Southern Africa* (Oxford: Oxford University Press, 1999).

5. Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington: U.S. Institute of Peace Press, 1996); Bernard Grofman and Robert Stockwell, "Institutional Design in Plural Societies: Mitigating Ethnic Conflict and Fostering Stable Democracy," in *Economic Welfare, International Business and Global Institutional Change*, ed. Ram Mudambi, Pietro Navarra, and Guiseppe Sobbrio (New York: Edward Elgar Press, 2003); Milton Esman, "Ethnic Pluralism: Strategies for Conflict Management," in *Facing Ethnic Conflicts: Toward A New Realism*, ed. Andreas Wimmer et al. (Lanham: Rowman and Littlefield, 2004), 203-211; John McGarry, Brendan O'Leary, and Richard Simeon, "Integration or Accommodation? The Enduring Debate in Conflict Regulation," in *Constitutional Design for Divided Societies: Integration or Accommodation?* ed. Sujit Choudhry (Oxford: Oxford University Press, 2008), 41-88.

6. Arend Lijphart, "The Wave of Power-Sharing Democracy," in *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, ed. Andrew Reynolds (Oxford: Oxford University Press, 2002), 37-54. More specifically, he advocates a power-sharing executive, parliamentarianism, decentralization via grants of autonomy, proportional-representation elections, and proportionality in civil society. See, for example, Arend Lijphart, "Constitutional Design for Divided Societies," *Journal of Democracy* 15, 2 (2004): 96-109.

7. Donald Horowitz, "Constitutional Design: Proposals Versus Processes," in *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, ed. Andrew Reynolds (Oxford: Oxford University Press, 2002), 15-36. Similar views are expressed by Benjamin Reilly, *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001).

8. David A. Lake and Donald Rothchild, "Territorial Decentralization and Civil War Settlements," in *Sustainable Peace: Power and Democracy after Civil Wars*, ed. Philip G. Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 109-32. Similar conclusions are reached by Svante E. Cornell, "Autonomy as a Source of Conflict: Caucasian Conflicts in Theoretical Perspective," *World Politics* 54, 2 (2002): 245-276.

9. Richard H. Pildes, "Ethnic Identity and Democratic Institutions: A Dynamic Perspective," in *Constitutional Design for Divided Societies: Integration or Accommodation?* ed. Sujit Choudhry (Oxford: Oxford University Press, 2008), 172-201; Stefan Wolff, "Building Democratic States after Conflict: Institutional Design Revisited," *International Studies Review* 12, 1 (2010): 128-141.

10. See, for example, Daniel N. Posner, *Institutions and Ethnic Politics in Africa* (Cambridge: Cambridge University Press, 2005); Jessica Piombo, *Institutions, Ethnicity, and Political Mobilization in South Africa* (New York: Palgrave Macmillan, 2009).

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