

Conflict Regulation through Self-Rule

– Success Factors of Territorial Autonomy Systems

Felix Schulte





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*Most writing to date has focused on the causes
and processes going into the conflict; more attention needs
to be directed towards getting out of it.¹*

William Zartman

1 Zartman, William (1998): Putting Humpty-Dumpty Together Again, p. 317, In: Lake, David A. and Donald Rothchild (1998): The International Spread of Ethnic Conflict. Fear, Diffusion and Escalation, Princeton

Preface

Autonomy or self-rule may be defined in different ways and just as definitions differ, in practice autonomy may take many different shapes. It may be a temporary or a permanent solution to territorial disputes; it may result in a successful or failed attempt to regulate the sharing of power. Albeit we can find a multitude of examples for autonomy arrangements worldwide, it remains challenging to pinpoint why one regime fails while another one endures. Felix Schulte's comprehensive approach to indentifying the circumstances under which autonomy or self-rule can regulate a conflict successfully is a very valuable contribution to the research pursued by the Åland Islands Peace Institute and others. Felix digs for detail and examines a number of factors whose existence or the lack thereof, have decisively shaped the regimes pertaining to Åland, Bougainville, Gagauzia, South Tyrol, Aceh and the Autonomous Region in Muslim Mindanao. Felix analyses autonomies not as static or isolated entities but as decisively influenced by internal and external factors. Felix' results are revealing and serve to inspire further research that invests in a question that has long engaged the Åland Islands Peace Institute – namely to explain the dynamics and not least the relationships that shape autonomy regimes. We are happy and grateful for having been able to host Felix for a research stay in the summer of 2013 and for being able to publish his excellent thesis within the report series.

Sarah Stephan

Researcher and project manager

The Åland Islands Peace Institute

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Heidelberg, Summer 2014

Abstract

In almost a quarter of all conflicts worldwide so called “ethno-national groups” are demanding self-determination and independence. To end such conflicts in a sustainable way, structural models of regulation are needed. Power-sharing easily leads to a dangerous blockade of the political system due to the high degree of willingness to compromise and cooperate it presupposes. In contrast, the concept of political autonomy is based on limited self-governance as well as a high level of self-reliance. Especially territorial autonomies have a particularly high potential for the regulation of ethno-national conflicts, as it constitutes a compromise between maintaining state sovereignty and considering claims for self-determination. Since there are successful and failed cases, the current discussion about a possible peace-making effect of territorial autonomy is not very helpful. Ever more fruitful is the question, under what circumstances those methods of conflict regulation are successful. Therefore, this paper examines if the democratic condition of the central state, the development of a cross-linked multi-party system, economic differences between central state and autonomy, the financial burden on the general budget of the state, the structure of society, the development of a cross-linked civil society, the commitment of international organisations as well as the integration of the autonomy systems into international institutions have a positive effect for the success of territorial autonomies as conflict regulation models.

Objects of investigation are the successful territorial autonomies of Åland, Bougainville, Gagauzia and South Tyrol. In those cases, ethno-national conflicts were successfully regulated by autonomy systems and mechanisms have been implemented to prevent further escalations. The hypotheses are tested negatively

with the cases of Aceh and the Autonomous Region in Muslim Mindanao. Those cases must be considered to have failed. This article shows that economic equality, i.e. the lack of sharp differences between central state and autonomy, are the basis for success. Under consideration of durability, the integration in international institutions can also be seen as factor of success. It can be assumed that the specific demand of an international organisation for the implementation of an autonomy system has a positive effect. The mere participation has – at best – an effect of acceleration.

In contrast to what is affirmed by many scholars, the democratic condition is not a decisive factor. The implementation of a self-rule model is also possible in defective democracies. None of the successful cases can look back on a long-standing democratic tradition before the autonomy was established. Cross-linked multi-party systems and civil societies, a certain structure of society as well as the amount of government expenditure for financing the autonomy systems are irrelevant for the success of a territorial autonomy as an instrument to regulate ethno-national conflicts.

Key words: *Conflict regulation, self-rule, shared-rule, ethno-national conflicts, territorial autonomy, Åland, Bougainville, Gagauzia, South Tyrol, Aceh, Mindanao*

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Abbreviations

CoR	Committee of the Regions of the European Union
ALDE	Alliance of Liberals and Democrats for Europe
ARGE Alp	Arbeitsgemeinschaft Alpenländer (Association of Alpine States)
ARMM	Autonomous Region in Muslim Mindanao
ASEAN	Association of Southeast Asian Nations
ATU	Autonomous Territorial Unit Gagauzia
BAS	Befreiungsausschuss Südtirol (Liberation Committee South Tyrol)
BIM	Bougainville Independent Movement
BIMP-EAGA	East-ASEAN Growth Area (Brunei, Indonesia, Malaysia, Philippines)
GDP	Gross domestic product
BLP	Bougainville Labour Party
BPC	Bougainville People's Congress
BRA	Bougainville Revolutionary Army
BSPC	Baltic Sea Parliamentary Conference
CBO	Community-based Organisations
EU	European Union
GAM	Movement for a free Aceh (Gerakan Aceh Merdeka)
CIS	Commonwealth of Independent States
IMT-GT	Indonesia-Malaysia-Thailand Growth Triangle
IWF	International Monetary Fund
CSCE	Conference on Security and Cooperation in Europe
MILF	Moro Islamic Liberation Front
MNCL	Melanesian NGO Centre for Leadership
MNLF	Moro National Liberation Front
MoA-AD	Agreement on Ancestral Domain (Mindanao)
MRR	Republican Equality Movement (Ravnopravie) Moldova
MSI	Italian Social Movement (Movimento Sociale Italiano)
NATO	North Atlantic Treaty Organisation
NBP	New Bougainville Party
NGO	Non-governmental organisation
ODA	Official Development Assistance
OIC	Organisation of Islamic Conference
OSCE	Organisation for Security and Cooperation in Europe
PCA	Partnership and Cooperation Agreement of the European Union
PCRM	Communist Party of Moldova
PLDM	Liberal Democratic Party of Moldova
PL	Liberal Party of Moldova
PPG	People's Party of Gagauzia
PPV	Vatans-Party Gagauzia
PSRM	Socialist Party of Moldova
SVP	Swedish People's Party
SVP	South Tyrolean People's Party
USSR	Union of Soviet Socialist Republics
UNOMB	United Nations Observer Mission on Bougainville
AER	Organisation of the Assembly of European Regions

I. Introduction

We, the people of Ogoni [...] being a separate and distinct ethnic nationality [...] wish to draw the attention [...] that the Ogoni people wish to manage their own affairs. Now, therefore, while reaffirming our wish to remain a part of the Federal Republic of Nigeria, we demand upon the Republic [...] that the Ogoni people be granted political autonomy to participate in the affairs of the Republic as a distinct and separate unit [...].²

In the 1990s, the Ogoni are demanding in their “Bill of Rights” the end of oppression by other ethno-national groups of the country. Besides the recognition of their language and culture, they raised the claim for self-government through political autonomy. This request was not accepted. Shortly afterwards, the dispute escalates to a violent conflict which has not ended until today.³

In 2013, in 53 disputes worldwide, autonomy was demanded and in 48 cases, ethno-national groups fought for secession (figure 1). Thus, approximately a quarter of all conflicts centred on claims for self-rule or independence. Inner state conflicts are always conflicts between groups. In every country in the world different groups exist side by side. Besides the majority population (the state forming group) and immigrants there are groups, who are autochthonous to the country, but never developed a sense of belonging to a country’s culture and language.

- 2 MOSOP (1992): Ogoni Bill of Rights, Under: http://www.mosop.org/Ogoni_Bill_of_Rights_1990.pdf (Last checked on 12.12.2013)
- 3 CONIS conflict database of the Heidelberg Institute for International Conflict Research, Under: <http://www.hiik.de/de/kosimo/> (Last checked on 29.12.2013), Heidelberg Institute for International Conflict Research (2013): Conflict Barometer 2013, Heidelberg

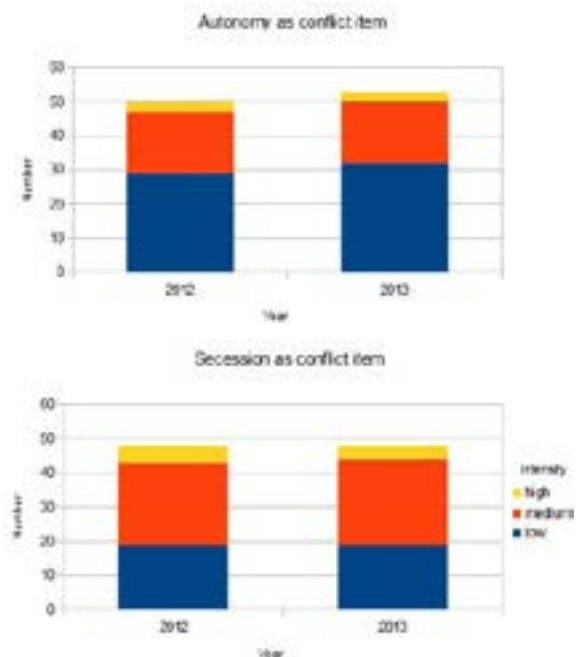


Figure 1: *Autonomy and secession as conflict items (2012 and 2013)*

Some of those ethno-national groups who consider themselves distinct demand to manage their own affairs. Generally speaking, these groups are limited in number and the demand is seldom violent. States often perceive this claim as an attack on their sovereignty, which leads to an escalation of a conflict in many cases. The concept of territorial autonomy provides an opportunity for defusing an ethno-national conflict and preventing further escalation.

A group is given the right for (limited) self-rule. The group’s area of settlement receives a special status within the state’s legal system, whereby exclusive legislative and executive competencies are transferred to the autonomous territorial authority. Autonomy is a model for conflict regulation. If we define a conflict as a state of stress, resulting from incompatible differences between at least two parties concerning a particular issue, it can rarely be spoken of a conflict *solution*.⁴ In many cases, terri-

- 4 Pfetsch, Frank R. (1994): *Konflikt und Konfliktbewältigung. Beispiele für Formen zwischenstaatlicher Auseinandersetzungen*, Stuttgart, p. 2

territorial autonomies function as a de-escalating compromise between a state's sovereignty and ethno-national self-rule. The question which has been left unanswered yet is under which circumstances such a self-rule-model is able to regulate a conflict that is to prevent durably any further escalation.

How can sustainable peace be achieved? Scholars found empirical support for several factors, most prominently Bruce M. Russett and John R. O'Neals and their concept of triangulating peace. Drawing on ideas originally put forth by Immanuel Kant, they argue that democracy, economic interdependence and international organisations reduce the chances of violent conflict.⁵ But how do those peace-building factors effect macro-political conflict regulation? Do factors of democracy, economy, (civil-) society and internationalisation also have a positive effect for the success of a territorial autonomy as an instrument to regulate ethno-national conflicts? The investigation is carried out on basis of the autonomous regions of Åland, Bougainville, Gagauzia and South Tyrol. In those cases, an ethno-national conflict was successfully regulated by a self-rule arrangement.

5 Russett, Bruce M. and John R. O'Neal (2001): Triangulating peace. Democracy, Interdependence, and International Organizations, New York

II. Dependent variable

1. State organisation and conflict regulation

1.1. Theoretical positioning

The investigation is tied to conflict management approaches which focus on institutional changes. Therefore, recourse to conflict theory as well as on findings of comparative political science will be taken into consideration. A distinction must be made between structural approaches (table 1) and bottom-up-approaches such as activities by non-governmental organisations and process-related approaches such as methods of peace-making, peace-enforcement and peace-keeping. These forms have to be

than one percent of the population.^{7,8} In most cases, one group, the so called titular nation, forms the numerical majority. What does that mean? The dogma of “one state, one nation, one people“, which is often implicitly assumed in the humanities, is a chimera. This concerns considerable more states and regions as merely such well-known hotspots as Kosovo, the Basque Country or Northern Ireland. The ethnic rag rug of the Balkan region does not exist everywhere, but if we look more closely, we can recognize such structures of society almost everywhere albeit in a somewhat weaker form.

Historically, the most important development for leading to future ethno-political conflicts is the formation of nation states and their triumphal procession as a model of political order.

		<i>Top-Down</i>	<i>Bottom-Up</i>
Micro and Meso-Level	(process-related)	peace-making, peace-enforcement, peace-keeping	problem-solving-workshops transnational NGO-networks
Macro-Level	(structure-related)	constitutional arrangements consociational democracy territorial solutions (autonomy, federalism, secession)	development of civil society structures social-, economic-, educational measures

Table 1: *Approaches of conflict management*⁶

characterised as temporary and external interferences into the course of the conflict, which must be differentiated from long-term and structure-oriented methods of conflict regulation.

1.2. Initial situation: nation state and ethno-national groups

About 5000 ethno-national groups exist worldwide. In an average country, there are five ethno-national groups, which make up more

The state, the “nation“, replaced religion during the 19th century in its function as a supra-personal frame of reference. The individual was no longer a cosmopolitan as it has been in the philosophy of the Enlightenment, but she became member of a nation, who identifies herself with the state, the state’s history and

6 Ropers, Norbert (1995): *Friedliche Einmischung. Strukturen, Prozesse und Strategien zur konstruktiven Bearbeitung ethno-politischer Konflikte*, Berlin, p. 33

7 Junkers, Stephanie (2001): *Ethnische Konflikte und Staatenteilung am Beispiel der Tschechoslowakei*, Marburg, p. 9; Fearon, James D. (2003): *Ethnic Structure and Cultural Diversity around the World: A Cross-National Data Set on Ethnic Groups*, Boston, p. 16

8 The empirical findings differ depending on the definition. They merely serve to clarify at this point. Basic specifications are made in the following.

especially its culture.⁹ The state as a model of political order evolved as cultural unit. The ideal of “one state, one nation, one people” implies exactly this congruence. In European states of the early modern era such as France or England, nation-building and the population’s cultural identification with the community was primarily shaped by public institutions (*demos*).

The state became the nation. In Germany and Italy in contrast, nation-building was carried out by national movements. Both, in *Vormärz* and *Risorgimento*, cultural elements were combined with the political demand for the constitution of a state (*ethnos*). The nation became the state.¹⁰ Whichever path states were following (or were forced to follow – the colonial powers implemented the principle of *demos* in their colonies, too), both led to a levelling of cultural, often linguistic and religious and thus „ethnic” varieties. Hence, one can agree with Charles Tilly, who described the concept of the nation state as a “categorical inequality”.¹¹ Both development tracks led to an equation of “state” and “nation” and finally to a linguistic synonym and commonly accepted conceptual model for politics, irrespectively of the actual heterogeneity of a state’s society. This implied structural defect constitutes a risk of conflict.¹² In many states, provisions to regulate societal heterogeneity are existing today. Such provisions are ranging from protection guarantees for several groups, as they are existing in Germany or Austria, to constitutionally enshrined structures and regulation mechanisms as they can be found in

Spain, Belgium or the example par excellence, Switzerland. In those cases, the political system appears as a result of negotiation processes between different groups. Often, those processes were conflict-ridden. Despite the functioning and wide acceptance of these regulations, some latent tensions between groups remain, which is made constantly apparent by demonstrations in the Basque Country or governmental crises in Brussels.

The term “ethno-national conflict” is consciously used in this investigation. It covers the whole range of conflict situations with and between ethno-national groups and makes it possible to differentiate from other ethnic conflicts as they can appear between native and immigrant groups.¹³ The term “ethno-national group” is used deliberately instead of “minorities”. Firstly, the latter term tends to be colloquial and implies a numerical inferiority. In many conflicts the groups involved are numerically equal, as for example in Belgium. Secondly, the term „minority” entails an evaluative connotation, which could be perceived as negative by the groups themselves. The carving out of exact definition criteria, as for example undertaken by James Fearon, however, make little sense.¹⁴ Obviously, those groups form a part of the state’s population, which differentiates itself from the majority population or other groups on the basis of certain cultural features, such as language, religion, traditions and customs or historical memories. On the basis of this perceived otherness, a feeling of group consciousness has evolved, which is why the groups could also be characterised as “communities” from a sociological point of view. Those communities are inter-generational and supra-personal. Membership is “a matter

9 Langewiesche, Dieter and Georg Schmidt (2000): *Föderative Nation. Deutschlandkonzepte von der Reformation bis zum Ersten Weltkrieg*, München, p. 11-13

10 Schneckener, Ulrich (2002): *Auswege aus dem Bürgerkrieg*, Frankfurt a.M., p. 29 ff.

11 Tilly, Charles (1999): *Durable Inequality*, Berkeley, p. 172

12 Benedikter, Thomas (2012): *Moderne Autonomiesysteme. Eine Einführung in die Territorialautonomien der Welt*, Bozen, p. 15

13 cf. Schneckener, Ulrich (2002): p. 33 ff.

14 Fearon, James D. (2003): *Ethnic Structure and Cultural Diversity around the World: A Cross-National Data Set on Ethnic Groups*, Boston

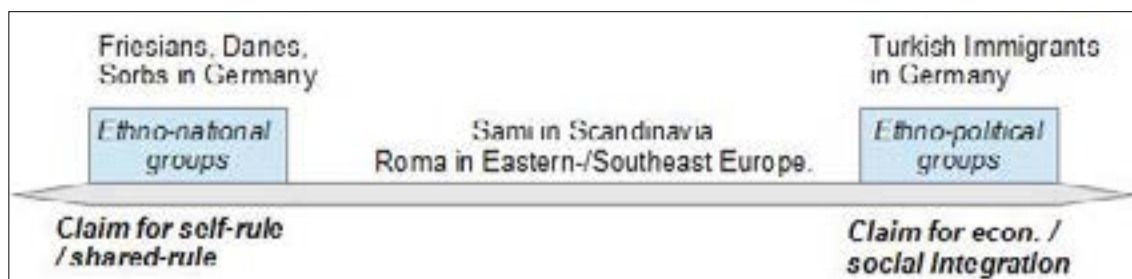


Figure 2: Ethno-national and ethno-political groups

of belonging, not of achievement“.¹⁵ Usually, membership dominates many areas of their member's lives. It is, however, irrelevant whether it is the common language or religion which generates group consciousness. This makes an exact definition neither possible nor helpful. There is little doubt that many African tribes existing today have been constructed by colonial administrations. They did not exist before but have nevertheless developed a distinct group identity recognized also by others.¹⁶

From a constructivist approach, it can be argued that the reciprocal perception of members as group members, and concurrently also the external acceptance of the group's existence is crucial for the development of a collective identity. For further clarification, another potential counterpart of the titular nation must be defined – immigrant groups, which could be described as ethno-political groups. Ethno-national groups, by contrast have lived within its territory since the formation of the state. They were incorporated into existing states through state formation processes or shifting of national borders.¹⁷

Members of ethno-national groups are usu-

ally holding the respective citizenship, which must be acquired by immigrants in the course of a bureaucratic process. According to Will Kymlicka, these two groups can also be distinguished by their claims.¹⁸ Ethno-national groups are usually calling for political participation (*shared-rule*) or the granting of competencies for a self-determined management of their specific cultural, linguistic or religious affairs (*self-rule*).

In contrast, ethno-political groups normally strive merely for political and economic integration. Both types should not be understood as being dichotomous but rather as endpoints of a continuum between which diverse and numerous intermediate forms exist (figure 2).¹⁹ A common constellation is the ethno-national group being faced with a titular nation in form of the nation ("the state"), where the latter defines the political, legal and cultural standards and thus has a supremacy position. This (potentially) problematic situation is not based on linguistic, religious or cultural differences. Setting out from these criteria, Catholics and Protestants in Northern Ireland have obviously more things in common than both compared with immigrant groups. Even socially very heterogeneous states with distinctive linguistic, cultural or religious cleavages are by no means more vulnerable for

15 Margalit, Avishai and Joseph Raz (1990): National Self-Determination, In: Journal of Philosophy, Nr. 87, Vol. 9, cf. Schneckener, Ulrich (2002): p. 35

16 Hack, Maria (2012): Horizontale Ungleichheit, Entwicklungshilfe und Konflikt in der Volksrepublik China, Under: http://othes.univie.ac.at/20709/1/2012-04-23_0402000.pdf (Last checked 09.10.2013)

17 Schneckener, Ulrich (2002): p. 36 ff.

18 Kymlicka, Will (1995): Multicultural Citizenship, Oxford/New York, p. 34 ff.

19 A clear classification is difficult for example for Sinti and Roma or indigenous peoples, as they often raise political demands in addition to their migration movements.

conflicts as socially homogeneous states. Qualitative as well as quantitative studies confirm this finding.²⁰ Political, socio-economic or cultural inequalities are a plausible explanation for ethno-national conflicts, as its described by the theories of relative deprivation and horizontal inequality. Such (perceived) discrimination strengthens collective identity. With increasing group consciousness, claims for self-rule, shared-rule or secession appear as logical consequences to eliminate inequalities.²¹ While the titular nation is following the integrative idea of a nation-state, ethno-national groups are often questioning this concept. The highest risk for conflict appears in case of claims for secession, because two mutually excluding ideas of state organisation compete with each other.²² In principle, there are two options to handle this issue: Power-sharing and Self-rule models. Their performance to regulate conflicts will be discussed in the following.

1.3. *The regulatory model of power-sharing*

Is a state confronted with such claims, the central question is: who is allowed to exercise authority over whom in which areas? In its core, this question is a political question, which is why ethno-national conflicts are primarily political – and not cultural or economic conflicts. Therefore, they need a political solution.²³ There are different strategies to regulate the co-existence of ethno-national groups. They can be summed up under the principles of *elimination*, *control* and *acceptance of difference*.²⁴

Measures of elimination aim at the homogenisation of society, for which instruments as genocide, forced relocations or assimilatory measures are used. Measures of control aim at levelling differences by systematic exclusion of certain groups from political power, as for example according to the principle of divide et impera. Both methods have to be characterised as unilateral coercive measures of the state, whereas the idea of the nation state persists. Besides normative objections, the likelihood for a peaceful and stable regulation of the conflict is substantially lower compared to the third strategy, the acceptance of difference. The acceptance of differences leads to a turning away from the classic idea of the nation state.

One main concept of macro-political regulation of ethno-national conflicts, which is based on the principle of acceptance, is the concept of power-sharing. Hereby, political power is divided between two or more ethno-national groups on the basis of formal or informal rules. Groups govern together the political community (shared-rule). Following this idea, various approaches have been developed in political science. Among the best-known

20 Such findings can be found for example in: Bates, Robert H. (2000): Ethnicity and Development in Africa. A Reappraisal, In: The American Economic Review, Vol 90; Fearon James D. and David D. Laitin (1996): Explaining Interethnic Cooperation, In: American Political Science Review, Vol. 90, Nr. 4; Fearon, James (2003); Collier, Paul and Anke Hoeffler (2009): Beyond Greed and Grievance. Feasibility and Civil War, In: Oxford Economic Papers, Vol. 61, Nr. 1

21 Cf. Stewart, Frances (2001): Horizontal Inequalities. A Neglected Dimension of Development. CRISE (Centre for Research on Inequality, Human Security and Ethnicity) Working Paper <http://www.crise.ox.ac.uk/pubs/workingpaper1.pdf> [Last checked: 20.12.2010]; Cederman, Lars-Erik et al. (2011): Horizontal Inequalities and ethnonationalist Civil War. A global comparison, In: American Political Science Review, Vol. 105, Nr. 3, p. 478 -494

22 Schneckener, Ulrich (2002): p. 48

23 Cf. Schneckener, Ulrich (2002): p. 48

24 McGarry, John and Brendan O'Leary (1993): The Politics of Ethnic Conflict Regulation, London, p. 10; cf. Schneckener, Ulrich (2002): p. 58 ff.

is the approach of consensus democracy and consociationalism by Arend Lijphart, who distinguishes majoritarian democracy and consensus democracy as the two ideal types of democracy.²⁵ While the majoritarian model is characterised by the concentration of power, centralism and a dominant government, the concept of consensus democracy builds on the inclusion of all relevant actors.^{26,27} Majority rule, the immanent decision-making principle of a majoritarian democracy, is not playing a crucial role in consensus democracy. Supplemented by federal elements and multi-party coalitions, this concept is suitable for handling societal heterogeneity. As a concrete conflict regulation model, a specific form of consensus democracy is of particular importance – consociationalism. While consensus democracy aims at power-sharing and thus, favours self-rule of ethno-national groups, already established and functioning power-sharing mechanisms are a prerequisite for consociationalism.

25 Lijphart, Arend (1984): *Democracies. Patterns of Majoritarian and Consensus Government in Twenty-One Countries*, New Haven; Lijphart, Arend (1999): *Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries*, Yale

26 The structural features of majoritarian democracy are according to Lijphart a two-party system, concentration of power to the majority party, government domination, a system of majority voting, a pluralist interest group system, a centralized state structure, a unicameral system, an existing possibility of constitutional amendment by a simple majority, no judicial review and a dependent central bank. Cf. Croissant, Aurel (2010): *Regierungssysteme und Demokratietypen*, In: Lauth, Hans-Joachim (2010): *Vergleichende Regierungslehre*, Wiesbaden

27 The structural features of consensus democracy are according to Lijphart a multi-party system, a power-sharing in multi-party coalitions, balance of power between government and parliament, proportional representation, a corporatist interest group system, a federally-decentralized state structure, bicameralism, high majority required for constitutional amendments, a well-developed control by constitutional judges as well as a autonomous central bank Cf. *ibid.*, p. 127-128

The constructors of the concept applied in particular the techniques of negotiation and compromise a decisive function. In accordance with the Latin word origin (*concordantia* = lat. for agreement), it can be referred to a “negotiating democracy”.²⁸ The following features are considered typically for such a system: a) a power-sharing executive b) proportional representation of group members in positions of state, administration and military c) veto rights in the legislative procedure d) cultural autonomy and thus, self-administration to a certain degree and e) regulation mechanisms for the mediation of disputes as for example conciliation committees based on parity²⁹. Conflict regulation takes places through negotiation. All groups are involved in political will-forming and decision-making-processes.³⁰ As important as the inclusion of all relevant actors may be, as difficult and unsatisfactory are such negotiation processes of “amicable agreement” in reality. Decisions can be blocked very easily, why consociationalism has a decisive disadvantage concerning conflict regulation:

[consociationalism] cannot be imposed against the wishes of one or more segments in a plural society,

as Lijphart himself recognises with regards to the Cyprus conflict.³¹

The Mediterranean islands’ first constitution attempted to unite Greek-Cypriot and Turkish-Cypriot interests via the concept of consociationalism. It constituted a presidential system with a Greek-Cypriot president and a Turkish-Cypriot vice-president as well as a

28 Schmidt, Manfred G. (2010): *Demokratiethorien. Eine Einführung*, Wiesbaden, p. 308

29 This element is not explicitly listed by Lijphart. However, it allows the functional interplay of the other elements. Cf. Schneckener, Ulrich (2002): p. 240-241

30 Schmidt, Manfred G. (2010): p. 308-309

31 Lijphart, Arend (1977): *Democracy in Plural Societies. A comparative exploration*, Yale, p. 160

council, consisting of ministers of both ethno-national groups (*power-sharing-executive*). For the parliament, the exact composition was specified, also for positions in public service and the army – *proportional representation*. Both president and vice-president had extensive *veto-rights*. Furthermore, the constitution provided for separately elected Communal Chambers with exclusive law-making powers in the areas of education and culture (*cultural autonomy*). A constitutional court with a Greek-Cypriot, a Turkish-Cypriot and a neutral judge was set up for *dispute settlement*. De jure, consociationalism was established in Cyprus, which, however, had de facto never been practised. The reasons for failure are manifold and are not explained in detail at this point. The Greek-Cypriots were interested in a strong entirely cypriot state. The numerically smaller group of Turkish-Cypriots attempted to reach the segregation of the groups to prevent being dominated by the opposite side. Those diametrical positions were even strengthened by the separate voting of institutions like the communal chambers and the offices of president and vice-president. Instead of sharing power, they blocked each other. Amicable agreement was especially missing with regard to the process of public appointments. The fact that the Turkish-Cypriots amounted only to 18 percent of the population but got almost a third of public jobs was perceived as discrimination by the Greek-Cypriots. The dispute over constitutional

amendments escalated into a civil war and set the seal on the end of Cypriot consociationalism.³² Consociationalism requires the willingness of the conflict parties to compromise and cooperate. As in Belgium or Switzerland, such a model can guarantee political participation of various ethno-national groups although it might bring some lengthy negotiation processes with it. However, if there is no agreement, it comes to the blockade of the decision-making process and, ultimately, to a standstill of the entire political system. While in a majority system, decisions can be made under difficult circumstances, a system based on the principle of consensus stands or falls with the willingness of actors to cooperate. In a possibly violent ethno-national conflict that willingness is scarce. In the Cypriot case, the far-reaching veto rights were used in particular to insist on its own claims and “blackmail” the other side permanently.³³ The likelihood of successful conflict regulation by a shared-rule system is therefore assessed as rather low. Other regulatory models aim at territorial solutions and shift the focus of shared rule to self-rule. The term self-rule covers both federal forms of government as well as various types of autonomy. Especially territorial autonomies are characterised by a special performance in regulating ethno-national conflicts.

32 Michael, Michaelis S. (2007): The Cyprus Peace Talks: A Critical Appraisal. In: Journal of Peace Research, Nr. 44/5, p. 587 ff.

33 Schneckener, Ulrich (2002): p. 282

2. The concept of territorial autonomy

2.1. Self-rule-regulatory models

The obvious example of self-rule measures for regulating conflicts is a territorial secession and the founding of a new state by an ethno-national group. A secession can bring peace to a conflict as result of a mutually accepted negotiated settlement, as the example of Czechoslovakia shows.³⁴ Basically, however, secession demonstrates a low potential to regulate or even solve ethno-national conflicts. In most cases, secession endeavours are not accepted by the central government but are held against its will. If the opposing interests are held by force of arms, it is called a war of independence. In this regard, the classic example is the secession of Bangladesh from Pakistan in 1971. There is no right to secede. Although it is always referred to by separatists on the “right of peoples to self-determination”, this does not imply an entitlement to a separate state. Despite approaches such as the *Responsibility to Protect*, international law favours the protection of existing states through the pillars of state sovereignty and non-interference.³⁵ It could be argued that, by secession, the problem situation described above disappears.

State construction would lead to many socially homogeneous states that are largely peaceful since the danger of ethno-national conflicts would have been banned. Countless cases, from Abkhazia to Somaliland, however, show that simply new cleavages occur and a “new” heterogeneity arises. The research draws attention to the high likelihood of conflict in the establishment of new states. Conflicts are likely in those cases where two ethno-national

groups seek control and sovereign rights over a territory.³⁶ The significantly higher number of states after World War II automatically led to an increased potential of conflict, as each state has its own interest, which does not always coincide with the self-interest of other states.³⁷ Thus, secessions are

rarely a solution to ethnic conflict, [they do] not assure the protection of remaining minorities and [are producing] new forms of violence.³⁸

A promising alternative is offered by territorial autonomies. Even the etymological connection between autonomy (Greek *autos* = self; Gr. *nomos* = law, rule) and self-rule refers to the core of the concept – the ability of individuals or groups to control certain matters. Basically, autonomy means the permanent enabling of cultural, linguistic or religious independence of individuals or groups within a political community. The political autonomy mentioned here differs from autonomy in public law, which designates freedom of action for universities or churches. A clear definition is hardly possible, since the spectrum of the granted autonomy can range from mere self-management competencies in few areas to almost complete political self-government. Due to epistemological reasons it is, however, indispensable to define at least a subform of territorial autonomy, based on

34 Schneckener, Ulrich (2001): Sezession als Konfliktlösung – Unabhängigkeit für Montenegro und Kosovo? In: *Leviathan*, Vol. 29, Nr. 3, p. 320

35 Cf. p. 316 ff.

36 Hensel, Paul (2000): Territory. Theory and Evidence on Geography and Conflict, In: Vasquez, John A. (2000): *What do we know about war?* Lanham; Huth, Paul (2000): *Why are Territorial Disputes between States a Central Cause of International Conflict?* In: Cf.; Rasler, Karin A. and William R. Thompson (2006): *Contested Territory. Strategic Rivalries and Conflict Escalation*, Malden

37 Pfetsch, Frank R. (2010): *Krieg und Frieden*, p. 370, In: Masala, Carlo, Frank Sauer and Andreas Wilhelm (2010): *Handbuch der Internationalen Politik*, Wiesbaden

38 Siroky, David S. (2009): *Secession and Survival. Nations, States and Violent Conflict*, Under: <http://dukespace.lib.duke.edu/dspace/bitstream/handle/10161/3209/DmainD6-29-09.pdf%3Fsequence%3D1> (Last checked: 11.10.2013), p. 2

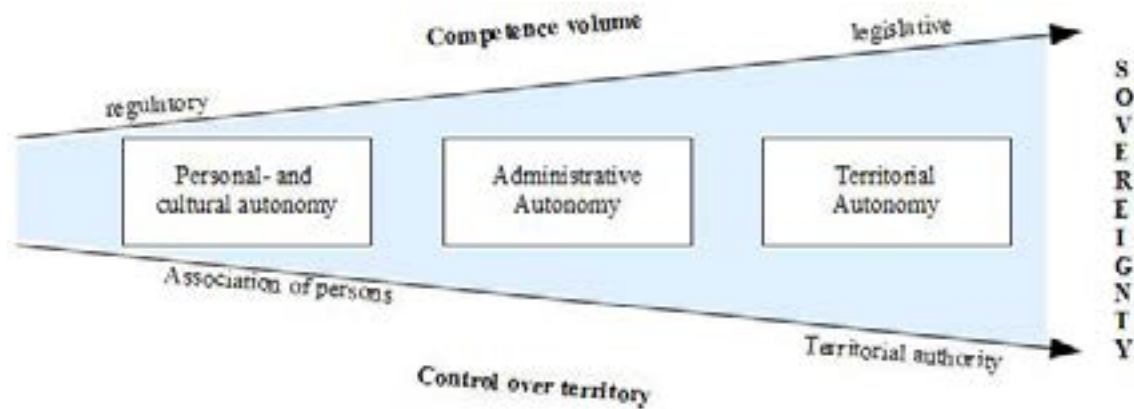


Figure 3: Basic forms of political autonomy

the classifications made in the following. A fundamental characteristic is the limited self-government. The territorial integrity of the state remains intact at all forms of autonomy.³⁹ Even territorial autonomies do not have their own international legal personality.

2.2. Basic types of political autonomy

In terms of the scale of the autonomy granted, three basic types of political autonomy can be distinguished: Personal and cultural autonomy, administrative autonomy and territorial autonomy. These forms can be described with ascending competence volumes as points of a continuum (Figure 3). In fact, there are many types of autonomy between these points. Basically, it is also possible that several types of autonomy are attributed to ethno-national groups. Thus, for the Sami in Scandinavia, territorial autonomy was proposed for their main settlement areas, and personal- and cultural autonomy for the remaining areas.⁴⁰ For a practical implementation, however, there is no example.

2.2.1. Personal- and cultural autonomy

The transfer of self-management competencies to the members of an ethno-national group can be described as personal or cultural autonomy. Basically, it can be distinguished between personal autonomy and cultural autonomy. However, since the differences are hardly relevant in practice, the term “personal and cultural autonomy” is used here.⁴¹ Even in the Ottoman Empire, self-management rights were granted to Christian and Jewish faith communities.

Known as “Millet”, this system gave Jews and Christians the right to their own schools, courts and cultural sites.⁴² This form of autonomy is exercised by an association of persons, which govern the cultural life of the group through self-governing bodies. The institutions do not have legislative competencies and refer to no specific territory, but only to the members of the group. An example is the Norwegian, Swedish and Finnish legislation for the Sami. In the 1990s, the group was granted to elect Sami-representatives (*Sameting*), which

39 In the following it is spoken in this context of the “central state”, which is, however, not to be confused with a “unitary state” in demarcation to a “federal state”

40 Lapidoth, Ruth (1997): *Autonomy. Flexible Solutions to Ethnic Conflicts*, Washington, p. 39

41 Cf. Howard, Rhoda E. and Jack Donnelly (1986): *Human Dignity, Human Rights, and Political Regimes*, In: *The American Political Science Review*, Vol. 80, No. 3, p. 804 ff.

42 Stahlberg, Dirk (2000): *Minderheitenschutz durch Personal- und Territorialautonomie. Ein Vergleich*, Köln, p. 1

have to be consulted in matters affecting the minority. They have autonomy in education and cultural policy, in municipal planning, for example in relation to the land use and financial planning, what mainly affects the control of state funding.⁴³ However, the *Sameting* have no legislative powers.

2.2.2. *Administrative autonomy*

In administrative autonomies an association of persons exercises the autonomy rights. The administrative powers delegated to such a system are purely of regulatory nature. These must match the legislative decrees of the central government. There is no control over a territory. However, the competencies of an administrative autonomy are far more comprehensive and more extensive than those of a personal or cultural autonomy. There is an extensive network of institutions that are funded by the state (partially). In addition to tasks that are usually provided by districts, municipalities or counties, those institutions fulfil autonomously a broader range of tasks.⁴⁴ An example of this is the autonomy of the Danes and Frisians in Germany (Table 18/annex).

2.2.3. *Territorial autonomy*

Territorial autonomy is not only the most common form, but also the one with the highest degree of self-rule (Figure 3). Carrier of this form of autonomy is not an association of persons, but a local authority. This is why institutions which are independent from the central state are needed. These are provided with executive and legislative powers. It is the special status of a territory within the central state, which guarantees the population of this territory to manage their affairs through their own parliament, government and administration in specified areas. This legally enshrined transfer of exec-

utive and legislative powers cannot be made undone without the consent of the autonomy institutions. This is what distinguishes them from powers which were allocated to entities in the course of decentralisation processes.⁴⁵ Laws of the central state and territorial autonomy do not need to be congruent. In the exclusive control areas, the legal situation may be different. The degree of self-determination exceeds that of administrative autonomy and personal and cultural autonomy. Not only matters regarding culture and education, but also the social and economic policies are governed by the local authority. As the case studies shall show, usually only the defence and monetary policy remain exclusive competencies of the central government. However, exact areas of competencies are hard to generalise since the bandwidth is very large. Even Greek settlements in Asia Minor and some cities in the Middle Ages had some kind of special status.⁴⁶ The history of territorial autonomies pursuant to the criteria set forth herein, however, begins in the middle of the 20th century. In 1921, the Åland Islands became an autonomous region of Finland. The oldest territorial autonomy of the world is still regarded as a prime example of conflict regulation through self-rule. Other early attempts have failed, such as Memel territory within Lithuania, which was declared autonomous in the Versailles Treaty. This autonomy existed only for 15 years before it fell victim to German annexation efforts. The first forms of autonomy can be found in Europe. But even here people were struggling for quite a while with this concept of conflict regulation. Demands for independence were equated with secession and were therefore regarded as an attack on the nation state. After World War II, the United Nations also placed their focus firstly on the development

43 Schneckener, Ulrich (2000): p. 88 ff.

44 Benedikter, Thomas (2012): p. 40-41

45 Ibid p. 23

46 Stahlberg, Dirk (2000): p. 1

of a legal system of (individual) human rights. Gradually, however, numerous alternatives to the traditional nation-state principle were developed, which contain elements of self-rule for one or more ethno-national groups. The development of Spain to a community of autonomous regions or the devolution in Great Britain can be used as examples. These forms cannot always be clearly distinguished from each other. A study of territorial autonomies has to address this difficulty. In addition to de-facto-autonomies which exist only on paper, autonomies often transform greatly in terms of their granted powers over a short period of time. In literature, very different information can be found about the number of cases and the characteristics.⁴⁷ For the analysis of success factors, a systematisation of various self-rule models is necessary to distinguish all different forms from each other. Therefore, a definition is developed according to which relevant cases for the analysis are selected. In the following, the potential of territorial autonomies as conflict regulation instruments is explored.

2.3. Territorial autonomy and conflict regulation

A look at the territorial autonomies in the world makes it clear that these are not only created per se for reasons of conflict regulation but also for administrative-geographical reasons as for the remote Azores, or economic reasons as for Hong Kong. However, considering only the existing territorial autonomy regimes in Europe and comparing them with various conflict databases, around a half (exactly 42.85 percent) of the cases were preceded by a conflict

(Table 19/Appendix).⁴⁸ If more cases from other continents are included, the number of the so-called seized autonomies is accordingly higher.⁴⁹ Thus, the practical relevance is proven. In order to be certain, failed cases can be analysed to show that territorial autonomies cannot be generally seen as a panacea for solving ethno-national conflicts. There are plenty of examples worldwide in which territorial autonomies were able to contribute to successful conflict reconciliation. Therefore, it seems even more important to analyse the conditions for success. The special performance of territorial self-rule models is that the sovereignty and territorial integrity of the state are taken into account. The state as such remains intact and must not accept any territorial loss. The state represents and defends its authority to the outside. Also, its internal structure remains untouched. The transfer of competencies is made top-down, which allows transmitted self-determination rights to appear as “concessions”, leaving the state in a strong role. For the other side, a high degree of self-government is made possible by this form of autonomy. Of course, this requires often lengthy negotiation processes that may not always be peaceful. However, the above mentioned problem of secession is bypassed as

47 Two of the few counting attempts were undertaken by Maria Ackrén and Thomas Benedikter. Again, the results differ although a similar definition was used (65 and 62 territorial autonomies). Cf.: Ackrén, Maria (2009): Conditions for Different Autonomy Regimes in the World. A Fuzzy-Set Application, Åbo; Benedikter, Thomas (2012), p. 67

48 The case selection was made according to the following criteria: a) the rule of law in the central state and in the autonomous territorial unit b) permanently valid transfer of a minimum of legislative and executive powers c) democracy and free elections Cf.: Benedikter, Thomas (2012): p. 61-67. Those criteria differ from the in Section 2.5 developed definition. The alignment was done with the records of COW, Uppsala Conflict Database and CONIS.

49 Kjell-Åke Nordquist denotes the after a conflict emerged autonomies as “seized autonomies”, which differ from of practical reasons developed “expedient autonomies”, from “historical autonomies” and peacefully established “organic autonomies”. Cf: Nordquist, Kjell-Åke (1998): Autonomy as a Conflict-Solving Mechanism. An Overview, In: Suksi, Markku (1998): Autonomy. Applications and Implications, Dordrecht



Figure 4: Continuum between federal states and territorial autonomies

an alternative self-rule solution. Contrary to the elucidated principle of concordance, there is no compulsion to cooperate, but cooperation is kept to a minimum. Both can make autonomous decisions in at least some policy areas:

autonomy does not contain the element of cooperation in central affairs.⁵⁰

This makes territorial autonomies the regulatory model with the greatest potential to regulate ethno-national conflicts sustainably and peacefully.

2.4. Territorial autonomy and federalism

To identify possible cases, it is necessary to work out some conceptual characteristics of territorial autonomies in addition to the described manifestations. The concept is based on the principle of vertical separation of powers: There are several decision-making levels to which different decision-making powers are allocated. Such an allocation of competencies to decision-making levels (Bundesländer, cantons, provinces, communities) is commonly referred to as federalism. Federalism serves as an umbrella term which comprises – besides classical federal states – very different forms,

such as associated states, condominiums, confederations, regional states or reserves. A literature review shows that it is not always differentiated clearly between these forms. Even territorial autonomies are differently defined. Ruth Lapidoth and Hans-Joachim Heintze characterise territorial autonomies for example as a specific form of federalism.⁵¹ Philippe Mastronardi, Donald Rothchild and Carolina A. Hartzell in contrast argue that entities are granted a certain degree of autonomy under vertical separation of powers.⁵² Although the generic term “federalism” comprises territorial autonomies, they are clearly not the same as the sub-national units of a federal state. Rather, both forms can be understood as end points of a continuum (Figure 4) between which very diverse intermediate forms are possible.

Federal structures emerge as a result of an “agreements from below” – a constitutionally enshrined agreement of the merger of the

50 Heintze, Hans-Joachim (1998): On the Legal Understanding of Autonomy, p. 25, In: Suksi, Markku (1998): Autonomy. Applications and Implications, Dordrecht

51 Cf.: Heintze, Hans-Joachim (1998): On the Legal Understanding of Autonomy, p. 24, In: Suksi, Markku (1998): Autonomy. Applications and Implications, Dordrecht; Lapidoth, Ruth (1997): Autonomy. Flexible Solutions to Ethnic Conflicts, Washington, p. 50

52 Cf.: Mastronardi, Philippe (2007): Verfassungslehre. Allgemeines Staatsrecht als Lehre vom guten und gerechten Staat, München; Rothchild, Donald and Caroline A. Hartzell (1999): Security in Deeply Divided Societies: The Role of Territorial Autonomy, In: Nationalism and Ethnic Politics, Vol. 5, Nr. 3-4, p. 256

single units to a polity.⁵³ The member states are represented at the federal level and participate in the legislative process. They send representatives to a second chamber of parliament, which is to call in matters relating to constitutional amendments and all matters concerning the member states. In a classic federal state all sub-national units have the same competencies in the same regulatory areas and thus do not differ in their legal position. A federal state has a clear symmetry.

Territorial autonomies form the other end of the continuum. These are established by the central government through a (constitutional) law. Additional anchoring in international agreements is not uncommon. They are based on “guarantees from above”. Those guarantees provide the special status within the *acquis* of a state. In comparison, a federal state structure affects, by definition, the entire national territory. Since it is not a negotiated power-sharing agreement between the entities, but a transfer of competencies from top to down, a classic territorial autonomy is not involved in the legislative process of the state. It remains solely a representation in the national parliament, although the central government is represented by a governor in the political system of the autonomy. However, there is no “supremacy clause” such as “federal law supersedes state law” that could remove a regulation adopted by the autonomy institutions within a granted competence area. States that do not assign to all entities the same powers can be considered as asymmetric intermediate forms. Examples are the Russian Federation and Spain. The Russian Constitution provides for a federal system which distinguishes between six types of “federal subjects”: republics, districts, regions, cities of federal importance, autonomous regions and autonomous districts. They differ in terms of their legal position and their executive

powers.⁵⁴ Starting from its historic autonomies (Catalonia, Galicia, Basque Country), Spain has extended the principle of territorial autonomy to all 17 regions. This happened along an asymmetric pattern, as each region can decide upon an own statute with different degrees of autonomy. But the upper house (*senado*), in which the regions are represented, is involved in the legislation. Thus, Spain is a “state of autonomous communities” based on federal principles. Normally, territorial autonomies occur in unitary states, in which the granted special status breaks the symmetry. Nevertheless, even in federal states autonomies have been established in addition to the mentioned intermediate forms. A prime example of the complexity of the issue provides Canada: the Canadian provinces form a symmetrical federalism, which is, however, broken by asymmetric special rights for a province (Québec) and a special autonomy (Nunavut). Finally, reserves were also established for some Indian tribes.⁵⁵ A special status which appears disintegrative at first sight, may have an integrative effect. In contrast

the ties in a federal State [are] always stronger than those in an autonomy. This is a sensitive balance requiring consideration and cooperation.⁵⁶

A federal system seems particularly little useful if only one ethno-national group, which settles within a certain region, is to be equipped with special rights and institutions. Then, a territorial autonomy is the optimal model for the vertical separation of powers.⁵⁷ Nevertheless, this regulatory model carries inherent weaknesses. Such a decision autonomy always applies to all residents of the territorial

⁵³ Schneckener, Ulrich (2000): p. 335

⁵⁴ Gröder-Heinemann, Andreas (2002): *Föderale Autonomie in Russland und der GUS*, Under: <http://www.cap.lmu.de/download/2001/ra/Heinemann1.pdf> (Last checked 01.08.2013), p. 12 f.

⁵⁵ Benedikter, Thomas (2012): p. 25

⁵⁶ Heintze, Hans-Joachim (1998): p. 25

⁵⁷ Benedikter, Thomas (2012): p. 26

authority – even for those who are not part of the ethno-national group. Migration movements may cause that the composition changes and that, as a result, the once most numerous ethno-national group becomes a minority in the region and the autonomy loses their *raison d'être*.⁵⁸

2.5. Definition

An optimal definition includes exact criteria that makes an identification of intermediate forms possible. In addition, it is flexible enough to cover the full range without leaving “right” cases unconsidered by overly restrictive criteria. The frequently used definition in literature by Donald Rothchild and Caroline A. Hartzell cannot be used because of too ‘soft’ criteria:

“Territorial Autonomy can be defined as an institutional arrangement that delimits a regionally-based, self-administering entity or entities within a state as having explicit policy-making responsibilities in one or more political, economic or cultural spheres”.⁵⁹

This definition covers too many intermediate forms, which limits the reliability of the investigation. Based on the distinguishing characteristics of federal arrangements, a territorial autonomy is defined as a geographically defined area and at the same time a singular unit, to which exclusive legislative powers are allocated by the central government and which enjoys a special status within the state, which is guaranteed by laws and cannot be unilaterally cancelled, which, however, implies no institutional representation and participation in the legislative process on the state level.

58 Lapidoth, Ruth (1994): Autonomy. Potential and Limitations, In: International Journal on Minority and Group Rights, Vol. 1, Nr. 4, p. 283

59 Rothchild, Donald and Caroline A. Hartzell (1999): Security in Deeply Divided Societies: The Role of Territorial Autonomy, In: Nationalism and Ethnic Politics, Vol. 5, Nr. 3-4, p. 256

III. Independent variables

3. Identification and systematisation of success factors

3.1. Success factors of territorial autonomies

About half of the territorial autonomies to be found today in the European states were established as a result of a conflict. Whether the current state of peace can solely be attributed to the existence of a territorial autonomy, is contested by some scientists. The reproach of Donald L. Horowitz and Eric Nordlinger is that the special status serves only the strengthening of the elites, who demand an even higher degree of self-government with regard to the political and economic resources then available. Secession and instability are the consequences.⁶⁰ In his analysis of territorial autonomies in the South Caucasus, Svante E. Cornell points out to the fact that the asymmetry has not an integrative but a strongly disintegrative effect. He criticises that

the concept of all citizens being equal and members of a civic nation is hardly compatible with the singling out of specific groups on the basis of their ethnicity.⁶¹

This cannot be completely dismissed. An asymmetric form of state organisation separates rather than unites. In her investigation of the Faroe Islands, Lise Lyck sees this confirmed. The Danish state cares far less about the development of the islands than for other regions.⁶²

Jan Erk and Lawrence Anderson draw the attention to the fact that self-rule institutions might strengthen the internal cohesion of groups and could lead to the formation of in-groups and out-groups. Separate institutions would solve collective action problems and lower the costs for secession.⁶³ John Cuffe and David S. Siroky come to the conclusion that a violent conflict is likely when ethno-national groups lose their special status. However, there is no significant difference in separatist activities between currently autonomous groups and those who have never had a special status.⁶⁴ According to the critics, the asymmetric form and separate institutions are leading to an accentuation of ethno-national differences. In their opinion territorial autonomies are not only inappropriate for conflict regulation, but also create a slippery slope to violent secession. Cases where these developments can be observed are for example the failed autonomies of Kosovo or Nagorno-Karabakh. Nevertheless, the failure is not due to inherent weaknesses of the model. No autonomy is immune to larger political-ideological upheavals such as the Kosovo conflict or even the outbreak of a world war such as the Memel territory. Also, deficits in the practical design of the arrangement or a lack of acceptance do not lie in the regulatory model itself. Ted R. Gurr is right when he argues that

[n]either in theory nor in practice there is anything inherent in autonomy arrangements that leads to civil war or disintegration of the state.⁶⁵

60 Horowitz, Donald L. (1985): *Ethnic Groups in Conflict*, Los Angeles; Nordlinger, Eric A. (1972): *Conflict Regulation in Divided Societies*, Cambridge; Cf.: Swenden, Wilfried (2013): *Territorial strategies for managing plurinational states*, p. 66, In: Loughlin, John et al. (2013): *Routledge Handbook of Regionalism and Federalism*

61 Cornell, Svante E. (2002): *Autonomy and Conflict. Ethnoterritoriality and Separatism in the South Caucasus – Cases in Georgia*, Uppsala, p. 22

62 Lyck, Lise (1995): *Lessons to be Learned on Autonomy from the Faeroese Situation Since 1992*,

In: *Nordic Journal of International Law*, Vol. 64, No. 3, p. 481 ff.

63 Erk, Jan and Lawrence Anderson (2009): *The Paradox of Federalism. Does Self-Rule Accommodate or Exacerbate Ethnic Divisions*, In: *Regional and Federal Studies*, Vol. 19, Nr. 2, p. 191 ff.

64 Cuffe, John and David S. Siroky (2013): *Paradise lost. Autonomy and Separatism in the South Caucasus and beyond*, p. 37 ff. In: Cabestan, Jean-Pierre and Pavković (2013): *Secessionism and Separatism in Europe and Asia, To have a state of one's own*, New York

65 Gurr, Ted Robert (1993): *Minorities at Risk*.

<i>Success factor</i>	<i>Authors</i>
International Community	Yash Ghai (2000); Wolfgang Donspeckgruber (2005); Kjell-Åke Nordquist (1998); Sherill Stroschein (2003); Maria Ackrén (2011)
Democracy	Yash Ghai (2000); Ruth Lapideth (1994); Farimah Daftary (2000); Wolfgang Donspeckgruber (2005); Thomas Benedikter (2012); Kjell-Åke Nordquist (1998)
Conflict resolution authority	Ruth Lapideth (1994)
Social structure	Yash Ghai (2000); Sascha Meinert (2003)
Kin state	Ruth Lapideth (1994); Maria Ackrén (2011)
Clear division of competencies	Ruth Lapideth (1994); Farimah Daftary (2000); Maria Ackrén (2011)
Progressive establishment	Ruth Lapideth (1994); Farimah Daftary (2000); Sascha Meinert (2003)
Low socio-economic differences	Ulrich Schneckener (2000); Wolfgang Donspeckgruber (2005); Thomas Benedikter (2012); Godfrey Baldacchino (2004); Jerome McElroy und Megan Mahoney (1999)
Low (previous) conflict level	Kjell-Åke Nordquist (1998)

Table 2: Success factors in literature

There are a number of cases in which ethno-national conflicts could be stopped by autonomy arrangements. Therefore, it makes little sense to investigate whether territorial autonomies can end conflicts or not. Obviously, both is the case. More fruitful for the understanding of the conflict regulation potential is the question under which circumstances a conflict regulation was successful. Which factors account for the “success” of a territorial autonomy? The following analysis is intended to provide answers regarding this question. Ideally, research contributes to the solution of practical problems. This work aims to meet this requirement and identifies the factors to which special attention should be paid in the construction of future autonomy arrangements.

3.2. Success factors in literature

Research is useful when results can be falsified or verified. Hence, in a first step it is examined which success factors are discussed in literature. The research reviewed 12 works, in which 9 different factors are mentioned. Those factors are supposed to determine the success or failure of a territorial autonomy (Table 2).⁶⁶

A Global View of Ethnopolitical Conflicts. Washington, p. 300

⁶⁶ For reasons of clarity, the table does not contain all of the above factors, but only those which are

All of them are empirically unverified assumptions. The literature review provides an overview of the range and the focus of previous research. However, the authors make different statements regarding the impact of single factors. While Yash Ghai emphasises the importance of the international community, Kjell-Åke Nordquist concludes that

there is no clear relationship between international involvement and autonomy durability.⁶⁷

One prominent success factor is the democratic nature of the central government. The oldest territorial autonomy, the Åland Islands, were created within a newly formed Finnish state, which was influenced by the aftermath of the Russian Revolution. The Finnish state can under no circumstances be described as “thoroughly democratic” at the time of emergence of the autonomy in 1921. The validity of empirically

mentioned of at least two authors. The rather small number of 12 works arises from the consideration of the definition. In addition, works were not included if they consider factors only in terms of the emergence of an autonomy and disregard the duration, such as in Shaykhutdinov, Renat (2010): Give peace a chance. Nonviolent protest and the creation of territorial autonomy arrangements, In: Journal of Peace Research, Vol. 47, Nr. 2., p. 179 ff.

⁶⁷ Ghai, Yash (2000): p. 15; Nordquist, Kjell-Åke (1998): p. 68

unverified assumptions is low and contributes little to the understanding of territorial autonomies. The deficit of the absence of a comparative and systematic analysis of success factors shall be compensated with this work. Such factors are diverse, complex and their entirety can hardly be captured. For example, they are simply not objectively measurable regarding the willingness to compromise. However, three levels can be identified which influence an autonomy arrangement. For these levels, a set of factors can be determined. Those factors have been classified by conflict researchers having as a peace promoting effect. Firstly, success is being decided on the *state level*. Territorial autonomies, however, are not just national phenomena. Through the transfer of sovereignty as well as exclusive executive and legislative powers, the relationship between the central government and autonomy is also of an interstate character. To consider both dimensions, two factors are measured: Firstly, the democratic nature for the (central)-state level and secondly, the economic interdependence between the central government and the autonomy for the (inter)-state level. Ethno-national conflicts are conflicts between groups. Therefore, a consideration of the *societal level* is indispensable. Here, the population structure and the strength of civil society are identified as success factors. The admission or special status of territorial autonomies in international institutions as well as the frequently observed commitment of international, supranational or regional organisations prior to an autonomy-establishment are arguments in favour for an analysis of that level, too. Thus the international level completes the “three-level character” of territorial autonomies. The assumption here is that a territorial autonomy must be successful at all three levels in order to effectively solve an ethno-national conflict. Only then can the balance between sovereignty and self-rule be created and secured sustainably.

3.3. Success factors on state level

3.3.1. Democracy

3.3.1.1. Democratic constitution of the central state

In his “Perpetual Peace” from 1795, Immanuel Kant draws the attention on the peacemaking effect of republican, i.e. democratically constituted, communities. A central part of his thesis is the (undisputed) finding that democracies do not make war against each other. For the inner-state dimension, it can be assumed that a democracy is more willing to transfer self-government competencies to an ethno-national group in comparison to a non-democracy. In democracies, conflicts are managed peacefully and on the basis of defined rules. Political decisions are achieved through compromises. Behind the concept of territorial autonomy is actually the thoroughly democratic idea that an ethno-national group can control its own affairs. The granting of a special status appears as a compromise between the interests of the central government with respect to its sovereignty and the interests of the group with respect to the self-determined life of its members. In democracies, group elites have the opportunity to contribute their own preferences into the political decision-making system through parties or interest groups. The use of violence is not excluded, but bears much higher costs and is therefore only second choice. According to the rational theory, a war can hardly be sold to the population and thus threatens the re-election and maintaining of power.⁶⁸ From the central government in democratic states a violent reaction can hardly be expected in case of claims for self-rule. The institutional structure with opposition parties, the separation of powers and the control by media set extremely high hurdles to such a reaction.

68 Brock, Lothar (2011): Frieden und Demokratie, p. 285, In: Gießmann, Hans J. and Bernhard Rinke (2011), Handbuch Frieden, Wiesbaden

H₁: *The extent of the democratic constitution of the central state has a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.3.1.2. Party system in central state and the autonomy

A well-functioning party system is a distinctive feature of a democracy. It can be assumed that the success of a territorial autonomy depends on the development of a multi-party system. A double effect can be expected. Parties are intermediary instances between citizens of a state and its political decision-making system. They aggregate different interests. Is there a multi-party system existing, societal conflicts based on conflicting interests are processed through the competition between the parties. This kind of rule-based conflict resolution prevents the escalation of conflicts *within* the central state and the territorial autonomy. Furthermore, a multi-party system has a positive effect on the relations *between* the central government and the territorial autonomy. There is no institutional intertwining between the two party systems, since the parties of the autonomous region are not involved in the national legislative process. But it can be assumed that similar programmatic parties maintain at least loose contact with each other. If parties are networking internationally, as social democrats do it in the “Progressive Alliance” or liberals in the “Liberal International”, it is unlikely to assume that this does not happen between parties of an autonomous region and central-government parties. These networks cause an exchange of information and prevent that intentions of the other side are assessed wrongly. This makes an escalation unlikely and provides for a peaceful resolution of a conflict.⁶⁹ The networking allows an

insight into political and social discourses of the other side: Is the autonomous group satisfied with the status quo or are demands for secession increasing? Does the titular nation accept the special status or does it work on its removal? If there are no multi-party systems or only one-party systems existing in the central state and the autonomy, no exchange of information is possible. The resulting uncertainty hinders conflict regulation.

H₂: *The development of multi-party systems in the central state and in the autonomy and linkages between them have a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.3.2. Economic interdependence

3.3.2.1. Economic difference

According to the concept of horizontal inequality, inequalities between identity groups which are perceived as unfair can lead to collective political violence.⁷⁰ These inequalities can be of political, social, cultural or economic nature. If one group feels to be treated unequally in comparison with other groups, the probability of a conflict is very high.⁷¹ However, such inequalities are often not only the cause of self-rule claims and thus the reason for the establishment of an autonomy system, but also crucial for the success of such autonomy systems. While the granting of a special status is a reaction to any cultural and political inequalities, economic differences persist even after the

keit regionaler Sicherheitsinstitutionen, In: Studien der Hessischen Stiftung Friedens- und Konfliktforschung, Nr. 9, Baden-Baden

70 Østby, Gudrun (2008): Polarization, Horizontal Inequalities and Violent Civil Conflict, In: Journal of Peace Research, Vol. 49, p. 143 ff.

71 Cederman, Lars-Erik et al. (2011): Horizontal Inequalities and ethnonationalist Civil War. A global comparison, In: American Political Science Review, Vol. 105, Nr. 3, p. 478 ff.

69 Dembinski, Matthias and Andreas Hasenclever (2010): Die internationale Organisation des Demokratischen Friedens. Studien zur Leistungsfähig-

establishment of a territorial autonomy. If economic differences persist between the autonomous territory and the central state, in other words, between the ethno-national groups, this has a major impact on the success of an autonomy.

If it is a rich region compared to the central state, a feeling of strength develops over time, which entails demands for further competencies. The central government is considered to be no longer necessary, and, in turn, evaluates this as an attack on its sovereignty. In a relatively poor and underdeveloped region, a discrimination perceived as unjust results necessarily in further demands by the autonomous group, which are not supported by the central government without any further notice.

H₃: *Small economic differences between central state and the autonomy have a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.3.2.2. Financing the autonomy

A large conflict-potential lies in the financial support of the autonomous authority by the central government. What financial means must the state, in other words the members of an ethno-national group, raise for the autonomous status of another group? The potential for conflict is especially high in an economically weak territorial autonomy, which itself generates little economic capital. The more the state budget is charged for financing the autonomy, the weaker is the acceptance of the majority population for the special status of an ethno-national group since in most cases the funds are generated through tax revenues. The central government is unlikely to accept this burden in the long run, which of course endangers the existence of the territorial autonomy. Even in established democracies, conflict potential occurs because of such transfer payments between or for sub-state units. The highly controversial debate in

the last few years about the financial equalisation between the German Länder can be cited as an example here.

H₄: *A low burden of the state budget for financing the autonomy has a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.4. Success factors on societal level

3.4.1. (Civil-) society

3.4.1.1. Social structure

Ethno-national conflicts are group conflicts. The structure of the society plays a prominent role in conflict research when explaining the causes of war. It is found that a high degree of ethnic fractionalization does not necessarily mean a higher likelihood for conflict.⁷² Even Donald L. Horowitz (1985) draws attention to the fact that neither in highly heterogeneous nor in highly homogeneous states the conflict risk is particularly high.⁷³ Nevertheless, this does not mean that this aspect can be totally disregarded. It is not the number, but the size of the group which matters. Much points to the fact that the polarisation degree is decisive and especially a bipolar structure contains a high risk for conflict.⁷⁴ If two similar sized

72 Cf.: Collier, Paul and Anke Hoeffler (2004): Greed and Grievance in Civil War, In: Oxford Economic Papers Nr. 56, p. 565 ff.; Miguel, Edward, Shanker Satyanath and Ernest Sargenti (2004): Economic Shocks and Civil Conflict. An Instrumental Variables Approach, In: Journal of Political Economy Vol. 112, Nr. 4., p. 725 ff.; Fearon, James and David Laitin (2003): Ethnicity, Insurgency and Civil War, In: American Political Science Review Nr. 97, p. 75 ff.

73 Horowitz, Donald L. (1985): Ethnic Groups in Conflict, London, p. 95 ff.

74 Montalvo, Jose G. and Marta Reynal -Querol (2005): Ethnic Polarization, Potential Conflict and Civil Wars, Under: <http://repositori.upf.edu/bitstream/handle/10230/1007/770.pdf?sequence=1> (Last checked 20.10.2013)

groups are confronted with each other in a positional competition, both consider it possible to win the competition, and it is more likely that an armed conflict arises. It is assumed that the degree of polarisation has an impact on the success of a territorial autonomy. A dominant ethno-national group will rather accept the special status of a smaller group in comparison with a similarly big group. A smaller group is seen as being no risk for the central state, whereas it is more likely that secession claims are raised by a larger group. Larger groups are economically more potent and thus able to exist without the central state. Besides, not only the portion of the autonomous group in the total population is crucial, but also the structure within the autonomous area. If this area is characterised by a high degree of polarisation, so it easily comes to a “minorities within minorities” conflict within the autonomy, which makes the conflict resolution difficult.

H₅: *A low degree of polarisation in the central state and the autonomy has a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.4.1.2. Civil society

Analysing Indian municipalities, Ashutosh Varshney states that when inter-ethnic forms of association exist, the likelihood of conflict is much lower than in municipalities where civil society is organised along ethnic lines.⁷⁵ Based on these findings it can be assumed that a strong civil society within the central government and the autonomous territorial entity is another success factor. Within a civil society, various forms of association, such as NGOs, associations or clubs, exist. People come together due to certain affinities for a particular purpose. Since these forms of association are based on voluntariness,

⁷⁵ Varshney, Ashutosh (2001): *Ethnic Conflict and Civil Society. India and Beyond*, In: *World Politics*, Nr. 53, p. 362 ff.

focus on welfare instead of a selfish purpose and are not related to state care, one could speak of self-rule-organisation forms en miniature. Although civil-society introduces interests and demands into the political system, citizens meet on the basis of common interests independently from state organisations. A pluralistic civil society, writes Larry Diamond

tends to generate a wide range of interests that may cross-cut, and so mitigate the principal polarities of political conflict.⁷⁶

Civil society organisations are networking transnationally, and thus also between territorial autonomy and central state. As already discussed in relation to the party system, networking between intermediate organisations brings an exchange of information with it, which enables a precise assessment of the other ethno-national group. This reduces mistrust and ensures the acceptance of the special status in the long term.

H₆: *A pluralistic and networked civil society in the central state and the autonomy has a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.5. Success factors on international level

3.5.1. Internationalisation

3.5.1.1. Engagement of international organisations

The participation of international organisations is seen by many authors as a prerequisite for a successful conflict regulation. But case studies show different results: In the Autonomous Region of the Philippine island of Mindanao (ARMM), it comes repeatedly to violent

⁷⁶ Diamond, Larry (1999): *Toward Democratic Consolidation*, In: Diamond, Larry and Marc F. Plattner (1999): *The Global Resurgence of Democracy*, London, p. 245. Cited after: Cordell, Karl and Stefan Wolff (2011): *Routledge Handbook of Ethnic Conflict*, New York, p. 226

clashes despite the commitment of the organisation of the Islamic Conference (OIC) while the autonomous status of the Åland Islands can be traced back to mediation efforts of the League of Nations. A territorial autonomy emerges, if ethno-national groups voluntarily agree on such an arrangement. In the case of a violent conflict this is quite unlikely. A second option is that the parties are forced to implement such a regulatory model. This is by far the variation which is more likely. However, external actors are needed. Another state, such as the kin state of a group, is always suspected of pursuing national interests. International organisations, however, can directly enforce a territorial arrangement as a compromise between the conflicting parties for example by threatening the central government with economic sanctions or a military intervention or by negotiating conditions, for example if the establishment of a territorial autonomy is a condition for the admission of the state to the organisation. If an international organisation is involved in the establishment of a territorial autonomy, it will also monitor its further development. This does not guarantee an optimal functioning, but prevents the central government to reverse the special status at the first opportunity. In addition, international organisations exert an indirect influence. In general, the international community is very sceptical towards the creation of new states and state border changes. This counteracts secession claims of the autonomous group which recognises that there is no possibility to claim statehood and a special status is the best possible option.

H₇: *The engagement of international organisations in the establishment of a territorial autonomy has a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.5.1.2. *International integration of the autonomy*

If the territorial autonomy becomes part of the international community, the special status manifests itself. A termination inevitably brings the attention of the international community with it and will probably have negative consequences. In contrast, an admission of the autonomy as such to, for example, conventions, regimes or organisations means a security guarantee for the autonomous group that can make external actors pay attention to violations of treaty provisions. In return, the group is kept from secession claims, which would endanger the membership or association. Also, the central government can be sure that the status quo is maintained. In the case of an integration, an international mediation by other member states is more easily achieved if tensions occur. Conflicts in several policy areas are quickly addressed before they become polarised and the groups can play the ‘identity card’.

H₈: *The integration of the autonomy into international institutions has a positive effect on the success of an autonomy as a conflict regulation instrument.*

3.6. *Systematisation*

A conflict termination is never possible without the insight and the will of the conflicting parties. Based on the discussed considerations, it is presumed that the factors summarised in Table 3 make a successful conflict regulation likely.⁷⁷

⁷⁷ The indicators listed in the table are in the following referred to as success factors.

<i>Level</i>	<i>Factor</i>	<i>Indicator</i>
State level	Democracy	Democracy in central state
		Party system
	Economic interdependence	Economic difference
		Financing of autonomy
Societal level	(Civil-) Society	Social structure
		Civil society
International level	Internationalisation	Engagement intern. Organisations
		International integration

Table 3: Systematisation of success factors

IV. Methodology

4. Operationalisation and case selection

4.1. Method

The hypotheses will be tested on the basis of qualitative case studies with the help of descriptive statistical methods. Because of the small number of successful territorial autonomies and the lack of high quality data for most factors, a purely quantitative analysis will lead to no optimal results. To handle these problems, qualitative case studies are used. The additional analysis of factors with descriptive statistics enables a qualitative high-verifiable and yet exact comparison.

4.2. Operationalisation of the indicators

4.2.1. Democracy in the central state

The examination of the democratic constitution (H_1) begins at the time of the emergence of the territorial autonomy. Therefore, it is necessary to refer to a method for measuring the political system type that allows an assessment of the democratic constitution of all central states from the time on in which the territorial autonomies were established. Because of the restricted investigation period of many indices, the POLITY IV data is used.⁷⁸ The indicators used (participation competition, regulation of participation, recruitment competition for the executive, openness of the recruitment of the executive, executive constraints) are considered sufficient for a comprehensive assessment of the regime character. The ordinal scale offers the advantage of categorization. POLITY IV

develops a democracy scale and an autocracy scale which reaches from -10 ('perfectly' autocratic) to +10 ('perfectly' democratic) whereas from +7 upward it is referred to a democratic system.⁷⁹ The measurement of the regime character of the central state is done by subtracting the autocracy scale off the democracy scale (POLITY). A distinction is made between democracies, non-democracies and defective democracies.

4.2.2. Party system in the central state and the autonomy

To test the party system hypothesis (H_2), all parties represented in the national and autonomous parliaments are taken into account. Unlike in the usual typologisation of party systems, two, two-and-a-half, or three-party systems do also count as multi-party systems. There are different variants of one- and multi-party systems (OPS and MPS) possible in the spectrum between autonomy and state, which according to the described considerations in chapter 3.3.1.2 are described as follows:

4.2.3. Economic Difference

Economic differences (H_3) are determined by the level of unemployment in the relevant local authority. It measures the directly tangible economic inequality. The measurement is supplemented by an analysis of the income distribution. The boundaries are chosen upon consideration of the current unemployment rates in European countries.

4.2.4. Financing the autonomy

How can the burden of the budget of the central state (H_4) be measured? For this purpose, the amount of regular payments of the central government for the territorial autonomy, measured as a percentage of the states total

78 Marshall, Monty G. and Keith Jaggers (2012): Polity IV Project: Political Regime Characteristics and Transitions 1800-2012, Under: <http://www.systemicpeace.org/inscr/inscr.htm> (Last checked 24.10.2013).

79 Pickel, Gert and Susanne Pickel (2006): Demokratisierung im internationalen Vergleich. Neue Erkenntnisse und Perspektiven, Wiesbaden, p. 93

	<i>Democracy</i>	<i>Defective Democracy</i>	<i>Non-Democracy</i>
POLITY	7 to 10	0 to 7	-10 to 0
Rating	(+)	(o)	(-)

Table 4: Measurement of democracy

	<i>Strong networks</i>	<i>Weak networks</i>	<i>No networks</i>
Party system	MPS _{TA} und MPS _{CI}	OPS _{TA} und MPS _{CI}	No PS _{TA} und MPS _{CI}
		MPS _{TA} und OPS _{CI}	No PS _{TA} und OPS _{CI}
		OPS _{TA} und OPS _{CI} (With programmatically similar parties)	No PS _{TA} und No PS _{CI}
			MPS _{TA} und No PS _{CI}
			OPS _{TA} und No PS _{CI}
			OPS _{TA} und OPS _{CI} (With programmatically different parties)
Rating	(+)	(o)	(-)

Table 5: Measurement of party systems

	<i>No / small differences</i>	<i>Significant differences</i>	<i>Extreme differences</i>
Difference of unemployment-rates	Between 0 % and 5 %	Between 5 % and 10 %	Over 10 %
Rating	(+)	(o)	(-)

Table 6: Measurement of economic difference

	<i>No / small burden</i>	<i>Significant burden</i>	<i>Extreme burden</i>
Share of state revenues	Between 0 % and 3 %	Between 3 % and 6 %	Over 6 %
Rating	(+)	(o)	(-)

Table 7: Measurement of financing of the autonomy

revenues, is analysed. The question, whether this proportion actually represents a burden can hardly be measured by objective criteria. Even a small percentage may be considered a burden by the titular nation. An example for such sentiments is asylum spending, which share of the total budget is vanishingly small, but still triggers controversial debates. Here the demarcation takes place at the three percent and the six percent mark. A share of six per cent corresponds with the expenditures for transport, building and urban development in the federal German budget which are considered equally important.⁸⁰

⁸⁰ Open Knowledge Foundation Deutschland (2013): Offener Haushalt 2011, <http://bund.offenerhaushalt.de/> (Last checked 25.10.2013)

4.2.5. Social structure

The degree of polarisation (H5) can be displayed (Figure 5).⁸¹ The x-axis shows the percentage of the largest ethno-national group, the y-axis of the second largest group. Because of the always higher x-value, a triangle arises which can be divided into different segments. CGFI describes a homogeneous structure, as the share of the largest group is between 80 percent and 100 percent. AEHI, however, suggests a highly heterogeneous structure. Both

⁸¹ Vgl. hierzu: Grofman, Bernard et al. (2004): Comparing and contrasting the uses of two graphical tools for displaying patterns of multiparty competition. Nagayama Diagrams and Simplex Representations, In: Party Politics, Nr. 10, p. 273 ff.

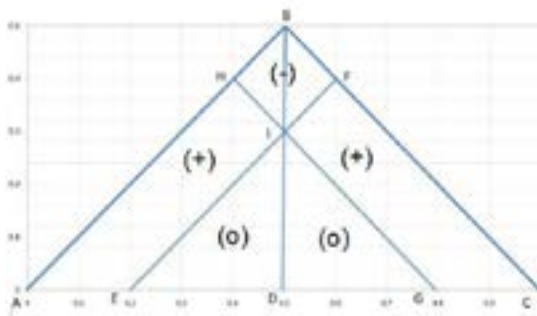


Figure 5: Measurement of the degree of polarization

segments are evaluated as positive according to the hypothesis made. If the population of the central state or of the autonomy is to be assigned to the segment BHFI, this indicates a high polarisation degree. Intermediate cases fall under the EGI segment, e.g. if several similarly big groups exist besides a dominant group. In order to improve the verification, the cases are additionally checked by using the polarisation index of Jose G. Montalvo and Marta Reynal-Querol.⁸² Thus, not only the two largest, but all ethno-national groups in the central state and the autonomy are taken into account.

$RQ = 4 \sum_{i=1}^N p_i^2 (1 - p_i)$ p_i describes the percentage of the respective ethno-national group, whose total number is represented by N . For a “perfect” bipolar structure (0.5, 0.5) the formula takes the value 1. Both in the cases of a strong homogeneity as well as a strong heterogeneity, the result approximates the value 0.

4.2.6. Civil society

Occasionally, civil society consists of a complex network of extremely diverse actors. However, it can be roughly differentiated between organised and professional associations (clubs, unions, cooperatives, etc.) and loose, organised forms (social movements, self-help and

neighbourhood networks, etc.). The hypothesis whether a pluralistic and networked civil society has a positive effect (H_6) is checked by using the number of organised forms, which can be summed up under the term “non-governmental organisations” (NGO). A high number automatically implies plurality. All societal associations with a certain voluntarily organisational purpose are defined as NGOs. This purpose differs from the political-administrative order of state actors as well as from the economic profit seeking of private-economic actors.⁸³ The problem that such a catch-all phrase includes all non-state forms is addressed with a complementary description of the civil society. All NGOs registered in the central state or in the autonomy are taken into account. Since no comprehensive data set exists, I use data of the respective statistical offices or data referred to in literature. A pluralistic civil society is characterised by a high number of NGOs. A positive rating is given when networks between national NGOs and local NGOs, active in the autonomy, can be detected, for example in the context of joint forums, conferences or programs.

4.2.7. Engagement of international organisations

The type of engagement of international organisations (H_7) is descriptively analysed and classified as follows:

4.2.8. International integration of the autonomy

Regarding the question whether international integration has a positive impact (H_8), it is determined whether or not the autonomy acts independently from the central state as an international actor, i.e. whether it was included in international institutions such as regimes,

82 Montalvo, Jose G. and Marta Reynal-Querol (2005): Ethnic Polarization, Potential Conflict, and Civil Wars, In: American Economic Review, Vol. 95, Nr. 3, p. 796 ff.

83 Akkaya, Gülcan (2012): Nichtregierungsorganisationen als Akteure der Zivilgesellschaft. Eine Fallstudie über die Nachkriegsgesellschaft im Kosovo, p. 60, Wiesbaden

	<i>Low polarisation</i>	<i>Significant polarisation</i>	<i>Extreme polarisation</i>
Segments	COFI, AEHI	EGI	BIIFI
Rating	(+)	(o)	(-)

Table 8: Measurement of social structure

	<i>Pluralistic civil society</i>	<i>Limited pluralistic civil society</i>	<i>weak pluralistic civil society</i>
Degree of networks	Strong networks	Limited networks	No networks
Rating	(+)	(o)	(-)

Table 9: Measurement of civil society

	<i>Strong participation</i>	<i>Weak participation</i>	<i>No participation</i>
Engagement	Direct support, demand for autonomy	Consultation, demand for conflict resolution	No initiatives
Rating	(+)	(o)	(-)

Table 10: Measurement of the engagement of international organisations

	<i>Full integration</i>	<i>No integration</i>	<i>No integration</i>
Internationalisation	Admission in international institutions	Demanded admission, but no success	No acting as international actor
Rating	(+)	(o)	(-)

Table 11: Measurement of the international integration of the autonomy

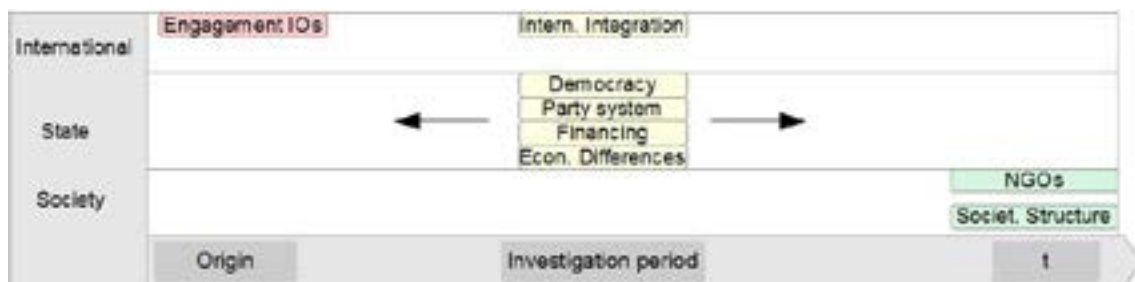


Figure 6: Periods for measurement of the success factors

conventions or international organisations or rather has concluded international treaties independently of the central government.

4.3. Investigation periods

Territorial autonomies are often subjected to strong conversion processes in terms of their institutional design and their competencies. In all territorial autonomies existing today the autonomy statutes were revised several times. To take that dynamic nature into account, the factors are measured at different points of time

(Figure 6). The engagement of international organisations already matters at the time of the emergence. Other factors, such as the democratic constitution, the party system and the economic conditions are procedural factors. In order to trace the development, it is necessary to include these. Due to availability, the (civil) societal factors are determined with current data.

The analysis is about determining the plausibility of probabilities and not about the strict determination of causal relationships. The

variables cannot be considered in isolation from each other but are mutually dependent. Thus, the development of a multi-party system or a pluralistic civil society cannot be considered separately from the democratic constitution. It cannot be excluded that there are other influencing factors which are not explicitly examined here, as for example the size or the geographical location of the territory.

4.4. Case selection

In their widely received work „Designing Social Inquiry“, Gary King, Robert O. Keohane and Sidney Verba refer to the fact that, especially for investigations with a low case number, the selection of cases has a high relevance for the validity of the study.⁸⁴ To minimise distortion effects as much as possible, a careful case selection and a detailed explanation of this selection is needed. The case selection is made on the basis of the dependent variable. In a first step (Figure 7) all territorial autonomies are identified according to the definition adopted in Section 2.5. In compliance with the method of agreement proposed by John Stuart Mill (1843), the cases, which have the same phenomenon to be explained, i.e., they are successful autonomies, are investigated. For this purpose, the cases should be different.

The basic idea is that there are common factors despite the differences, i.e. the identified success factors that are considered being a cause for the phenomenon in terms of a sufficient condition.⁸⁵ To determine the population (step 2 and 3) I revert to studies by Maria Ackrén

and Markku Suksi.⁸⁶ In Step 4, I use a comparison with the CONIS conflict data set. Thus, all cases are identified where territorial autonomies were implemented as a conflict regulation model. Crucial for the analysis is the last step. Which of these territorial autonomies can be considered as “successful”? A successful conflict regulation is based on two pillars: On the one hand, on the (current) absence of violence and on the other hand, on the avoidance of (future) violence. The latter can be achieved if institutional arrangements are in place and these are accepted. A successful territorial autonomy is thus characterised by a) the absence of armed conflict within the autonomous region, b) the legal recognition of its special status, whereby its legal foundation has already survived at least one change of government as well as c) the existence of a mediation authority between the autonomy and the central state. A mediation authority, consisting of members of both authorities, allows a quick solution of appearing tensions. The necessary variance of the dependent variables arises by examining cases with different conflict intensity steps preceding the establishment of the territorial autonomies. According to the CONIS methodology, the levels are – in ascending order – disputes, non-violent crises, violent crises, limited wars and wars.⁸⁷ The multi-staged process of case selection identifies the following cases as successful territorial autonomies:

In these cases, it will be checked whether or not an influence of the independent variables can be detected. Since all cases were selected on the

84 King, Gary, Robert Keohane and Sidney Verba (1994): *Designing Social Inquiry*. Scientific Inference in Qualitative Research. Princeton

85 Lauth, Hans-Joachim, Gert Pickel and Susanne Pickel (2009): *Methoden der Vergleichenden Politikwissenschaft*. Eine Einführung, p. 72, Wiesbaden

86 Ackrén, Maria (2009): *Conditions for Different Autonomy Regimes in the World. A Fuzzy-Set Application*, Åbo; Suksi, Markku (2011): *Sub-State Governance through Territorial Autonomy. A Comparative Study in Constitutional Law of Powers, Procedures and Institutions*, Heidelberg

87 For an exact description of the intensity levels as well as of the underlying conflict definition *ibid.* p. 72 and <http://www.hiik.de/de/methodik/index.html> (Last checked 27.10.2013)

	<i>Success</i>			<i>Variance</i>	
	<i>No milit. confrontation</i>	<i>Legal recognition</i>	<i>Mediation authority</i>	<i>Info</i>	<i>Highest pre-conflict level</i>
<i>Åland</i>	Positive	Åland Agreement, constitution (1921)	Åland Delegation	Finland, Island, ~27.000 Inh.	1 (very low)
<i>Bougainville</i>	Positive	Bougainville Peace Agreement (2001)	Joint Supervisory Body	Papua-New Guinea, Island, ~175,160 Inh.	4 (high)
<i>Gagauzia</i>	Positive	Gagauz Yeri (1994)	Commission	Moldova, Mainland, ~155,700 Inh.	1 (very low)
<i>South Tyrol</i>	Positive	Autonomy statute 1972, constitution	Six-Commission	Italy, Mainland, ~511,750 Inh.	3 (medium)

Table 12: Selected cases with success- and variance criteria

basis of the dependent variables, a selection bias is given. The result is significantly influenced by the selection of cases. To address this problem, a negative test is necessary, that means the verification of the hypotheses with regard to non-successful territorial autonomies.⁸⁸ Aceh and Mindanao are territorial autonomies which were established in the course of an ethno national conflict. Because of ongoing military conflicts, they do not pass the “success test”.

88 Lauth, Hans-Joachim, Gert Pickel and Susanne Pickel (2009): p. 72-73

V. Analysis

5. Case studies

5.1. Åland

5.1.1. *Ethno-national conflict and development of the autonomy*

Åland is the world's oldest territorial autonomy and is widely regarded as a model example of successful conflict regulation by a self-rule arrangement. The archipelago has long been part of the Swedish cultural area, as in the 12th century the influence of the Swedish Empire expanded to today's Finland. After more than 650 years under Swedish rule, the Åland Islands fell to the Grand Duchy of Finland belonging to the Russian Empire in 1809. Due to its strategic position in the Gulf of Bothnia, Åland became a keen interest of the great European powers. At first the islands were an important part of the Russian line of defence. After the French invasion during the Crimean War (1853-1856) they were demilitarised, but nonetheless briefly occupied by Swedish and German troops in World War I.⁸⁹ During the Russian February Revolution, a movement arose in Åland advocating the unification with the Swedish mainland. The Ålanders saw their language and culture threatened by a Finnish nation state. In a self-initiated referendum that was passed to the King of Sweden, 95 percent of the population voted for a reunion.⁹⁰ In the Finnish Civil War, Sweden sent troops to Åland. Sweden began to play an active role as a kin-state, the official explanation being that

it would serve for the protection of the local population. Nevertheless, security policy considerations also played an important role. The Finnish side opposed the demand for a plebiscite with the reference that the conflict was an internal affair and there would be no right to self-determination.⁹¹ Sweden tried in vain to bring the conflict on the agenda of the Versailles Peace Conference. In order to prevent an escalation and, consequently, a loss of control, Helsinki declared – by a first Autonomy Law – Swedish to become the islands' sole language and granted the local population on Åland its own parliament. The Åland-movement denied, however, and continued to demand the reunification whereupon the leaders of the movement were accused of high treason.⁹² The outbreak of violence or even an interstate war could be prevented by an agreement which can be traced back to British mediation efforts, stating that the decision of the Åland question would be left to the League of Nations. In June 1921, a Committee of Jurists declared the conflict to fall under the jurisdiction of the Council of the League of Nations. The Council then decided that the Åland Islands should remain an integral part of the Finnish state, which, however, has to grant the Ålandic population self-government as well as extensive safeguards for their language and culture. The islands should remain demilitarised and receive neutral status.⁹³ Today, the Åland Islands are the world's only area that is demilitarised, neutral and autonomous at the same time. With the Åland Agreement of 27th June 1921, both Sweden and Finland accepted the decision of the League of Nations. With the Åland Guarantees Act of 1922, this special status entered the

89 Spiliopoulou Åkermark, Sia (2011): The Åland Example and its Components – Relevance for International Conflict Resolution, Mariehamn, p. 5 ff.
90 Ackrén, Maria (2011): Successful Examples of Minority Governance – The Cases of the Åland Islands and South Tyrol, In: Report from the Åland Islands Peace Institute, Nr. 1, p. 13

91 Schneckener, Ulrich (2002): p. 145

92 Eriksson, Susanne et al. (2006): Islands of Peace. Åland's autonomy, demilitarisation and neutralisation, Mariehamn, p. 42

93 Benedikter, Thomas (2012): p. 105

Finnish legal system.⁹⁴ In contrast to the following cases, the central and the kin state alone decided on the territorial autonomy by excluding the ethno-national group. The Ålanders themselves rejected the first autonomy statute. 20 years later, Julius Sundblom, a central figure of the movement, still tried to achieve reunification by legislative decree. But the acceptance of the territorial autonomy grew on the part of the local population. The Åland Parliament voted both in 1951 and 1993 with a large majority for a revision of the autonomy statute. Until the present day, an autonomous Åland reflects a compromise for all parties involved in a conflict which did not escalate despite a strong international component. While the international explosiveness resulting from the geographical location was alleviated through demilitarisation and neutrality, the self-rule model has regulated for over 90 years the life of the Ålander within a Finnish nation-state.

5.1.2. Profile of the autonomy-arrangement

The Finnish autonomy statute of May 1920 provided for autonomous institutions for the nearly 28.000 Ålanders. The parliament (lagting) consists of 30 deputies who are elected every four years by proportional representation and who choose a five to seven-member government (landskapsregeringen). In principle, the autonomous parliament can take action in all areas that are not explicitly reserved to the central state.⁹⁵ The constitutional law, foreign policy, the central bank and judiciary, a large part of the civil and labour law as well as state tax policy are reserved to the Finnish state. Exclusive legislative powers are exercised by the autonomous parliament in the fields of culture and education, police, municipal law and taxes, health, merchant shipping, postal service, business development, rental and lease

arrangements and broadcasting.⁹⁶ The Finnish President has a veto right in the legislative process and can reject a bill of the autonomy after a Position Statement of the Supreme Court, if powers are exceeded or the national security is threatened.⁹⁷ To prevent blockage of the autonomy by the central government, each bill must first be reviewed by the Åland Delegation. This mediation authority is composed of two representatives each from the Government of Finland and the Åland Parliament and is, besides legal review, responsible for the annual financial compensation as well as for the settlement of disputes. The Governor as representative of Finland on the Åland Islands, who is appointed by the President in agreement with the Åland Parliament, holds the chair of the committee. Åland forms an own constituency in national elections and appoints a deputy who traditionally joins the Swedish People's Party, the mouthpiece of the Swedish minority on the mainland. There are close transgovernmental networks. All state ministries have contact persons on Åland and the Finnish Minister of Migration and European Affairs acts as 'Åland Minister'. In Helsinki and Stockholm, there is a permanent representation (Ålandskontoret), which provides information on the territorial autonomy.⁹⁸ For the ethno-national group and the kin state the acceptance of the conflict regulation model depended on the granted protection of the islands 'Swedish character'. While in the central state Finnish and Swedish are official languages, Åland has only Swedish as the official language. All civil servants must be able to write and speak in the language and all official documents are issued in Swedish. Swedish is also the sole language of instruction. For the small group of Finnish-speaking

94 Ibid p. 106; Schneckener, Ulrich (2002): p. 147

95 Benedikter, Thomas (2012): p. 106

96 Eriksson, Susanne et al. (2006): p. 50-51

97 Ackrén, Maria (2011): p. 17

98 Spiliopoulou Åkermark, Sia (2011): p. 35 ff.

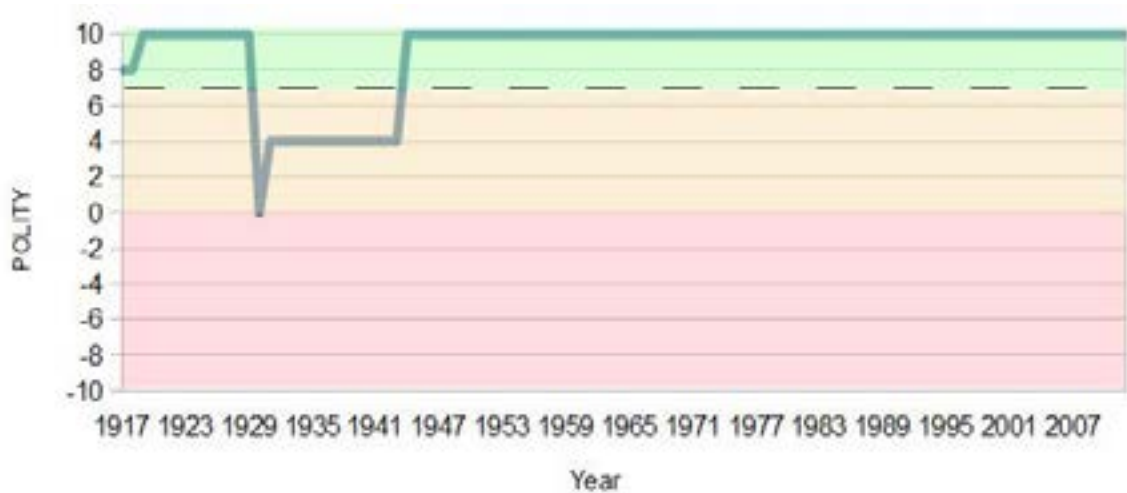


Figure 7: Democratic development of Finland (1917 to 2012)

Ålanders, there are some exceptions.⁹⁹ The concept of 'right to domicile' (hembygdsrätt), a kind of regional citizenship, represents a second cornerstone of protection. It is intended to protect the islands against a 'Finlandization' and to guarantee the Ålanders their specifically tailored special status. Those who are not granted the right to domicile by birth, must be a Finnish citizen and must demonstrate in a test sufficient knowledge of Swedish as well as a five-year permanent residence to be granted the right to domicile. Without the regional citizenship, a person can either actively or passively participate in elections to the Åland Parliament.

5.1.3. Democracy

5.1.3.1. Democratic constitution of the central state

The Åland Agreement was concluded in the democratic era after the end of the First World War. Marked by the civil war, the young Finnish nation-state gave itself a republican constitution in 1919. Only two years later, the territorial autonomy was established. The POLITY value at this time is 10 (Figure 8), the average value 9,04. Finland sustained its position besides Czechoslovakia, as one of the few democracies

among the European countries formed after the World War I.¹⁰⁰ Although the country was drawn into the maelstrom of World War II, it retained its independence and fundamental democratic constitution. Both the parliament and the political parties have always remained intact.

This phase had no effect on the special status of Åland. The aforementioned revisions of 1951 and 1993 took again place in a democratic central state. Despite the powerful president Urho Kekkonen, who was head of the state for 25 years and who made the so called 'Finlandization', i.e. good relations with the Soviet Union, to Finland's *raison d'état*, the country did not slide into authoritarianism. From the late 1980s on, the president's power has been curtailed *peu à peu* and Finland changed from a semi-presidential to a parliamentary democracy.¹⁰¹ The political system of the country, which is regarded today as the least corrupt country in the world, has strong consensus-democratic practices.¹⁰²

100 Hartmann, Jürgen and Udo Kempf (2011): *Staats-oberhäupter in der Demokratie*, Wiesbaden, p. 178 ff.

101 Setälä, Maija (2010): *Democracy and Democratization in Finland. Perspectives from Outside and Inside*, In: *Taiwan Journal of Democracy*, Vol. 6, Nr. 2, p. 57 ff.

102 Transparency International (2013): *Finland, Under: <http://www.transparency.org/country#FIN>* (Last

99 Benedikter, Thomas (2012): p. 109

5.1.3.2. *Party system in the central state and the autonomy*

A central element of consensus democracy is a multi-party system. Such exists in both the central state and the autonomy. The origins of the Finnish party system date back to the time of the Grand Duchy, as the language conflict led to the creation of a Swedish and a Finnish party. Since the founding of the state the characteristic feature has been a strong fragmentation and at the same time stability and a high coalition building ability. The range covers a strong left-wing with Communists and Social Democrats to a Green party, an Agrarian Centre Party to the Swedish party, Conservatives and Liberals and the populist "True Finns" at the other end of the spectrum.¹⁰³ Currently, 8 parties sit (Table 20/Appendix) in Finland's Parliament (eduskunta). The typical Scandinavian dominance of the Social Democrats, the Agrarian Party and conservatives still allows a high degree of stability. All parties are potential coalition partners in accordance with the consensus-democratic principle. It is not uncommon that governments are formed across block boundaries and consist of more parties than really necessary. Despite this (or perhaps because of) the party system is characterised by a high level of political performance.¹⁰⁴

Åland has its own party-system, which is independent of the system on the central level. However, its development took almost 60 years. This has several reasons. The Ålandic society has always been a very homogeneous one. For a long time cleavages were missing that led to party creation on the mainland. People were united in a silent protest against reunification, which was originally reflected in an extremely

low voter turnout. In the national parliamentary elections, the Ålanders built with a common Ålandic Alliance (Ålänningarnas valförbund, later Ålandsk samling), which would send one representative to the Parliament of Finland. To this day, this deputy caucuses in Parliament with the Swedish People's Party (Svenska Folkpartiet, Suomen Ruotsalainen kansanpuolue, SFP).¹⁰⁵ From the 1970s on, political parties entered the stage. Åland developed a party system with specific characteristics. Due to the service-oriented labour market for example, the left wing is much weaker than in Finland and Sweden. Currently, parties of various types, such as the Centre Party (Åländsk Center), the Liberals (Liberalerna på Åland), Social Democrats (Åland socialdemokrater), the Liberal-Conservatives (the Moderaterna på Åland) and Conservatives (Obunden Samling) are represented. In 2007, Åland's future (Ålands framtid), a party with open secessionist demands entered the autonomous parliament for the first time.¹⁰⁶ There are no transregional parties that are represented in both the national parliament and in the autonomous parliament. Nevertheless, there are links between parties of both entities. Already back in 1906, the Swedish People's Party founded the first local associations on Åland. However, the close connection between the people on Åland and the Swedish-speaking Finns via the SFP broke off as the latter began to argue for the autonomy of Åland, which the Ålanders countered with their own list.¹⁰⁷ Nevertheless, until today

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103 Jahn, Detlef et al. (2006): Das Parteiensystem Finnlands, p. 136 ff., In: Niedermayer, Oskar et al. (2006): Die Parteiensysteme Westeuropas, Wiesbaden

104 Ibid p. 156

105 Ackrén, Maria and Bjarne Lindström (2011): Autonomy Development, Irredentism and Secessionism in a Nordic Context, Konferenzpapier: Island Independence Movements in an Age of European Integration and Globalisation, Edinburgh, p. 6 ff.

106 JCI (2013): Lagtings och kommunalval på Åland 2011, Under: <http://www.oneplace.ax/jcimariehamn/lagtingsval/> (Last checked 30.11.2013)

107 Elklit, Jørgen and Jan Sundberg (2011): Trying to manage hegemonic control using national electoral systems in Autonomous Regions: Faroe

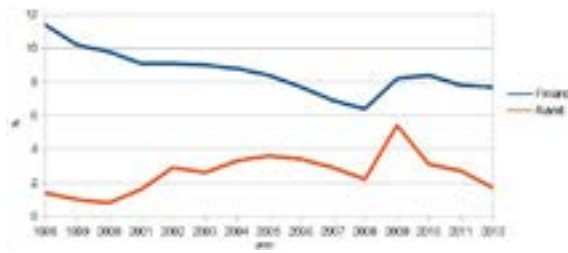


Figure 8: Unemployment rate Finland and Åland (1998 to 2012)

the integration of the Ålandic representatives into the national political systems takes place through the SFP, which has been involved in governments several times. At presidential and European elections, the Ålanders prefer the candidates of the SFP.¹⁰⁸ In addition, networking between programmatically similar parties takes place via the regional organisation of the Nordic Council. Among social democratic parties, as well as in the group of conservatives and the one of the center parties, both Finnish and Ålandic parties can be found. In the Alliance of Liberals and Democrats for Europe (ALDE) Åländsk Center cooperates with the national liberal party (Suomen Keskusta) and the Swedish People's Party.¹⁰⁹

5.1.4. Economic interdependence

5.1.4.1. Economic difference

The insular position means economically no disadvantage for the territorial autonomy. On the contrary, Åland is one of the most successful regional economies in Europe. In addition to agriculture, fishing industry and tourism, especially the ferry transport is an

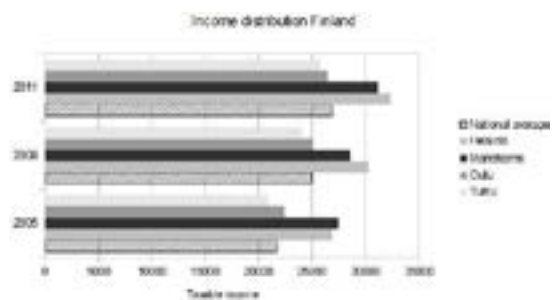


Figure 9: Comparison of income distribution in Finland.

important economic activity.¹¹⁰ According to a protocol enclosed to the Finnish EU Membership Agreement, Åland holds a special status regarding duties which allows tax-free shopping on ferries. In contrast to the mainland, no large-scale industry exists. The economic structure is dominated by small and medium-size enterprises of the service sector. As in other territorial autonomies, the public sector, in which about 35 percent of the Ålanders are employed, is quite strong.¹¹¹ Since many years, the unemployment rate (Figure 9) is significantly below the national rate.

The average difference since 1998 is 6,02 percent.¹¹² According to the definitions adopted, the economic differences between the central government and autonomy must be rated as "significant". However, comparing the mean taxable income (Figure 10) between Oulu (Northern Finland), Turku (Western Finland), Helsinki (Southern Finland) with the mean taxable income of Mariehamn, the capital of Åland, it is noticeable that the economic status of the capital region in the industrialised south of the country is comparable to the level

Islands, Greenland and Åland Islands compared, Konferenzpapier 1056, ECPR General Conference, Reykjavik, p. 16 ff.

¹⁰⁸ Jahn, Detlef et al. (2006): p. 141

¹⁰⁹ Nordic Council (2013): Under: <http://www.norden.org/en/nordic-council/organisation-and-structure/party-groups>; Alliance of Liberals and Democrats for Europe (2013): Under: <http://www.aldeparty.eu/de/allianz-der-liberalen-und-demokraten-fuer-europa> (Last checked 30.11.2013).

¹¹⁰ Eberhard, Harald et al. (2008): *Volksgruppen und regionale Selbstverwaltung in Europa*, Wien, p. 147

¹¹¹ EURES (2013): Finland – Åland. Short overview of the labour market, Under: <http://l.hh.de/EURES> (Last checked 01.12.2013)

¹¹² Own calculation, based on: Statistics Finland (2013): Under: http://pxweb2.stat.fi/database/StatFin/databasetree_en.asp (Last checked 01.12.2013)

of the territorial autonomy.¹¹³ Considering the unemployment rate, the income distribution and the high dependence of the islands from the exchange of goods between neighbouring regions (and thus also of the economic situation), the economic differences must be classified as “small”.

5.1.4.2. *Financing the autonomy*

The revised Autonomy statute of 1991 provides for an alimention of the territorial autonomy based on tax equalisation through predetermined state transfer payments. Åland gets 0,45 percent of the state revenues excluding government loans. The rate may be revised upwards if costs increase due to delegated powers. If the property tax and the income tax, which are levied by the central government, exceeds 0,5 percent of the total state revenues by the respective tax, the difference will be reimbursed to the territorial autonomy. There is also the possibility of earmarked subsidies and loans. The regional tax revenues (in particular entertainment tax and municipal tax) also contribute to the financing of the autonomy.¹¹⁴ The burden of the state budget to finance the special status of Åland is therefore extremely low.

5.1.5. *(Civil-) Society*

5.1.5.1. *Social structure*

Finland and Åland (Figure 11) have both a ‘perfect’ homogeneous social structure. In the central state, Finns are clearly the titular nation with a share of 93.4 percent of the total population. Swedish-speaking Finns (Finland) make up about 5.6 percent.

There are also smaller groups of Russians (0.5 percent), Estonians (0.3 percent), Roma and

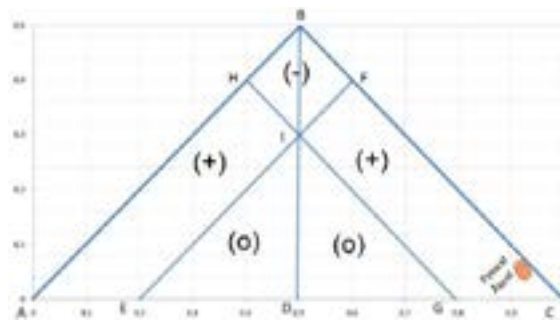


Figure 10: Social Structure of Finland and Åland

Sami (0.1 percent).¹¹⁵ Åland shows a similar structure. Ålanders represent approximately 94.5 percent of the population, Finns around 4.8 percent.¹¹⁶ The degree of polarisation is 0.19 (Åland) and 0.25 (Finland) and thus correspondingly low.

5.1.5.2. *Civil society*

According to the John Hopkins project, the Finnish civil society takes worldwide one of the top positions measured by its capacity and its influence.¹¹⁷ In 2010, the national directory listed 131703 registered associations, of which about 90000 are considered to be active.¹¹⁸ As in the other Scandinavian countries, the number of voluntary memberships is relatively high. The population proportion of those who are not members of any organisation amounts to only 10 percent.¹¹⁹ Despite the inherently lower importance of organisations working in the welfare sector, the non-profit sector is a differentiated and influential element between

115 CIA (2013): The World Factbook. Finland. Under: <https://www.cia.gov/library/publications/the-world-factbook/geos/fi.html> (Last checked 01.12.2013)

116 ÅSUB (2013): Åland in figures, Under: <http://www.asub.ax/files/alsiff13en.pdf> (Last checked 01.12.2013)

117 Salamon, Lester M. Et al. (1999): Global Civil Society. Dimensions of the Nonprofit Sector. The John Hopkins Comparative Nonprofit Sector Project, Baltimore, p. 63 ff.

118 Lappalainen, Pertti and Martti Siisiäinen (2012): Finland, In: Reutter, Werner (2012): Verbände und Interessengruppen in den Ländern der Europäischen Union, Wiesbaden, p. 179

119 Ibid. p. 186

113 Ibid.

114 Spiliopoulou Åkermark, Sia (2011): p. 37; Schnekenner, Ulrich (2002): p. 354; Eberhard, Harald et al. (2008): p. 148

market and state, which is considered to be part of the political culture of the country for decades. This can also be observed with regard to Åland's civil society. In the year 2013, 777 non-profit organisations with an average of around 250 members were registered in the territorial autonomy. The main areas of activity are in the fields of culture and sports.¹²⁰ Compared to the approximately 28,000 residents, the number of third sector organisations is very high. Considering also the level of active voluntary participation, which is about 30 percent above the national average, the civil society on Åland can certainly be described as functioning and pluralistic.¹²¹ Besides France, Sweden and the Netherlands, Finland has the world's highest concentration of transnational corporations, which already indicates for a high number of networks between the central state and the autonomy.¹²² In addition to numerous informal intersections, forums of joint cooperation exist, in which both Finnish and Ålandic organisations are represented. Examples are the umbrella organisation KEPA for development organisations, the Baltic Sea NGO Forum or the NGO program of cross-border cooperation of the Nordic Council of Ministers.¹²³

120 Email from 13.05.2013 by Jouko Kinnunen and Maria Rundberg (Ålands statistik- och utredningsbyrå). Cf.: <http://lhh.de/p4kLns> (Last checked 02.12.2013); Kinnunen, Jouko and Rundberg, Maria (2013): Measuring the importance of volunteer work in the Åland Islands. Conference Paper for 53rd ERS Congress in Palermo, Mariehamn, p. 5 ff.

121 ÅSUB (2012): Frivilligarbetet inom det åländska föreningslivet – samhällsekonomiska och kvalitativa effekter, Rapport Nr.4, Mariehamn, p. 11 ff.

122 Anheier, Helmut et al. (2001): Global Civil Society? p. 6, Under: <http://www.lse.ac.uk/internationalDevelopment/research/CSHS/civilSociety/yearBook/chapterPdfs/2001/chapter01.pdf> (Last checked 02.12.2013)

123 Cf.: <http://www.kepa.fi>; <http://bsngoforum.net> und <http://www.norden.ru> (Last checked 02.12.2013)

5.1.6. Internationalisation

5.1.6.1. Engagement of international organisations

At first glance, it seems that Finland already set up the territorial autonomy of Åland with the first statute of autonomy in May 1920. However, this is only half the truth. The decision to grant language rights and an own executive was taken after Finland and Sweden had already agreed on the consultation of the League of Nations. The first autonomy statute did not primarily provide for the enabling of self-government rights for an ethno-national group, but rather for the maintenance of good relations with the Scandinavian neighbours, and above all for strengthening its own negotiating position.¹²⁴ This ex-ante strategy was quite successful. In 1920, Finland was admitted without reservations in the League of Nations, which promptly decided the Åland Question in favour of Finland, without the requirement to perform the plebiscite demanded by Sweden and the Ålanders. The decision of the League of Nations not to accept the secession request, but at the same time to demand the protection of the 'Swedish character' of the islands, led to the acceptance of this compromise solution, which was previously considered by all parties as a second best solution. The engagement of an international organisation, which has according to the concluded provisions to be classified as 'strong participation', laid the foundation for a successful implementation of the Åland agreement.

5.1.6.2. International integration of the autonomy

Although Åland itself has no exclusive foreign policy competencies, it still acts as an international player and is involved in international institutions. According to the statute of autonomy, the autonomous government must agree,

124 Schneckener, Ulrich (2002): p. 146

if an international agreement affects the competencies of the territorial autonomy. Thus, the approval of Åland was required, for example, for Finland's accession to the European Union. For a better coordination, there is a contact group between the Finnish Ministry of Foreign Affairs and the Åland Government. On the EU level, Åland is represented by an autonomy-officer via the permanent representation of Finland. A deputy member of the Government of Åland represents Åland in the Committee of the Regions. For years, the Åland institutions have fought for their own seat in the European Parliament.¹²⁵

Most obviously, the international integration takes place within the scope of the northern cooperation. Since 1970, Åland has been sending two delegates to the Nordic Council. Just as the other two Nordic autonomies, Faeroe Islands and Greenland, Åland also has voting rights in the Nordic Council. The position of the president as well as the head of various committees has already been filled by a candidate from the autonomy, which speaks for an equal membership.¹²⁶ In the Nordic Council of Ministers, the territorial autonomy is represented by a deputy, who has no voting rights however. Åland is also a member of the Baltic Sea Parliamentary Conference (BSPC), the parliamentary counterpart of the Council of the Baltic Sea States (CBSS). Here, Åland is involved in a network consisting of national parliaments (such as from Germany, Russia, Denmark and the Baltic States), regional parliaments (such as

Faroese Parliament, Baltic Assembly, the Leningrad region or the Hanseatic city of Bremen) and international organisations (such as the European Parliament, Council of Europe and OSCE).¹²⁷ Because of this international integration, the autonomous region can without having to overcome large hurdles bring autonomy matters on the agenda of regional organisations that implicitly recognise the special status through membership and related competencies such as rights of vote and initiative.

5.2. *Bougainville*

5.2.1. *Ethno-national conflict and development of the autonomy*

On 29th of November 2011, the President of the Autonomous Bougainville Government, John Momis signed an agreement with Damien Koike, the leader of the last remaining violent resistance group on the Pacific island. The agreement draws a line under a decennial civil war (1988-1998) and a subsequent long consolidation phase of equal duration.¹²⁸ Since 2002, the island belonging to Papua New Guinea enjoys a large degree of autonomy. It is a special case for several reasons - Bougainville is not only one of the youngest territorial autonomies, but the world's only case in which the autonomy was designed from the outset as some kind of at interim solution. In addition, its institutional design represents a unique blend of a Western-oriented state model and a traditional decision-

125 Suksi, Markku (2013a): Explaining the Robustness and Longevity of the Åland Example in Comparison with Other Autonomy Solutions, In: International Journal on Minority and Group Rights, Vol. 20, p. 55

126 Suksi, Markku (2013b): Prosperity and happiness through autonomy. The self-government of the Åland islands in Finland, p. 89 f. In: Ghai, Yash and Sophia Woodman (2013): Practising Self-government. A comparative study of autonomous regions, Cambridge

127 Baltic Sea Parliamentary Conference, Under: www.bspc.net; Deutscher Bundestag (2013): Ostseeparlamentarierkonferenz, BSPC, Under: <http://www.bundestag.de/service/glossar/O/ostseeparlamentarierkonferenz.html> (Last checked 03.12.2013)

128 Mückler, Hermann (2012): Konflikt und Krisenmanagement im Pazifik: Das Beispiel Bougainville, Papua New Guinea, p. 225, In: Feichtinger, Walter et. al. (2012): Internationales Krisenmanagement, Schriftenreihe der Landesverteidigungsakademie, Nr. 8, Wien

making system with chiefs, elders councils and village assemblies.¹²⁹ The islands of Papua New Guinea are like the entire oceanic region characterised by a high number of numerically small ethno-national groups living relatively isolated from each other because of the geographical conditions. The German and Australian colonial rulers ignored the lack of an inter-regional sense of community. The newly created nation states orientated themselves towards the old colonial border drawing. Despite the geographical proximity and close historical and cultural connection to the Solomon Islands, Bougainville was allocated to Papua New Guinea, which has been an independent state since 1975. This was the starting point of a highly complex conflict that centred in its early years on independence claims of the ethno-national groups of Bougainville. Those groups, however, began to fight with each other and, under the guise of a secessionist war, frozen traditional conflicts between the about 2000 clans of the country turned into a flash fire. Already before the official independence of the central state people on Bougainville demanded independence in order to be able to return to traditional leadership structures, instead of being governed under the exotic Westminster model. In fact, two weeks before the Declaration of Independence, they proclaimed the “Republic of the North Solomons”. By making financial concessions and offering development prospects, the government in Port Moresby was able to convince the inhabitants of Bougainville to remain a province within the central state.¹³⁰ But the events around the Panguna copper mine on Bougainville intensified the conflict which escalated to a civil war. The, at that time, largest open-cast copper mine in the world

caused extreme environmental destructions on the island. Whole villages and huge areas of tropical rain forest disappeared and rivers and lakes were contaminated by heavy metals and chemicals. For the groups settling in close proximity to the mine, especially the Nasioi, Rorovanas, Uruwan, Nagovisi and Banoni, this meant not only the loss of their livelihoods, but due to the high spiritual importance of their land also an attack on their culture.¹³¹ For the state government, however, the mine had a high economic importance. Already with its commissioning, it was the largest industrial enterprise in the country, which generated about half of the state’s total export earnings. This explains the fast and hard military action by the army after the first acts of sabotage by the “Bougainville Revolutionary Army” (BRA) at the mine, which eventually led to its closure. A loss of revenue from the mining industry was not acceptable for Papua New Guinea. The country still belongs to the 30 least developed countries worldwide.¹³² In addition, a domino effect on other regions of the country was feared. Since both sides insisted on their positions, multiple negotiation attempts failed. Also the state’s army did not succeed in defeating the BRA militarily. Thus, the state government hired foreign mercenaries of the British company “Sandline”. In spring 1997, this was revealed by Australian media (“Sandline affair”) and the country sank into chaos and violence.¹³³ It was not until one year later that the parties agreed on a cease-fire, including the monitoring by an observer force of the United Nations (UNOMB). Increasing divisions within the BRA and mediation efforts by representatives of the neighbouring countries Australia, New Zealand, Fiji and

129 Boege, Volker (2009): Peacebuilding and State Formation in Post-Conflict Bougainville, In: Peace Review, Vol. 21, Nr. 1, p. 35

130 Mückler, Hermann (2012): p. 231

131 Boege, Volker (2009): p. 30

132 Human Development Index der Vereinten Nationen (2012), Under: <http://hdrstats.undp.org/en/countries/profiles/PNG.html> (Last checked 31.10.2013)

133 Mückler, Hermann (2012): p. 238 ff.

Vanuatu paved the way for a first autonomous government (Bougainville Reconciliation Government), recognised by constitutional amendment. Before in May 1999, a People's Congress consisting of elected representatives of the island started its work.¹³⁴ After lengthy negotiations, a conditional compromise solution for the regulation of the conflict was agreed upon in the "Bougainville Peace Agreement" (2001). The island became a territorial autonomy with extensive self-government rights. Additionally, the people of Bougainville have the right to vote in a referendum, which must include the option of independence, between the years 2015 and 2020 on the future political status of the island, this, however, under the condition that standards of good governance are implemented in the autonomy and a monitored demilitarisation process proceeds successful.¹³⁵

For the groups of the remote island, integration into the state was out of the question, even in the form of a power-sharing arrangement. The establishment of such a conflict resolution model could hardly have been implemented due to the large number of groups. The negotiated self-rule solution serves the demand for (limited) self-government and ensures the integrity of the state as well as additional revenues in the case of a reopening of the mine.¹³⁶

Up to now, the transfer of competencies proceeds rather slowly and the deferred independence question contains a considerable potential for conflict. But it has the positive side effect that the national government is trying to build a well-functioning autonomy, which in

turn increases the likelihood of a positive vote. The conclusion of the UNOMB regarding the process of destructing weapons was positive. The UNOMB ended its mandate after the first elections to the autonomous Bougainville government took place in 2005.¹³⁷ The elections in June 2010 were also peaceful, which is why, according to observers from the consolidation phase, Bougainville today can be identified as a successful territorial autonomy.¹³⁸

5.2.2. *Profile of the autonomy-arrangement*

Both constitutions as well as the "Organic Law on Peace-Building in Bougainville" guarantee to the island not only a special status which cannot be revoked unilaterally, but they also constitute a very specific political system which shall secure sustainable peace with a mixture of public institutions, traditional leadership structures, written and unwritten laws. The legislative branch, the House of Representatives, consists of 33 members, three women's representatives, three former combatants and four ex-officio members in the national parliament, a directly elected president, a deputy chairperson and eight ministers form the Bougainville Executive Council. At the interfaces between the powers, an advisory body consisting of the chiefs of the island as well as a council of elders are established. To this day, most of the inhabitants are sceptical about Western government institutions and adhere to traditional law.

134 Benedikter, Thomas (2012): p. 166

135 Wolfers, Edward P. (2006): Bougainville Autonomy. Implications for Governance and Decentralisation, In: Public Policy in Papua New Guinea Discussion Paper Series, Nr. 5, p. 2 ff.

136 The mine has been closed since 1989. Since 2010, the government negotiates with landowners, the operating company and the autonomous government for a reopening. Cf.: http://l.hh.de/radioaus_panguna (Last checked 31.10.2013)

137 Peace Accords Matrix (2013): Bougainville Peace Agreement. Under: https://peaceaccords.nd.edu/matrix/status/46/un_internal_verification (Last checked 31.10.2013)

138 Wallis, Joanne (2012): Ten Years of Peace. Assessing Bougainville's Progress and Prospects, In: The Round Table, Vol. 101, Nr.1, p. 30 ff.; Regan, Anthony J. (2008): Resolving the Bougainville Self-Determination Dispute: Autonomy or Complex Power-sharing? p. 125 ff. In: Weller, Marc and Barbara Metzger (2008): Settling Self-Determination Disputes, Complex Power-Sharing in Theory and Practice, Leiden; Mückler, Hermann (2012): p. 255

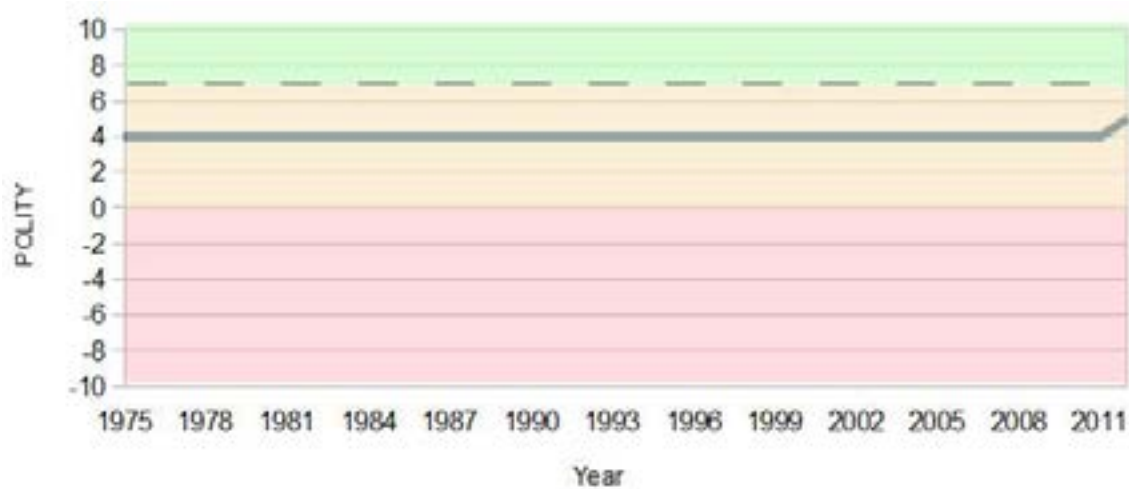


Figure 11: Democratic development of Papua New Guinea (1975 to 2013)

The chiefs of the clans resolve conflicts occurring in their villages by ceremonies which are many centuries old. Thus, state's jurisdiction and power is very weak. The police has access to most villages only after invitation of the tribal chiefs.¹³⁹ Without the consideration of tradition and culture, of ex-combatants and, because of the matrilineality of many ethno-national groups, also because of women, no conflict-regulation model can be implemented on Bougainville. A "Joint Supervisory Body", consisting of members of both parliaments provides for the solution of "interstate" conflicts. Bougainville was attributed extensive competencies to exercise its self-government. Thus culture, education, health, land and resources, municipal management, trade and industry belong to the area of responsibility of the autonomy. Additionally, public services and police forces as well as a jurisdiction with its own criminal laws are developed separately from the central state. National defence, foreign and immigration policy, and central banking remain competencies of the national government.

However, numerous special regulations exist here. For example, the consent of both parlia-

ments is required, if an international agreement affects the territorial autonomy.¹⁴⁰ The national government cannot take reverse transferred competencies and there is no supremacy clause.

5.2.3. Democracy

5.2.3.1. Democratic constitution of the central state

De jure, Papua New Guinea is a democratic state. However, since it has considerable practical functional defects, it must be classified as a defective democracy with an average POLITY value of 4.03 (Figure 12). Australia succeeded in implementing a Westminster model for Bougainville, which has, however, been completely overstrained ever since due to the social complexity of the country. The countless ethno-national groups never evolved a common national consciousness, which is reflected today in the weak acceptance of general government institutions.¹⁴¹ The group identity still plays a prominent role. In case parliamentarians are acting primarily in the national inter-

¹⁴⁰ Wallis, Joanne (2012): p. 30

¹⁴¹ Geddes, Bill (2010): Parliamentary Democracy in Papua New Guinea, Under: <http://www.pilibrary.com/articles1/parliamentary%20democracy%20in%20png.htm> (Last checked 03.11.2013)

¹³⁹ Boege, Volker (2009): p. 36

est and less in the interest of their local origin, they do not only risk their re-election, but also the acceptance within their clan. The widespread nepotism limits the efficiency of the system of government in addition. Offices are often given to friends or wantoks of the incumbents.¹⁴² Again and again, cases become known where politicians enriched themselves through bribery. Hardly a government manages to survive the five-year legislative period due to no confidence votes. Elections are often accompanied by outbreaks of violence. Election observers criticise the disregard of the secrecy of voting and faulty electoral registers.¹⁴³

In the last parliamentary elections, about two-thirds of the approximately 3.000 candidates competed as independent candidates. However, in the event of an electoral success, they joined one of the programmatically almost indistinguishable parties. Circumstances like this make the political system inscrutable for the citizens, which is why the state takes the 150th place (from 176) in the Transparency International scale.¹⁴⁴ Since the state became independent, there were little initiatives by the government to increase the acceptance of the system and to involve citizens more. For example, in many areas daily newspapers are not available, national TV and radio stations are neglected. Political reforms, for example concerning the electoral law and the establishment of higher

hurdles for no confidence votes resulted in an increase of the democracy value, which, however, does not (yet) allow another classification.¹⁴⁵

5.2.3.2. *Party system in the central state and the autonomy*

In accordance with the democratic deficits, parties are only weak players in the political system. The contest runs primarily between individual candidates. The electorate identifies itself only little with parties, which is why the turnover rate is relatively high. In reality, parties serve merely as tools to win elections. They usually have no specific and long-dated agenda.¹⁴⁶ This is accompanied by the high proportion of independent candidates, which currently amounts to 14 percent in the national parliament, in the autonomous parliament even up to 47 percent.¹⁴⁷ However, in both cases, a multi-party system has emerged (Table 21/ Appendix). In the current election period of Papua New Guinea, 111 seats are allocated to 21 parties, whereas almost 60 percent of the parties are represented by only one or two deputies.¹⁴⁸ The autonomous parliament is far less fragmented with currently three parties, the explanatory power, however, is low since only two elections were held up to now. With the Bougainville People's Congress (BPC), the New Bougainville Party (NBP), the

142 Wantok means originally a common ethnic origin and language. Today notably, the widespread nepotism is described with the term. Cf.: Steffens, Anna-Katharina (2008): Papua-Neuguinea als failing state: Analyse staatsverhindernder Elemente einer Entwicklungsgesellschaft, p. 5 ff. Under: http://othes.univie.ac.at/2967/1/2008-11-24_0248233.pdf (Last checked 03.11.2013)

143 Sepoe, Orovu (2006): Democracy in Papua New Guinea: Challenges from a rights-based approach, p. 400 ff, In: Firth, Stewart (2006): Globalisation and Governance in the Pacific Island, Canberra

144 Transparency International (2013): Corruption by Country, Under: <http://transparency.org/country#PNG> (Last checked 03.11.2013)

145 Steffens, Anna-Katharina (2008): p. 11 ff.

146 Kelly, Norm (2010): Electoral Democracy in Post-Conflict Melanesia: The 2010 Bougainville and Solomon Islands Elections, Nr. 2, p. 9 ff.

147 Own calculations according: Inter-Parliamentary Union Database (2013) Under: http://www.ipu.org/parline/reports/2247_arc.html (Last checked 04.11.2013) and Wallis, Joanne (2012): p. 31-32

148 Own calculations according ibid.

	<i>Papua New Guinea</i>	<i>Bougainville</i>
Enrollment rate (primary school)	40.7 %	40.23 %
Literacy rate	57.81 %	79.72 %
Life expectancy	60.7 years	59.6 years
Mortality rate (under 5)	61 of 1.000	74 of 1.000

Table 13: Comparison of development indicators in Papua New Guinea and Bougainville ¹⁵²

Bougainville Independence Movement (BIM) and the Bougainville Labour Party (BLP) four parties competed to enter parliament in 2005. In 2008 a new party, the Bougainville United Party, entered the political arena.¹⁴⁹ This can definitely be interpreted as a trend in the direction of the development of a multi-party system. Although the large number of parties in the national parliament results sometimes in efficiency losses, in a highly ethnically heterogeneous country it provides for the representation of many ethno-national groups in the political system. Necessarily, coalitions must be forged and compromises must be found, which may gradually lead to the fact that clan boundaries can be overcome and a democratic consciousness develops. Even in the short period of existence of two-party systems, programmatically similar parties have emerged, such as the national Social Democratic Party and the Bougainville Labour Party. Because of the lack of information it cannot be judged whether there are already informal contacts between similar parties. However, the probability increases over time as the party system on Bougainville becomes more consolidated. Networks between ethno-national groups via political parties can thus be assumed here.

¹⁴⁹ Kelly, Norm (2010b): p. 11; Commonwealth-Pacific Islands Forum Expert Team (2005): General Election for the Autonomous Bougainville Government. Report, Under: <http://l.hh.de/vaYnO3> (Last checked 04.11.2013)

5.2.4. Economic interdependence

5.2.4.1. Economic difference

As in the entire South Pacific area, the economy of Papua New Guinea is bipartite. In the formal sector deposits of raw material, in particular oil, gas, copper and gold, contribute to the gross domestic product, which has been growing robustly in recent years.¹⁵⁰ A large part of the population (according to estimations approx. 85 percent), however, is engaged in the informal sector and lives on subsistence farming. This economic performance is not statistically recorded, so no data on employment and unemployment is available. Estimates, however, assume an unemployment rate of well over 70 percent. Since most residents have no possibility to generate a monetary income, about 60 percent of Papua New Guineas live, despite the large natural resource deposits and the fertile soil, of less than two U.S. dollars a day as calculated by the World Bank.¹⁵¹ Therefore, a comparison of the economic performance between the central government and the autonomy is not possible. Thus, to be able to make a statement about any economic differences between Papua New Guinea and Bougainville, we have to revert to classic development indicators. An unequal status in the enrolment rate, literacy rate, infant mortality and life expectancy can in this case be equated with the economic status.

¹⁵⁰ Auswärtiges Amt (2013a): Länderinformationen. Papua-Neuguinea, Under: <http://l.hh.de/fCJEe7> (Last checked 05.11.2013)

¹⁵¹ Cited after: Bertelsmann Stiftung (2012). BTI 2012. Papua New Guinea Country Report, Gütersloh, p. 10

¹⁵² Human Development Index der Vereinten Nationen

A comparison (Table 13) shows that basically no differences in the level of development can be identified. In terms of school enrolment and life expectancy, the values are almost identical. The higher literacy rate, which is mainly due to the unequal distribution of ecclesiastical institutions, is contrary to the country's universities, all of which can be found on the mainland. The infant mortality rate is higher on Bougainville, however, the prize for the best medical care, which has been awarded to the territorial autonomy in 2006, is a strong argument against existing structural differences.¹⁵³

5.2.4.2. *Financing the autonomy*

In a developing country like Papua New Guinea the financing of a territorial autonomy is a particular challenge and contains a much higher potential for conflict than in the other cases of this study. According to the Bougainville Peace Agreement, the autonomy should be equipped with sufficient income-generating competencies, such as the collection of income tax. In return, the autonomy makes a "reasonable contribution" to the cost of the central government.¹⁵⁴ Due to the precarious economic situation Bougainville is neither able to generate adequate funds for itself nor is the financial support from Papua New Guinea sufficient. Even subsidies from the central government for the reconstruction of the region after the Civil War, which are also defined in the Bougainville Peace Agreement (2001) were not paid until

2011.¹⁵⁵ Almost 40 years after its independence, the state is still heavily dependent on foreign aid. The ODA showed an upward trend with 610.7 million U.S. Dollars in 2011.¹⁵⁶ Australia has a special responsibility because of its historical role and geographical proximity. The current development budget for Papua New Guinea amounts to 481 million U.S. dollars.¹⁵⁷

The total state revenue in the current budget amounts to 9.3 billion Kina (3.56 billion U.S. dollars).¹⁵⁸ Table 22 (Appendix) gives an overview of the government transfer payments to the provinces in ascending order. It becomes clear that, despite the status of Bougainville as a territorial autonomy, other provinces receive significantly higher transfer payments. The proportion of payments for Bougainville corresponds to just 0.935 per cent of the total state revenue of Papua New Guinea. The autonomy is mainly financed by the Australian Government, which contributes around 22 million U.S. dollars to the budget of Bougainville (currently about 185.8 million U.S. Dollars). The second largest donor is New Zealand with around 5 million U.S. Dollars each year.¹⁵⁹ Thus, the financing of the autonomy can be considered "positive"

(2007), Data under: <http://hdrstats.undp.org/en/countries/profiles/PNG.html> (Last checked 31.10.2013); NRI (oA): Statistics Bougainville. Under: http://www.nri.org.pg/research_divisions/cross_divisional_projects/15%20ARB.pdf (Last checked 05.11.2013)

153 Wallis, Joanne (2012): p. 35

154 United States Institute of Peace (2001): Bougainville Peace Agreement, cl. 134-148, p. 23, Under: http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/bougain_20010830.pdf (Last checked 06.11.2013)

155 Wallis, Joanne (2012): p. 34

156 World Bank (2011): Net official development assistance and official aid received, Under: <http://lhh.de/OufmHn> (Last checked 06.11.2013)

157 Australian Government – Department of Foreign Affairs and Trade (2013): Where we give aid, Under: <http://aid.dfat.gov.au/countries/pacific/png/Pages/default.aspx> (Last checked 06.11.2013)

158 Papua New Guinea – Ministry for Treasury (2013): 2013 Recurrent Budget Estimates of Revenue and Expenditure for National Government Departements, Under: http://www.treasury.gov.pg/html/national_budget/national_budget.html (Last checked 06.11.2013)

159 Regan, Anthony J. (2008): p. 145; Australian Government – Department of Foreign Affairs and Trade (2013): Where we give aid, Under: <http://aid.dfat.gov.au/countries/pacific/png/Pages/default.aspx> (Last checked 06.11.2013); Elijah Joe (2012): Bougainville Adopts \$185.8 Million Budget For 2013, In: Pacific Island Report 2012, Under: <http://pidp.eastwestcenter.org/pireport/2012/December/12-25-11.htm> (Last checked 06.11.2013)

according to the assumptions made, because the financial burden on the central government is very low. However, the impact of the high dependence on aid flows and the precarious economic situation on the funding of the autonomy is still to be evaluated.

5.2.5. (Civil-) Society

5.2.5.1. Social structure

Papua New Guinea is one of the most socially heterogeneous countries in the world. The national Summer Institute of Linguistics estimates that at least 817 ethno-national groups live in the country.¹⁶⁰ Membership of one of the groups, which mostly include less than 1.000 people, is defined primarily through language.

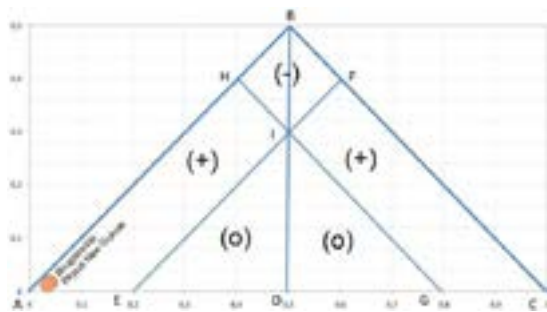


Figure 12: Social structure of Papua New Guinea and Bougainville

In spite of progressive urbanization and external influences, 21 sub-languages and about 830 different indigenous languages are found beside the three main languages Tok Pisin, Hiri Motu and English.¹⁶¹ The Enga with about 257.000 members are considered to be the largest group. However, they make up only four percent of the population. The Medlpa and Huli with 237.000 and 157.000 members as the second and third largest groups represent a share of two and

three percent.¹⁶² All other groups make up one percent or less, which is why both Papua New Guinea and Bougainville can be characterised as “perfect” multi-polar societies. The graphical classification (Figure 13) makes this very clear. An additional measurement with the polarisation index is unnecessary due to the high number of groups.

5.2.5.2. Civil society

The strength and extent of a civil society depend on the level of development and the degree of the democratic constitution of a state. Thus, although a variety of civil society actors operate in Papua New Guinea and Bougainville, they do not constitute a separate segment beside the state and the market with a controlling and initiating function.¹⁶³ Besides the international organisations, most of the NGOs which operate in the country are so called community-based organisations (CBO), which are established ad hoc for projects of these major international organisations and are mostly active in the health and education sector. They are not based on the initiative of the people and rarely act independently. In addition, landowner groups exist, in which the clans organise themselves to be able to negotiate with the state or corporations in the case of questions regarding land ownership. Local organisations, which were founded based on the initiative of the population and can be seen as indicators of an independent civil society are a relatively new phenomenon and quite rare. Even as a local partner of larger NGOs, they can hardly exercise civil society functions such as interest representation and control due to their lack of funding and

160 Anere, Ray (2004): Ethnic Structure, Inequality and Governance of the Public Sector in Papua New Guinea, UNRISD-Project, Under: <http://l.hh.de/p7p5Ai> (Last checked 06.11.2013)

161 Regan, Anthony J. (2008): p. 127

162 Imbun, Benedict Y. (1995): Enga Social Life and Identity in a Papua New Guinea Mining Town, p. 51 ff. In: Oceania, Vol. 66, Nr. 1

163 Seib, Roland (2009): Staatsreform und Verwaltungsmodernisierung in Entwicklungsländern. Der Fall Papua-Neuguinea im Südpazifik, Frankfurt a. M., p. 312 ff.

little professional approach.¹⁶⁴ Nevertheless, these organisations take over important tasks, whereby the focus is on medical care, nature conservation and education. For the latter mainly religious institutions are important. There is no central registration process, so it can hardly be stated how many NGOs are in fact active in the country, which of them are international organisations and which can be traced back to local initiatives. The Melanesian NGO Centre for Leadership (MNCL), the umbrella organisation for Papua New Guinean civil society organisations, counts 94 members. However, this organisation contains mergers, such as the Eco-Forestry Forum, which consists of about 30 different organisations.¹⁶⁵ The actual number is thus estimated to be much higher. Since 1998, a Consultative Implementation and Monitoring Council exists, which grants civil society actors access to the political system. Besides Ministers of State and economic representatives, the churches, trade unions, women's associations and environmental associations are represented in the council.¹⁶⁶ In the transition phase organisations emerged on Bougainville, which are now to some extent better equipped than governmental institutions because of foreign support. The churches have particular importance mainly in the areas of education, medical care but also peace building activities and are the only actor with exhaustive access to the ethno national groups of the

country – a reason for the higher alphabetisation rate indicated in Table 13. According to a recent study by Volker Boege, the civil society on the island is developing very positively:

[The Organisations] act as watchdogs and advocacy groups that try to influence (state) politics and to bring about change [...] at times they do criticise politicians and chiefs, oppose their decisions and urge changes in attitudes and politics.¹⁶⁷

Certainly, there is evidence for networks between the central state and the autonomy on the basis of civil society, as for example, “Act now”, an independent online campaign organisation, founded in 2010 that is active both on the mainland and on the island and is committed to issues of Bougainvilleans.¹⁶⁸ In the evaluation, the civil society in this case has to be classified as “limited pluralistic”.

5.2.6. *Internationalisation*

5.2.6.1. *Engagement of international organisations*

External actors have played an important role for the autonomous Bougainville. In addition to the aforementioned regional “coalition of the willing” consisting of Australia, New Zealand, Fiji and Vanuatu, the engagement of the United Nations (UNOMB) provided for successful negotiations to the Bougainville Peace Agreement. As early as 1992, the United Nations called on the Government of Papua New Guinea to restore peace and order on Bougainville.¹⁶⁹ An intervention has taken place only after the joint request by the national government and the BRA

164 Falisse, Michel et al. (2011): Mapping Study. The European Union's EDF Programme for Papua New Guinea, Final Report, p. 13 ff. Under: http://eeas.europa.eu/delegations/papua_new_guinea/documents/page_content/press_Dacorne/news/mapping_en.pdf (Last checked 07.11.2013)

165 Lidimani, David (2007): Law and Civil Society Organisations in Papua New Guinea: A Review of the Legislative Framework. Country Report, p. 15 ff. Under: http://l.hh.de/Report_ICNL (Last checked 07.11.2013)

166 Consultative Implementation and Monitoring Council (2013). Under: <http://www.inapng.com/cimc/index.html> (Last checked 07.11.2013)

167 Boege, Volker (2013): Bougainville Report. Addressing legitimacy issues in fragile post-conflict situations to advance conflict transformation and peacebuilding, Brisbane, p. 33

168 ITS (2013): Uncivil Society. A review of activist NGOs in PNG, Melbourne, p. 36 ff.; Act Now (2013): For a better Papua New Guinea, Under: <http://actnowpng.org/category/projects/bougainville-panguna-mine> (Last checked 07.11.2013)

169 Mückler, Hermann (2012): p. 236

to play a mediating role. Both the convention for the ceasefire as well as the agreement on the establishment of the territorial autonomy was not due to the pressure and force by an international organisation, but to the initiatives of the conflict parties themselves.¹⁷⁰ The UNOMB created the necessary room to negotiate. Its success is mainly attributed to its non-armament and the consideration of traditional conflict resolution mechanisms. The limited importance of the international community can also be explained by the absence of a kin state with own territorial claims. Only Australia, which excelled as chief mediator, feared direct effects. Due to its special relations with Papua New Guinea, Australia always insisted on the participation of New Zealand. The low overall geopolitical importance and limited international connections of the country reduced the commitment of extra regional actors to a minimum.¹⁷¹ Without international participation, however, the peace process would hardly have run peacefully. People on Bougainville wished for a longer engagement of the United Nations. With regard to the forthcoming referendum they hope that the international community will act as a guarantor for a continued independence.¹⁷² The establishment of a territorial autonomy was not claimed directly.

5.2.6.2. International integration of the autonomy

The transferred competencies enable the autonomous government to join international institutions with the consent of the national government. Also, sending representatives and observers to regional organisations such as the Pacific Islands Forum or the regional forum of ASEAN is possible.¹⁷³ However, up to now the

autonomous government has not presented itself as an international actor. It was not admitted to international institutions, nor has it explicitly required an admission. Although the autonomy acts relatively independently as recipient of development aid, this is, however, not sufficient to characterise Bougainville as an international actor.¹⁷⁴

5.3. Gagauzia

5.3.1. Ethno-national conflict and development of the autonomy

In the 13th century the Gagauz people settled in today's Romanian-Bulgarian border area, where they were then, besides the Chuvash, the only Turkic people who became Orthodox Christians.¹⁷⁵ During the Russo-Ottoman wars in the 18th century, the group migrated to Moldavia, where they faced strong assimilation pressure under Russian-Tsarist and later under Romanian and Soviet rule. The Gagauz people associate in particular the Romanian rule with repression and arbitrariness.¹⁷⁶ The subsequent Soviet rule led to the marginalisation of the group that developed a 'Soviet-Russian' identity. In the wake of the collapse of the USSR, the "Popular Front of Moldova" arose in which Moldova and Gagauz elites strove together for cutting the cord to Moscow. Moldovan elite's preferred an annexation of the area to Romania. In August 1989, language laws were passed,

174 Cf. Australian Government – Australian Civil-Military Centre (2012): Partnering for Peace, Under: <http://acmc.gov.au/wp-content/uploads/2012/06/ACMC-PFP-REPORT.pdf> (Last checked 08.11.2013)

175 Avram, Andrei (2008): Gagausische Autonomie und moldauische Staatlichkeit – konkurrierender Nationsaufbau oder konstruktives Miteinander, p. 10, Under: <http://www.uni-leipzig.de/~mil/pdf/de/AvramGagausien.pdf> (Last checked 10.11.2013)

176 Neukirch, Claus (2002): Autonomy and Conflict Transformation: The Case of The Gagauz Territorial Autonomy in the Republic of Moldova, In: Series on Ethnopolitics and Minority Issues, Vol. 1, p. 105 ff.

170 Regan, Anthony J. (2008): p. 132; Mückler, Hermann (2012): p. 256

171 Mückler, Hermann (2012): p. 257

172 Regan, Anthony J. (2008): p. 132

173 Ibid. p. 142-143

declaring Moldovan, a language which is closely related to Romanian, as the state language, an act devaluating the importance of Russian.¹⁷⁷ The non-Moldovan groups in the country, which amount to about 35 percent of the population saw their cultural identity threatened and feared a repeated Romanian reign of terror. In the two regions with concentrated settlements of non-Moldovan groups, Gagauzia and Transnistria, demands against the nationalist tendencies and for self-government increased.¹⁷⁸ When Moldova was granted independence and pro-Romanian forces insisted on the connection to Romania, the conflict escalated. As Transnistria, mainly inhabited by Russians and Ukrainians, declared independence in turn, it came to a civil war, which lasted from March to July 1992 and claimed about 1000 deaths. Up to now, the Government of Moldova has no control over the internationally non-recognized de facto regime. It is astonishing that in spite of the escalation of this conflict in a state being itself in an transformation phase, and which furthermore is said to be the “poorhouse of Europe”, the conflict with the Gagauz could be brought to an end. In November 1989, the Gagauz national movement exclaimed an own Soviet republic. A march of around 40,000 Moldovans to prevent the first Gagauz elections led to chaos and violence. In the following years, there were repeated clashes between the Gagauz paramilitaries and Moldovan police, in which a few people were killed.¹⁷⁹ Not only because of the developments in Transnistria, the economic weakness and the low security policy relevance of Gagauzia, where in contrast to Transnistria neither Russian military units were stationed nor weapon arsenals were stored, moderate

forces prevailed in the central state. As the first president of the country, Mircea Snegur, clearly rejected annexation agitations to Romania, the way was free for the “Law for the special legal status of Gagauzia in Moldova” (Gagauz Yeri), which was adopted in 1994.¹⁸⁰ According to this law the communities in which the Gagauz represent more than 50 percent of the population enjoy autonomy. After a referendum in March 1995, the territorial autonomy consists of a core area around the capital Comrat and three enclaves around the cities Vulcanesti Copceac and Carbolia with a total of around 171.500 inhabitants.¹⁸¹ The “Autonomous Territorial Unit of Gagauzia” represents not only one of the rare cases of a discontinuous territorial autonomy, but is also the only success story of such a conflict resolution among the countless post-Soviet conflicts up to now. Since 2003 the autonomy is guaranteed in the constitution. Responsible for the autonomous region are the Gagauz people, which are explicitly defined as such and not as “ethnic group” or “minority”.¹⁸² In the case the status of the Republic of Moldova as an independent state should change (as in the case of a connection to Romania), the Gagauz people have the right to sovereignty qua secession.¹⁸³ Some problems occur again and again at the Achilles’ heel of self-rule arrangements – the exact counterbalancing of competencies. However, the conflict resolution model is regarded by both sides as a success and is also not questioned by the non-Gagauz population within the autonomy.¹⁸⁴

5.3.2. *Profile of the autonomy-arrangement*

177 Avram, Andrei (2008): p.11

178 Benedikter, Thomas (2012): p. 121

179 Wöber, Siegfried (2013): Making or Breaking the Republic of Moldova? The Autonomy of Gagauzia, In: EURAC - European Diversity and Autonomy Papers Vol. 2, Nr. 1, p. 5 ff.; Neukirch, Claus (2002): p. 108 ff.

180 Benedikter, Thomas (2012): p. 122

181 Troebst, Stefan (2001): Die Autonomieregelung für Gagausien in der Republik Moldova – ein Vorbild zur Regelung ethno-politischer Konflikte, In: Berliner Osteuropa-Info, Vol. 17, p. 56

182 Benedikter, Thomas (2012): p. 124

183 Troebst, Stefan (2001): p. 57 ff.

184 Benedikter, Thomas (2012): p. 126

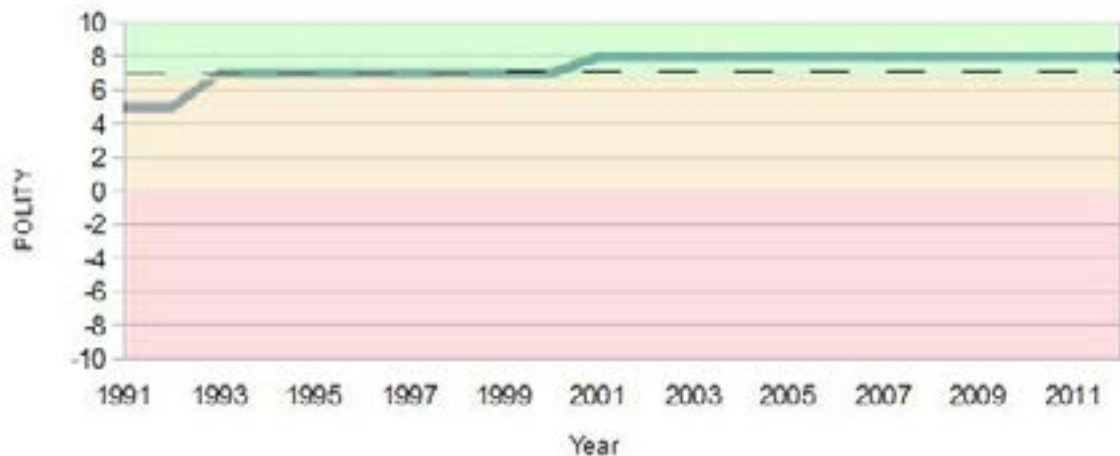


Figure 13: Democratic development in Moldova (1991 to 2012)

The 35 members of the Gagauz People's Assembly (Halk Toplushu) are elected every four years, and every municipality in the country sends at least one delegate. The Bashkan, the president, who is elected for four years as well, heads the executive branch. The government, the "Executive Committee" (Bakannik Kometeti) is nominated by the People's Assembly after proposal from the Bashkan. A special feature is the power-sharing component within the self-rule arrangement. Although legislative competences are divided, the members of the Executive Committee are represented in the Moldovan ministries. In addition, the President is an ex officio member of the national parliament. The autonomous government governs the fields of science, culture and education, spatial planning and housing, health care and sports, local finance, business and labour law, social security and environmental protection. The autonomous authorities coordinate the municipal police, while the special police forces are subordinated to the central government.¹⁸⁵ In addition, the autonomy has the right to participate in external relations. In the light of the conflict genesis, the language regulations were of great importance from the perspective of the population. Besides

¹⁸⁵ Neukirch, Claus (2002): p. 108 ff.; Benedikter, Thomas (2012): p. 123

Moldovan and Gagauz, the territorial autonomy acknowledges also Russian as an official language.¹⁸⁶ A "Permanent Commission" consisting of 12 Moldovan and 9 Gagauz government officials serves as a consultation instance in case of conflicts that arise between the central state and the autonomy.

5.3.3. Democracy

5.3.3.1. Democratic constitution of the central state

The Republic of Moldova is the only parliamentary democracy among the CIS countries and fulfils with an average POLITY value of 7.36 (Figure 14) the minimum requirements of a democratic system.¹⁸⁷ The construction of democratic institutions, beginning after a period of high political instability during the years after independence in 1991, faltered several times.

In 1999 President Petru Lucinschi failed scarcely with the plan to change the constitution in his favour. Two years later it came to the first communist interlude in the post-Soviet sphere only a decade after the collapse of the USSR.

¹⁸⁶ Avram, Andrei (2008): p. 14

¹⁸⁷ Jäckle, Sebastian (2011): Determinanten der Regierungsbeständigkeit in parlamentarischen Systemen, Berlin, p. 16; Popescu, Nicu (2012): Moldova's Fragile Pluralism, In: Russian Politics and Law, Vol. 50, Nr. 4, p. 37 ff.

The “Communist Party of the Republic of Moldova” (PCRM) gained enormous political power and discredited opposition parties via the state-controlled media. The 2009 elections led to riots throughout the country as opposition demanded an end of the de facto one-party rule. The election of a president failed due to the lack of a parliamentary majority of the communists. The political stalemate ended only after two elections in July 2009 and November 2010, which the “European Alliance” composed of the democratic parties clearly won. The reforms then implemented made the country the most democratic post-Soviet state (except the Baltic States) and the leading CIS country in terms of press freedom.¹⁸⁸ Democratic deficiencies arise primarily from the high rate of corruption. According to the corruption index of Transparency International, Moldova is currently ranked 94th.¹⁸⁹ In particular basic political rights which exercise may counteract the consolidation of power, such as the freedom of expression and freedom of assembly are limited. Nevertheless, no authoritarian relapse is observed during the communist reign. The country also experienced no “colour revolutions” such as Georgia or Ukraine.¹⁹⁰ The plural and competitive party system, even during the reign of the PCRM, contributed significantly to democratic change. The system of proportional representation and the constitutional change from a semi-presidential to a parliamentary

system is mainly responsible for this.¹⁹¹ Another factor is the social diversity. No government has yet been able to count on only one single ethno-national group. According to Lucan A. Way, this Moldavian particularity can be described as

pluralism by default, where all elites have to manoeuvre by putting together different and often unstable coalitions of support by navigating among various groups.¹⁹²

In addition, the limited state power can be traced back to the lack of capital-rich conglomerates and resources, in contrast to Ukraine, Azerbaijan and Kazakhstan. In the poorest country in Europe, this resulted in a paradoxical high degree of self-reliance and independence of the population from the state.¹⁹³ Because of the high dependency on support services, especially by the IMF and the EU, the international community was granted a relatively strong influence on the political development of the country. Thus, the Republic of Moldova can be rated as a democracy in this analysis.

5.3.3.2. Party system in the central state and the autonomy

Since its independence, Moldova has developed a pluralistic party system. The party-friendly institutional design led to the emancipation of the parties as key actors in the political system.¹⁹⁴ Over the entire period of time, Moldova has to be characterised as a multi-party system with an average of 3.85 parliamentary parties (Table 23/Appendix). In its early years the system was relatively unstable due to loose party blocks and

188 Tudoroiu, Theodor (2011): Structural Factors vs. Regime Change. Moldova’s difficult quest for democracy, In: Democratization, Vol. 18, Nr. 1, p. 236 ff.; Popescu, Nicu (2012): p. 44 ff;

189 Transparency International (2012): Dataset. Corruption Perceptions Index 2012, Under: <http://cpi.transparency.org/cpi2012/results/> (Last checked 13.11.2013)

190 McDonagh, Ecaterina (2008): Is Democracy Promotion Effective in Moldova? The Impact of European Institutions on Development of Civil and Political Rights in Moldova, In: Democratization, Vol. 15, Nr. 1, p. 142 ff.

191 Protsyk, Oleh and Ion Osoian (2008): Moldova.

Party Institutionalization in a Resource-Scarce Environment, In: Roper, Steven D. and Janis Ikstens (2008): Public Finance and Post-Communist Party Development, Aldershot, p. 95 f.

192 Way, Lucan A. (2002): Pluralism by Default in Moldova, In: Journal of Democracy, Vol. 13, Nr. 4, p. 127 ff., Vgl. hierzu: Popescu, Nicu (2012): p. 46

193 Ibid p. 47

194 Protsyk, Oleh and Ion Osoian (2008): p. 96 ff.

a high number of independent candidates, but this changed with the constitutional reform of 2001 and the 'final democratic turn' in 2009. After the last three parliamentary elections, the Communist Party (PCRM), the Liberal Democratic Party (PLDM) and the Liberal Party (PL) were represented in all parliaments, which indicates a consolidated party system. An increasing number of competing parties of 9 (1994) to 20 (2010) illustrates the stronger anchoring in society and a growing democratic consciousness.¹⁹⁵

In Gagauzia as well, a multi-party system has emerged since the first elections to the autonomous People's Assembly in 1995. In the first elections, ethno-national parties like the "People's Party of Gagauzia" (PPG) or the "Vatans Party" (PPV), which arose out of the Gagauz independence movement, competed. In the last elections the voters decided on national parties or independent candidates. Here as well, a rising degree of stabilisation can be observed. In addition to the always represented Communist Party, the "Socialist Party of Moldova" (PSRM) and the party advocating rights of ethno-national groups, the so called "Ravnopravie Party" (MRR), were elected several times.¹⁹⁶ Because PCRM and PLDM are represented in both parliaments, a high degree of networks can be assumed. Although now no more networking between the groups takes place via ethno-national parties, a study by Oleh Protsyk and Ion Osoian shows very clearly that this networking is carried out *within* the national parties.¹⁹⁷ Romanians and Ukrainians,

Russians and Gagauz were represented in the previous legislative sessions, mainly through left-wing parties in the political system.¹⁹⁸ Table 24 (Appendix) provides information on the percentage of parliamentarians of the respective ethno-national group in the national parliament. All groups of the country have been represented in the national parliament. The ratio is roughly equivalent to the total population (Chapter 5.3.5). Thus, a high degree of networking can be assumed.

5.3.4. *Economic interdependence*

5.3.4.1. *Economic difference*

With a GDP per capita of about 2,600 Euro, Moldova is one of the poorest countries in Europe. The economic reforms which were adopted with the goal of an EU accession begin to have an impact, but approximately 20 to 30 percent of the population still live below the poverty level.¹⁹⁹ Return remittances from Moldovans working abroad make up about 30 percent of the GDP.²⁰⁰ Although the massive migration caused a reduction in poverty, it has strong negative effects on economic growth. A major part of the population is employed according to official data, however, the average monthly wage amounts to approximately 170 Euro.²⁰¹ A comparison of the unemployment

legislative recruitment in Moldova, In: ECMI Working Paper Nr. 47; Mosneaga, Valeriu (2005): Parties and Party System in Moldova. 1990 – 2002, p. 77 ff. In: Kulik, Anatoly and Susanna Pshizova (2005): Political Parties in Post-Soviet Space. Russia, Belarus, Ukraine, Moldova and the Baltics, London

198 Protsyk, Oleh and Ion Osoian (2010): p. 11-12

199 Tudoroiu, Theodor (2011): p. 239

200 Stemmer, Anna (2011): Die Republik Moldau und die Migration. Risiken und Chancen für die Europäische Union, In: KAS Auslandsinformationen, Nr. 9, p. 44 ff.; Auswärtiges Amt (2013): Republik Moldau. Wirtschaftspolitik, Under: http://www.auswaertiges-amt.de/DE/Aussenpolitik/Laender/Laenderinfos/Moldau/Wirtschaft_node.html (Last checked 14.11.2013)

201 Ibid. p. 46

195 ADEPT (2013a): E-Democracy Moldova. Parliamentary Elections in the Republic of Moldova, Under: <http://www.e-democracy.md/en/elections/parliamentary/> (Last checked 14.11.2013)

196 ADEPT (2013b): E-Democracy Moldova. Elections to the People's Assembly (Halk Toplusu) of Gagauzia (Gagauz Yeri), Under: <http://www.e-democracy.md/en/elections/gagauzia/#info> (Last checked 14.11.2013)

197 Protsyk, Oleh und Ion Osoian (2010): Ethnic or multi-ethnic parties? Party competition and

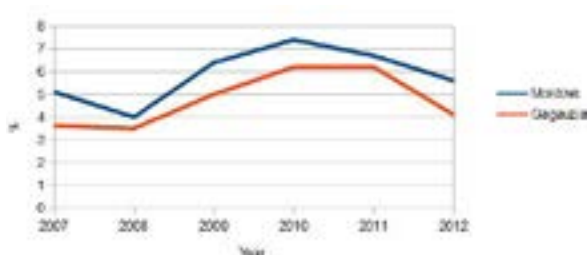


Figure 14: Unemployment quota in Moldova and Gagauzia (2007–2012)

rates between the central state (average 5.86 percent) and the autonomy (on average 4.76) shows a negligible difference of 1.1 percent.²⁰² While the unemployment rate of the autonomy is always below the national average, it has to be noticed that a large part of the Gagauz people are employed in agriculture and forestry. In this field, the legal minimum wage amounts to 50 Euro per months, and not 66.55 Euro, as in other areas.²⁰³ Whereas the national average monthly wage (Figure 15) amounts to 2950 Moldovan Leu (about 171 Euro), in Gagauzia it amounts to only 2070 Leu (about 119 Euro).²⁰⁴ Taking both factors into account, there are no significant economic differences.

5.3.4.2. Financing the autonomy

The autonomous status does not describe in detail how the autonomy of Gagauzia is

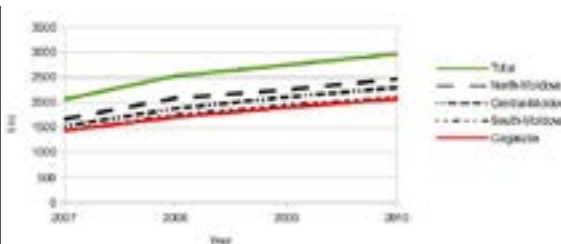


Figure 15: Monthly income in Moldova and Gagauzia (2007–2010)

to be financed. Article 12 defines that the land, the resources, flora and fauna as well as all movable and immovable property remain the possession of the central state, but at the same time constitute the economic basis of the autonomy.²⁰⁵ However, this is by far not enough for the economically underdeveloped region, although 30 percent of the national value-added tax and 70 percent of the income tax levied in the autonomous region, and the entire property tax flow directly to the budget of Gagauzia. However, these revenues compensate for only about 43 percent (2011) of the household.²⁰⁶ The remaining part arises from direct payments of the central state. The entire budget in 2011 amounted to about 35.011 billion Leu (approx. 7.87 billion Euro), external subsidies (about 16 percent of GDP) included. The proportion of annual transfer payments (Table 14) is about 2.5 percent. The budget of the territorial autonomy in 2011 amounted to 7.182 billion Leu (about 1.62 billion Euro). Public transfers of 3932.9 million Leu thus financed the autonomy to almost 55 percent.²⁰⁷ This can be described as a high dependency of the territorial autonomy

202 Own calculations according to: National Bureau of Statistics of the Republic of Moldova (2013a), Under: http://www.statistica.md/public/files/Aplicatii/Harta_FM_rate/en/labour.htm und <http://statbank.statistica.md/pxweb/Dialog/Saveshow.asp> (Last checked 14.11.2013). The data for Gagauzia include also the quota for the communities of Rayon Leova, Cimislia, Basarabeasca, Causeni, Stefan Voda, Cantemir and Cahul Taracia. The territorial autonomy, however, is by far the most populous unit, so the measurement can be regarded as valid.

203 Ibid; Centru Analitic Independent – Expert Group (2008): Autonomous Territorial Unit of Gagauzia. Analysis of the economic situation and development potential, Budapest, p. 54 ff.

204 National Bureau of Statistics of the Republic of Moldova (2013b), Under: <http://statbank.statistica.md/pxweb/Dialog/Saveshow.asp> (Last checked 14.11.2013)

205 Autonomous Government Gagauzia (2013): Legal Code of Gagauzia (Gagauz Yeri),

Under: <http://www.gagauzia.md/pageview.php?l=en&cid=389&cid=240> (Last checked 15.11.2013); Neukirch, Claus (2002): p. 10–11

206 Ministry of Finance of Republic of Moldova (2008): Medium-term budgetary framework 2009–2011, Under: http://www.minfin.md/common/middlecost/cctm2009/MTEF_2009-2011_eng.pdf (Last checked 15.11.2013)

207 Own calculations acc. ibid. p. 45

	2008	2009	2010	2011
State transfer (Mio. Leu)	3005.1	3410.9	3707.6	3932.9

Table 14: State transfers for Gagauzia²⁰⁸

on the central state. The financial burden of the state budget is still higher than in the other cases, but overall relatively low.

5.3.5. (Civil-) society

5.3.5.1. Social structure

Of the 3.9 million inhabitants in Moldova, 78.2 percent are Moldovans/Romanians, 8.4 percent Ukrainians, 5.8 percent Russians, 4.4 percent Gagauz and about 1.9 percent are Bulgarians.²⁰⁹ Despite the high number of ethno-national groups it can be spoken of a homogeneous society with a low degree of polarisation (Figure 17) due to the strength of the titular nation. Of the people living in the autonomous area 82.5 percent are Gagauz, 5.2 percent Bulgarians, 4.4 percent Moldovans/Romanians, 4.6 percent Russians and 3.3 percent Ukrainians.²¹⁰ In the territorial autonomy as well, a homogeneous social structure with a low degree of polarisation can be observed due to the high population concentration of the Gagauz. This is confirmed by the calculation of the polarisation index (0.51 for the autonomy and 0.58 for the central state).

5.3.5.2. Civil society

In September 2012, the parliament in Chisinau adopted a development strategy for civil society and a law for the regulation of volunteering.²¹¹

Just as business enterprises, NGOs are also affected by financial problems and the emigration wave. Nevertheless, we can speak of an active and pluralistic civil society. As these initiatives show, there is a political will to further strengthen civil society. In the future, citizens shall be given the opportunity to distribute 2 percent of their taxes directly to NGOs of their choice.²¹² Currently, about 9.500 non-profit organisations are registered, about 700 more than last year. Of these, around 6.800 are national NGOs and 2.700 are local NGOs from Gagauzia and Transnistria.²¹³ In relation of the total population, relatively many NGOs with a high degree of diversification exist in Moldova and Gagauzia, whereby it must be assumed that a large part is only partially active and their work is based on projects. The continuous rise in the professionalism and inter-organisational networking, as for example through a national council of elected NGO representatives, has increased the importance of civil society actors enormously in recent years. Via the “National Council for Participation”, a consultation platform of 30 NGO representatives and government, criticism and expertise contributes to the political process. Some civil society initiatives already resulted in laws such as the anti-discrimination law adopted in May 2012. Several NGOs protested successfully against orthodox culture and ethics teaching in Gagauz schools.²¹⁴ In this regard, there is a high degree of networking. In 2011 a series of meetings

208 Own calculations acc. *ibid.* p. 27

209 CIA (2013): CIA World Factbook, Under: <https://www.cia.gov/library/publications/the-world-factbook/fields/2075.html> (Last checked 15.11.2013)

210 Benedikter, Thomas (2012): p. 121; Troebst, Stefan (2001): p. 1

211 USAID (2013): 2012 CSO Sustainability Index for Central and Eastern Europe and Eurasia, p. 135 ff. Under: http://www.usaid.gov/sites/default/files/documents/1863/2012CSOSI_0.pdf (Last checked 16.11.2013)

212 Freedom House (2013): Nations in Transit, p. 388, Under: http://www.freedomhouse.org/sites/default/files/NIT13_Moldova_2ndProof.pdf (Last checked 16.11.2013)

213 USAID (2013): p. 137; *Ibid.* p. 389

214 USAID (2013): p. 140

was firstly held between NGOs of the central state, of Transnistria and Gagauzia, where it was agreed to strengthen cooperation.²¹⁵ Through EcoContact, there is a regular exchange between environmental groups and the Ministry of Environment. The Gagauz women's rights movement MSFMMCI already organised the fifth forum of Gagauz NGOs. At the 2011 meeting of the forum, a partnership board for better networking was founded and a strategic concept for a further development of the specific Gagauz civil society was laid out.²¹⁶ In 2006, about 3.600 NGOs had been registered in Moldova and now the number has more than doubled in just seven years.²¹⁷ Today, both in the central state and in particular in the area of the territorial autonomy, there is a plural and active civil society. Networks between Gagauz and national NGOs can be found.

5.3.6. Internationalisation

5.3.6.1. Engagement of international organisations

Simply because of its size and geographical location, the Republic of Moldova has been under strong influence of international organisations ever since. However, while for Moldova itself as well as for the Transnistrian conflict, the United States and NATO, the EU, Russia and the CIS are influential factors to this day, they play only a subordinate role in relation to the territorial autonomy of Gagauzia. From the beginning the focus of the international community was the Transnistrian conflict. In the

215 USAID (2012): 2011 CSO Sustainability Index for Central and Eastern Europe and Eurasia, p. 140, Under: http://program.counterpart.org/Armenia/wp-content/uploads/2012/07/2011CSOSI_Index_complete.pdf (Last checked 16.11.2013)

216 Ibid. p. 141

217 USAID (2007): 2006 NGO Sustainability Index for Central and Eastern Europe and Eurasia, p. 156 ff., Under: http://www.csogeorgia.org/uploads/developmentTrends/9/sustainability_index-2006.pdf (Last checked 16.11.2013)

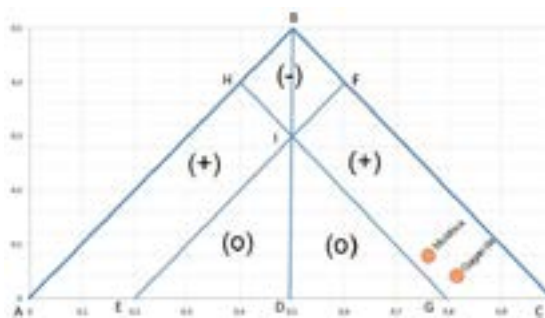


Figure 16: Social structure Moldova and Gagauzia

original 1993 CSCE mandate Gagauzia is not even mentioned.²¹⁸ Although this conflict was included in the proposed solutions for a national state, there were no specific proposals for a regulation of the Gagauz conflict made by an international organisation. Experts of the Council of Europe and the CSCE/OSCE, however, were invited by the Moldovan government to evaluate the developed autonomy statute. Both organisations had no sympathy for the establishment of a territorial autonomy. The reasons they stated were that Gagauzia could trigger a domino effect and thus would be a dangerous precedent for the entire region.²¹⁹ The organisations held on to a federal solution, where specific rights for the respective groups should apply within the Transnistrian and Gagauz areas. One referred in particular to the problems of the competence distribution – criticism which cannot be completely dismissed. After the Gagauz repeatedly stated publicly that they indeed want to govern themselves as people, but do not question the territorial integrity of Moldova, the national government left the international criticism unnoticed.²²⁰ Both parties agreed on the autonomy arrangement without international pressure. The OSCE, represented by the High Commissioner on National Minorities,

218 Järve, Priit (2005): Autonomy in Gagauzia. A Post-Soviet Experience, p. 441, In: Skurbaty, Zelim A. (2005): Beyond a one-dimensional state. An emerging right to autonomy, Leiden/Boston

219 Troebst, Stefan (2001): p. 2

220 Järve, Priit (2005): p. 442 ff.

and Council of Europe experts were consulted during the implementation phase and supervised the first elections. Although both initially rejected the autonomy arrangement, both the OSCE and the Council of Europe finally worked constructively together for the development of the Gagauz Yeri. Thus, the engagement of international organisations in this case has to be classified as ‘weak participation’.

5.3.6.2. *International integration of the autonomy*

Gagauzia is an internationally integrated territorial autonomy. The most important foreign policy partner is Turkey. Due to the cultural and linguistic proximity to the Gagauz, the state acts as a kind of ‘substitute kin state’. In addition to close diplomatic contacts there are special development programs for Gagauzia. A more recent example is the convention adopted between the former Turkish Health Minister, Recep Akdağ, and the Governor of Gagauzia, Mihail Formuzol, on assistance in the training of medical personnel.²²¹ Several times, the Turkish government welcomed a delegation from the territorial autonomy. During a visit, the Turkish President Süleyman Demirel described the Gagauz people as a “bridge for the friendship between both countries”.²²² There are also diplomatic contacts with Belarus. Since 2000 a cooperation agreement between Gagauzia and the Mogilev region exists. In 2006, it was decided to build two trade houses for a better marketing of agricultural goods.²²³ The cultural cooperation taking place especially on a regional level was deep-

ened during the past years for example through town twinning or the Gagauz cultural days which took place in November 2013 in Belarus.²²⁴ There are plans to set up a permanent representation. Furthermore, economic agreements exist with the Ukrainian oblast Odesa.²²⁵ For Bashkan Mihail Formuzol, the EU

is [the] most attractive and possible solution to all conflicts.²²⁶

So far, the territorial autonomy is part of the diplomatic mission and the EU PCA-Agreement with Moldova.

5.4. *South Tyrol*

5.4.1. *Ethno-national conflict and development of the autonomy*

The Autonomous Province of Bolzano-South Tyrol grants even three groups autonomy in the central state of Italy. The relationships between the groups are regulated by consociational democratic specifications, which is why South Tyrol can be characterised at the national level as a self-rule model and at the regional level as a shared-rule model. South Tyrol is a “double-autonomy”, consisting of the Autonomous region of Trentino-Alto Adige as well as of the two provinces, the Autonomous Province of Trento (Trentino) and the Autonomous province of Bolzano-South Tyrol (South Tyrol). The area was, except for a Bavarian-Napoleonic intermezzo, for centuries part of the Habsburg monarchy before both the Italian-speaking Trentino as well as today’s South Tyrol with its largely German- and also Ladin-

221 Cf. Departement of Foreign Affairs of Ministry of Health of Republic of Turkey (2009): Republic of Moldova. Autonomous Territorial Unit of Gagausia, Under: www.dagm.saglik.gov.tr/dosya/1-76603/h/moldovaing.pdf (Last checked 19.11.2013)

222 Cited after: Järve, Priit (2005): p. 445

223 Froltsov, Vladislav V. (2012): Belarus. A Pragmatic Approach toward Moldova, p.7, In: Kosienkowski, Marcin and William Schreiber (2012): Moldova. Arena of International Influence, Plymouth

224 BeITA (2013): Belarus to host Gagauzia Culture Days, Under: <http://news.belta.by/en/news/culture?id=732656> (Last checked 19.11.2013)

225 Järve, Priit (2008): Gagauzia and Moldova. Experiences in Power-Sharing, p. 332, In: Weller, Marc and Barbara Metzger (2008): Settling Self-Determination Disputes. Complex Power-Sharing in Theory and Practice, Leiden

226 Cited after: Wöber, Siegfried (2013): p. 25

speaking population fell as spoils of war to Italy after the First World War.²²⁷ The hopes for protection of the South Tyrolean identity have even been promised by King Victor Emmanuel II, but with the taking of power by Mussolini and his strategies of assimilation they had to be buried. In the course of the “Italianisation”, German schools, parties and trade unions were banned and Italian was declared the only official language. Even grave inscriptions and Tyrolean place names were replaced with Italian names. This measures aimed at maximising the Italian-speaking population.²²⁸ The final act was to be expulsion measures, negotiated between Mussolini and Hitler, which were, however, largely prevented by the outbreak of war. All German-speaking South Tyroleans could ‘opt’ between relocation to the German Reich or remaining part of Italy and with the consequence of assimilation. After the war, the South Tyrolean People’s Party (SVP) brought the right to self-determination back on the agenda. Although the Allies refused the founding of a new state, they insisted on safeguards for the non-Italian-speaking groups. An agreement concerning this matter was reached at the Paris peace negotiations. On 5 September 1946, the Italian Prime Minister Alcide De Gasperi and the Austrian Foreign Minister Karl Gruber signed the “Treaty of Paris”. This confirmed the status of South Tyrol on Italian territory, but guaranteed the German-speaking population a far-reaching autonomy and equal access to offices, education and public services.²²⁹ But instead of the Province of Bolzano, the main settlement area of the non-Italian groups, the competencies were transferred to the region of Trentino-Alto Adige, which also included the province of Trento. With the inclusion of

Trentino, the Italians formed the majority in the region, which held more important competencies than the provinces. Thus, the first statute of autonomy for South Tyrol was practically void.²³⁰ After initially peaceful demonstrations against the continued immigration policy, the first bombs exploded in 1956. Until the 1960s, years of violence followed. A series of attacks was committed by the *Befreiungsausschuss Südtirol* (BAS) and other groups. It came to murdering of Italian soldiers, to which Italy responded with hard repressions and torture. In contrast to the previously presented cases, the conflict escalated *after* the establishment of a territorial autonomy because of its inherent deficiencies. A successful conflict regulation was carried out by a revision of the statute of autonomy. In 1959 Austria brought the case to the United Nations, which called on the parties to resolve ‘differences with regard to the implementation of the Treaty of Paris’ and issued two resolutions.²³¹ A committee consisting of representatives of the autonomy and the central state (19-Commission) drew up a second statute of autonomy, which was finally accepted by the SVP and the Austrian Government and was approved by the Italian Parliament on January 20th 1972. After a 20-year negotiation and implementation process, the parties declared that the dispute was settled in June 1992 at the United Nations.²³²

5.4.2. Profile of the autonomy arrangement

The second statute created a “real” double autonomy. Although the region of Trentino-Alto Adige remained as such, the provinces now have the crucial competences. Within the province of Bolzano-South Tyrol far-reaching power-sharing agreements regulate the coexistence

227 Benedikter, Thomas (2012): p. 69 f.

228 Peterlini, Oskar (2000): Autonomie und Minderheitenschutz in Südtirol und im Trentino, Bozen/Trient, p. 66 ff.

229 Benedikter, Thomas (2012): p. 71

230 Siegl, Walter (2010): Die Autonomie Südtirols.

Betrachtungen eines Zeitzeugen, In: Europäisches Journal für Minderheitenfragen, Vol. 3, p. 229 ff.

231 Peterlini, Oskar (2000): p. 95

232 Benedikter, Thomas (2012): p. 72

between the Italian, Ladin and German population. The executive branch of the region, the Regional Council, is composed of deputies, who are elected every 5 years. The deputies are members of the two Landtage of the provinces, each consisting of 35 members. The executive branch of the territorial autonomy, elected by the South Tyrolean Landtag, consists of a Governor (Presidente) and a variable number of Landesräte.²³³ The composition of both executives needs to reflect the proportional distribution of the three recognised language groups of the Landtag, which is elected by proportional representation. The two vice positions of the President of the Regional Council and the Landeshauptmann are parity-staffed. In the middle of the legislative period President and Vice President exchange their positions.²³⁴

For the awarding of public positions at the province and regional administration, in state enterprises and in the judiciary, the proportional representation principle applies according to the numerical strength of the groups, which is determined by a “language group affiliation declaration” to be specified in censuses.²³⁵

The province can make decisions regardless of the region and the central state. Exclusive competencies of the territorial autonomy lie in the field of toponymy, media, housing, crafts, agriculture, spatial planning, environment, transport, tourism, education and the labour market. Complementary to central government competences are the areas of police, trade, energy, health and sports.²³⁶ The region now has only small competences. The foreign, economic, fiscal and tax policies remain the responsibility of the central state. Formally every law needs to be signed by the central state Commissioner

(Commissario des Governo). Although he may require corrections, he has no direct intervention option. The South Tyrolean Landeshauptmann may participate in meetings of the Italian Government if competences of the autonomy are affected. Also, deputies and senators are represented in the national parliament, although neither the region nor the autonomy are having effective joint decision-making rights.²³⁷ The “12-Commission” for the interests of the region as well as the “6-Commission” for the concerns of the autonomous province are serving as mediators. Both parity bodies are advised by a “137-Commission”, which is located at the Council of Ministers’ Presidium in Rome.²³⁸ According to the state constitution, Italy is a regional state. However, the Autonomous Province of Bolzano-South Tyrol is not a part of the regionalism concept, under which also Sardinia, Sicily, Valle d’Aosta and Friuli-Venezia Giulia enjoy a special status. Due to the abundance of their delegated competencies and the specific arrangements, the region of Trentino-Alto Adige plays a special role in the political system of Italy and is as a ‘consociational territorial autonomy’ the result of a compromise between Italy, Austria and the three population groups.

5.4.3. Democracy

5.4.3.1. Democratic constitution of the central state

The first statute of autonomy of 1948 falls into a non-democratic transition phase. The territorial autonomy, which successfully regulated the conflict, was implemented in 1972 by a central state with the POLITY maximum value of 10 (Figure 18). The average value since the founding of the Republic is 9.5. The conditions prevailing after the end of the First Republic

233 Alcock, Antony (2001): The South Tyrol Autonomy. A short Introduction, Bozen, p. 11

234 Schneckener, Ulrich (2002): p. 263

235 Benedikter, Thomas (2012): p. 74

236 Schneckener, Ulrich (2002): p. 344

237 Schneckener, Ulrich (2002): p. 348 ff.

238 Ibid. p. 350; Stol.it (2010): Landtag hat Mitglieder der 137-er Kommission gewählt, Under: <http://l.hh.de/ENjrqY> (Last checked 21.11.2013)



Figure 17: Democratic development Italy (1945 to 2012)

(1946-1991) led to the designation of the governmental system as “anomalous democracy.”²³⁹ A highly fragmented party system with numerous cabinet changes, ongoing government crises and corruption scandals made Italy the epitome of political instability. The Second Republic founded in 1996 resulted in the first government takeover of a center-left coalition that governed almost an entire legislative session, in relative stability. This continued until 2009 due to a stable center-left and centre-right.²⁴⁰ Not only due to the economic and financial crisis, centrifugal tendencies increased during this period which again led to a reorganisation of the political spectrum at the parliamentary elections of 2013. The chronic instability and obvious democratic defects such as organised crime, corruption, or the close link between politics and the media did not precipitate on the democratic constitution. For a long time, Italy remained the only democracy in the Mediterranean. The relatively strong anti-system parties such as the Communists, have been successfully integrated into the political system or could be kept away

from governmental responsibility as for example the neo-fascist Movimento Sociale Italiano (MSI).²⁴¹ The American political scientist Joseph La Palombara writes:

It is [...] easily [overlooked] an essential fact, namely, that Italy is basically a healthy, dynamic democratic country, which is hardly in danger to fall into the abyss.²⁴²

5.4.3.2. Party system in the central state and the autonomy

The Italian party system is an archetypical, highly fragmented and polarised multi-party system. At any time more than 9 parties (Table 25/Appendix) were represented in the national parliament. The Christian Democrats (CD) dominated during the First Republic. The transformation phase led to the disintegration of the party blocks of socialists and conservatives and to the emergence of a large number of smaller parties.²⁴³ At the beginning of the XV legislative period (2006-2008), 16 parties were represented in parliament, of which 8 were members of the ruling coalition. Since 1996,

239 Bull, Martin J. and James L. Newell (2009): Still the Anomalous Democracy? Politics and Institutions in Italy, In: Government and Opposition, Vol. 44, Nr. 1, p. 42 ff.

240 Köppl, Stefan (2007): Das politische System Italiens. Eine Einführung, Wiesbaden, p. 40 ff.

241 Ibid. p. 43-44

242 Cited after: Falanga, Gianluca (2012): Italien. Ein Länderporträt, Berlin, p. 100

243 Köppl, Stefan (2007): p. 12

two alliances to which most parties assign themselves are facing each other.²⁴⁴

In the autonomous province, regional parties developed along ethno-national lines. Despite the clear dominance of the SVP, the mouthpiece of the German-speaking population, the party system has to be characterised as a multi-party system. While the German-South Tyrolean parties such as the SVP strive for the development of the autonomy or require an elimination from the central state, such as the smaller parties “Südtiroler Freiheit” and “Union für Südtirol”, the Italian parties represent an image of the national parties.²⁴⁵ For the Italian-speaking South Tyroleans no catch-all party exists. Here, the fragmentation at the national level as well as the migration of Italians from different social classes into the region has an effect.²⁴⁶ The power-sharing elements have no integrative effect. The demarcation still visible today on the societal level between the three language groups, which appears for example in the three-divided school system, in the settlement (Italians live primarily in the cities, German and Ladin-speaking South Tyroleans predominantly on the countryside) or in the labour market (Italians dominate the industrial sector, German and Ladin-speaking South Tyroleans agriculture and tourism), is also reflected in the homogeneity of the parties. As Jens Woelk et al. notice, it occurred only twice that a deputy of an ethno-national group sat in the South Tyrolean

Landtag for another party. This was the case for the Green Party after the 1998 election and for the SVP after the 2001 election (Table 26/Appendix).²⁴⁷ However, the power-sharing does not as, in the case of Cyprus lead a blockade of the political system, but ensures per se the networking between the parties of the ethno-national groups. Furthermore, the SVP is also regularly represented in the national parliament, where it forms coalitions with national parties. 2008 and 2013, it was represented in the center-left coalition L'Unione or Bene Comune.

5.4.4. *Economic interdependence*

5.4.4.1. *Economic difference*

Within the third largest economy in Europe, the autonomous province holds a top position. Due to its location as a trans-alpine traffic junction as well as due to the high degree of independence in the use of the autonomy budget, attractive business conditions were created.

With an average unemployment rate of 2.9 percent, there is almost full employment in South Tyrol (Figure 19).²⁴⁸ The most important sectors are tourism and agriculture. The average unemployment rate for the central government is 7.8 percent. The difference is relatively low with 4.9 percent. The economic differences do not exist between the central state and the autonomy, but are owed to the economic North-South divide in Italy. Table 15 shows that South Tyrol has in fact the highest per capita GDP of the country, the differences compared to other regions of Northern Italy (here Lombardy)

244 Ignazi, Piero (2011): Die Charakteristika des italienischen Parteiensystems und seine gegenwärtigen Probleme, Under: http://www.bpb.de/system/files/dokument_pdf/Ignazi_DT_final.pdf (Last checked 22.11.2013)

245 Woelk, Jens et al. (2008): Tolerance through Law. Self Governance and Group Rights in South Tyrol, Bozen, p. 309 ff.; EWahlen (2010): Die Parteienlandschaft von Südtirol, Under: <http://www.ewahlen.ch/2010/12/die-parteien-landschaft-in-der.html> (Last checked 22.11.2013)

246 Wolff, Stefan (2003): Disputed Territories. The Transnational Dynamics of Ethnic Conflict Settlement, Oxford, p. 146

247 Cf. Woelk, Jens et al. (2008): p. 311-312.

248 Own calculation based on data of: Istat (2013): Unemployment Rate: Under: <http://www.istat.it/en/charts/lavoro03en/year/y/flashfc/width/800/height/640/javascript/1> (Last checked 23.11.2013); ASTAT – Landesinstitut für Statistik (2013): Under: <http://www.provinz.bz.it/astat/de/arbeitsvorsorge/arbeitsvorsorge.asp> (Last checked 23.11.2013)

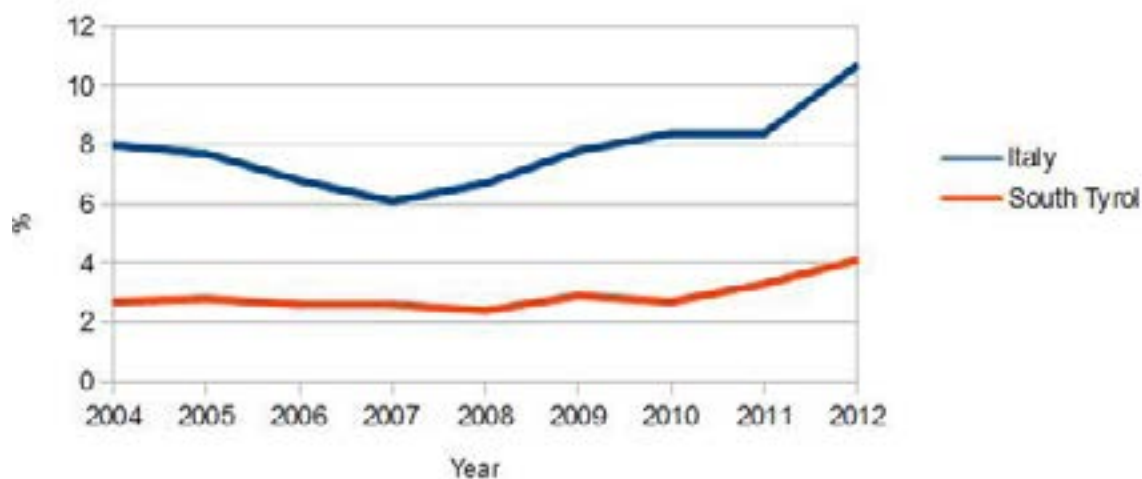


Figure 18: Unemployment rate Italy and South Tyrol (2004–2012)

	Northwest-Italy		Central-Italy		South-Italy	
BIP p.c. (EUR)	29.493		27.369		16.119	
	South Tyrol	Lombardy	Piedmont	Tuscany	Calabria	Sicily
BIP p.c. (EUR)	31.665	31.618	26.582	26.462	15.641	15.617

Table 15: GDP per capita in selected regions of Italy²⁴⁹

are extremely low, while they are significant *between* the regions.

5.4.4.2. Financing the autonomy

South Tyrol has no taxing authority. The Autonomous Province is financed by government transfer payments. Since a new regulation in 1989 was adopted, about 90 percent of the state taxes raised in the province flow back to the province. The region receives a smaller part. A large part of the finance transfers is, as mentioned, without a predetermined purpose.²⁵⁰ The budget of the autonomy of about 5 to 8 billion Euro accounts for only about 0.5 percent of the Italian state revenue of currently approx-

imately 769.15 billion Euro.²⁵¹ The household of the central state is therefore not burdened by the territorial autonomy. In this case, even the opposite is true. Because of the good economic situation, the autonomy currently contributes with 500 million Euro per year to the rebalance of the Italian national budget.²⁵²

249 Eurostat (2005): Under: <http://ec.europa.eu/eurostat/statistical-atlas/gis/viewer/> (Last checked 23.11.2013); Istat (2013);

250 Peterlini, Oskar (1996): Autonomie und Minderheitenschutz in Trentino-Südtirol. Überblick über Geschichte, Recht und Politik, Bozen, p. 149 f.; Schneckener, Ulrich (2002): 347 f.

251 Statista (2013): Italien. Staatseinnahmen und Staatsausgaben von 2003 bis 2013, Under: <http://de.statista.com/statistik/daten/studie/200543/umfrage/staatseinnahmen-und-staatsausgaben-in-italien/> (Last checked 24.11.2013)

252 Cf: Autonome Provinz Bozen-Südtirol (2011): Sparen ja, Diktat aus Rom nein: LH und Parlamentarier stecken Marschroute ab, Under: <http://l.hh.de/LZuVIO> (Last checked 24.11.2013); Linkiesta (2012): Durnwalder: „Südtirol ist bereit zu kürzen, aber es liegt nicht an Rom zu entscheiden“ Artikel vom 17.09.2012, Under: <http://www.linkiesta.it/Luis-Durnwalder-Sudtirol-Deutsch-spending-review> (Last checked 24.11.2013)

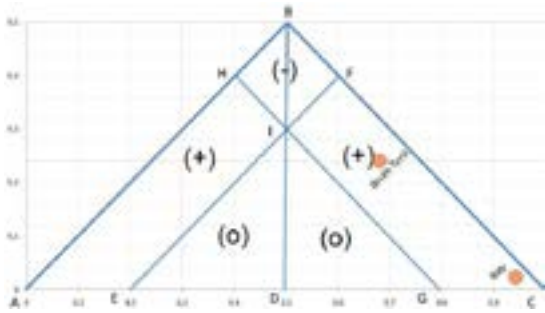


Figure 19: Social structure of Italy and South Tyrol

5.4.4.3. Social structure

Despite its regional diversities, Italy is an ethnically homogeneous country. About 98 percent of the population are Italian. If the state as a whole is considered, ethno-national groups such as German-speaking Alto Adige, Ladin, Slovene or Furlans are practically negligible.²⁵³ The population of South Tyrol, which accounts for around 0.7 percent of the total population, consists of 69.15 percent German South Tyroleans, 26.47 percent Italians and 4.37 percent of Ladins.²⁵⁴ Despite the existence of two numerically significant groups (Figure 20) the degree of polarisation of 0.79 is indeed relatively high, but there is no bipolar structure.

5.4.4.4. Civil society

Both in the central government as well as in the autonomous province, a strong and pluralistic civil society exists. In 2011, 301.191 non-profit organisations existed in Italy. 4.927 non-profit organisations were registered in South Tyrol.²⁵⁵ This means a peak value of around 3000 (formal) volunteers per 10,000 inhabitants for the territorial autonomy.²⁵⁶ For the central government, the values are slightly lower. But even in Italy, with its strong corporatist

culture, one in five persons is committed to a social NGO. As in other European countries, networking takes place between civil society groups. According to a calculation of CIVICUS, 71 percent of national NGOs are members of a network and around 85 percent have regular contact with other NGOs.²⁵⁷

5.4.5. Internationalisation

5.4.5.1. Engagement of international organisations

Due to the veto of the victorious powers, the Austrian Government failed with its plan for a plebiscite similar to the Saar question between Germany and France, which was later dissolved in a plebiscite. In the aforementioned Paris Agreement Austria and Italy agreed on the first autonomy statute. Thus, the South Tyrol question has been internationalised and Austria as a contractual partner took over a protective function.²⁵⁸ Despite the mediation efforts of the British Foreign Minister, Ernest Bevin, the statute is the result of bilateral negotiations. It has not been implemented on a proposal of an external actor. In 1959, the Austrian Foreign Minister, Bruno Kreisky, placed the conflict on the agenda of the 15th UN General Assembly, which called on the conflicting parties to a peaceful settlement of the conflict with the resolutions 1497 (October 1960) and 1661 (November 1961).²⁵⁹ Thus, an international organisation contributed to the ultimately successfully second statute of autonomy. However, the UN only called for peace. The specific measures made up by the “19-Commission”, staffed with Ladins, Italians and South Tyroleans, was discussed

253 Levinson, David (1998): *Ethnic Groups Worldwide. A Ready Reference Handbook*, Phoenix, p. 94 ff.

254 Benedikter, Thomas (2012): p. 71

255 Landesinstitut für Statistik der Autonomen Provinz Bozen-Südtirol (2013): *Arbeitsstättenzählung 2011*, In: *astatinfo*, Nr. 75, p. 1 ff.

256 Ibid. p. 5

257 Civicus (2013): *State of Civil Society Report*, p. 205, Under: <http://socs.civicus.org/CountryCivilSocietyProfiles/Italy.pdf> (Last checked 24.11.2013)

258 Peterlini, Oskar (2000): p. 83

259 Ibid. p. 96-97

by Italian-Austrian expert commissions and was finally adopted by the three parliaments.²⁶⁰

5.4.5.2. *International integration of the autonomy*

The Province of Bolzano-South Tyrol is acting as an international actor. It provides development assistance independently from the central state.²⁶¹ The international integration takes place via the European Region Tyrol/South Tyrol/Trentino, a merger of the two provinces, the region and the Austrian province of Tyrol, with the aim of regional policy advocacy in Brussels. Furthermore, the autonomy cooperates with the regions of Graubünden, Bavaria, Salzburg, St. Gallen, Tyrol, Vorarlberg, Ticino, Trentino and Lombardy in the ARGE Alp in cross-border issues. South Tyrol is also a member of the inter-regional organisation of the Assembly of European Regions (AER), as well as through the Landeshauptmann part of the Italian delegation in the Committee of the Regions of the European Union (CoR).²⁶²

260 Autonome Provinz Bozen-Südtirol (2013): Südtirol von 1946 bis 1971, Under: <http://www.provinz.bz.it/729212/de/geschichte/suedtirol-1946-1971.asp> (Last checked 26.11.2013)

261 Autonome Provinz Bozen-Südtirol (2012): Agenda der Entwicklungszusammenarbeit 2012, p. 5, Under: <http://www.provinz.bz.it/entwicklungszusammenarbeit/service/publikationen.asp> (Last checked 27.11.2013); Cf: Autonome Provinz Bozen-Südtirol (oA): International Development Cooperation, Under: <http://www.provinz.bz.it/entwicklungszusammenarbeit/download/The-international-development-cooperation-of-S.Tyrol.pdf> (Last checked 27.11.2013)

262 Europaregion Tirol Südtirol Trentino (2013): Under: <http://www.europaregion.info> (Last checked 27.11.2013); European Union – Committee of the Regions (2013): Under: <http://memberspage.cor.europa.eu/Result.aspx?country=IT> (Last checked 27.11.2013);

VI. Results

6. Interim results and negative test

It must now be checked whether the independent variables do not coincide with the non-existence of the dependent variable. This would inevitably disqualify the independent variables as factors of success. For territorial autonomies, which could not successfully regulate an ethno-national conflict, the hypotheses should therefore not apply. The territorial autonomies of Mindanao and Aceh serve as contrast cases.

6.1. Selection of negative cases

6.1.1. Mindanao

The Autonomous Region in Muslim Mindanao (ARMM) was established in November 1990 to end the violent conflict between the Muslim Moro and the Christian-dominated Philippine central government. The roots of the conflict lie in the resistance against the Spanish and American occupation. After 1945, the independent state continued the colonisation of the island which resulted in an independence struggle of the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF), which continues to this day. Already back in 1976, the Tripoli Agreement between President Ferdinand Marcos and the MNLF provided for an autonomous region in Mindanao, which, however, was never implemented. After a renewed escalation of violence, the creation of the ARMM was decided in 1987. However, only four of the 14 regions joined due to the renewed boycott of the MNLF.²⁶³

Although, since a renewed peace agreement

²⁶³ Rood, Steven (2012): Interlocking Autonomy. Manila and Muslim Mindanao, p. 256 ff., In: Miller, Ann Michelle (2012): Autonomy and Armed Separatism in South and Southeast Asia, Singapore

in 1996, a legislative assembly, which has exclusive competencies particularly in the areas of regional economy, tourism, education and culture, as well as an autonomous government exist, the conflict continues to the present day.²⁶⁴ The autonomy that exists so far primarily on paper, as well as the “Southern Philippines Council for Peace and Development”, a committee including also the Christian-dominated provinces of Mindanao, is rejected by the MILF. In 2008 the last peace agreement, the Memorandum of Agreement on Ancestral Domain (MoA-AD), which provided for the creation of the autonomous “Bangsamoro Juridical Entity” (BJE), failed.

6.1.2. Aceh

Although most observers rate the course of the peace process in Aceh as positive, the territorial autonomy in the extreme north-east of the island of Sumatra could not end the conflict in this area. The introduction of Sharia law, a strong immigration and the hitherto prevented refurbishment of human rights violations prevent a completion up to now.²⁶⁵ The Muslim Acehnese, once residents of a rich Sultanate, hoped for their own Islamic Republic after the independence struggle against the Dutch colonialists. They found themselves in the newly established Indonesian nation-state in the province of North Sumatra, which is inhabited predominantly by the Christian Batak.²⁶⁶ Unheard claims for independence as well as dissatisfaction with the exploitation of local

²⁶⁴ Benedikter, Thomas (2012): p. 159 ff.

²⁶⁵ Ziegenhain, Patrick (2011): Aceh, In: Bundeszentrale für Politische Bildung, Dossier Innerstaatliche Konflikte, Under: <http://www.bpb.de/internationales/weltweit/innerstaatliche-konflikte/54777/aceh> (Last checked 04.12.2013); Ily, Hans Ferdinand (2012): Conflict Resolution, Political Decentralization, Disaster Risk Management and the Practice of Sharia Law: The Case of Aceh, Indonesia, Occasional Paper Series, Nr. 7

²⁶⁶ Benedikter, Thomas (2012): p. 168

<i>Territorial Autonomy</i>	<i>Central state</i>	<i>Info</i>	<i>Current conflict level</i>
ARMM Mindanao	Philippines	Mainland + Island, ~ 2.8 Mio. Inhabit.	2 / 4 (high)
Aceh	Indonesia	Mainland, ~ 4.5 Mio. Inhabit.	1 / 3 (medium)

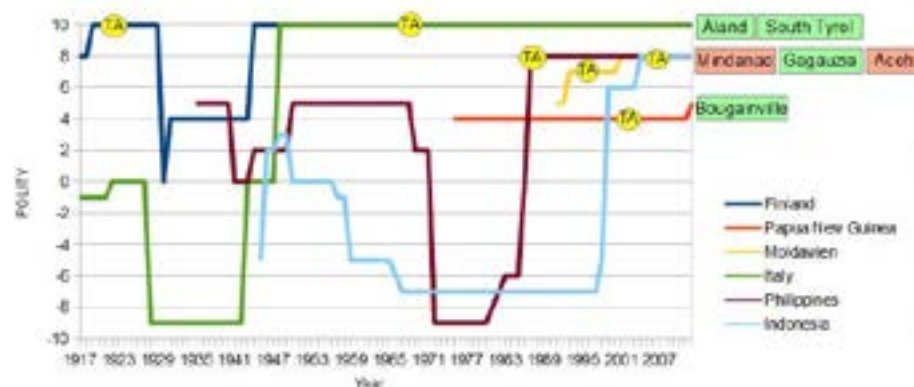
Table 16: Selection of the negative cases

natural resources by the central state led to the “Movement for a Free Aceh” (Gerakan Aceh Merdeka, GAM) in the late 1960s.²⁶⁷ GAM fought a bloody struggle against the central state, which declared the region a “military operation zone”. This was ultimately the *carte blanche* for various human rights violations and more than

affairs. At least officially, foreign and security policy, monetary issues and the judiciary remain the responsibility of the central state. However, the competencies are, as the separate introduction of Sharia law shows, not clearly separated from each other.²⁷⁰ Discussions on the deployment of the Indonesian military, the use

Note: The mark “TA” describes the time of the creation of the territorial autonomy

Figure 20: Democracy evaluation



12,000 deaths.²⁶⁸ A first ceasefire agreement with the agreement on the establishment of an autonomy failed. The devastating tsunami in 2004 led to a catalytic effect in the approximation process. The “Memorandum of Understanding” which was concluded in Helsinki in 2005 was the basis for the “Law on the Government of Aceh”, which was complemented one year later and which guarantees the region extensive self-government rights.²⁶⁹ The autonomous institutions can virtually regulate all internal

of the former GAM flag as the official flag, and the harsh crackdown on Christians currently provide for instability in the region.

6.2. Democratic constitution of the central state

The territorial autonomies of Åland, South Tyrol and Gagauzia were implemented in democratic central states. Bougainville, however, was created and exists in a defective democracy. The hypothesis claiming that the extent of the democratic constitution has an impact is thus not applicable (H1). The contrasting cases confirm these findings. The democracy value for Indonesia and the Philippines (Figure 21) is as high as for Moldova and much higher than for Papua

267 Heiduk, Felix (2004): Bewaffneter Separatismus in Aceh/Indonesien. Die politische Ökonomie eines „vergessenen“ Krieges, In: GIGA, Nord-Süd Aktuell, Nr. 2, p. 306

268 Benedikter, Thomas (2012): p. 169

269 Gagnon, Alain-G. and Michael Keating (2012): Political Autonomy and Divided Societies. Imagining Democratic Alternatives in Complex Settings, New York, p. 200 ff.

270 Suksi, Markku (2011): p. 355 ff.

New Guinea. The democratic constitution alone seems contrary to what is said by many authors not to be decisive for the success of a territorial autonomy as a conflict regulation model. It is also apparent that none of the central states can look back on a long democratic tradition preceding the establishment of a special status. South Tyrol seems to be an exception here. However, as explained, the second statute of autonomy represents a revision of the first, which was adopted in a transition phase in 1948. Åland and Gagauzia were both established shortly after the creation of the state. However, all territorial autonomies exist in states that have a minimum level of democracy. Also, Papua New Guinea is a democracy, albeit a defect one. In autocracies, a self-rule arrangement is inconceivable. In Moldova and Papua New Guinea, the establishment of the autonomy was accompanied by a democratisation process, which still continues. In addition, Mindanao and Aceh were granted a special status in consequence of a democratisation process. Especially in Aceh, the democratisation of the country and the establishment of an autonomy led to a significant cooling of the conflict. A conclusion would be premature, considering the lifetime of the autonomy which amounts to 7 years. The example of Bougainville, however, shows that a democratic central state is not absolutely necessary for a successful conflict regulation.

6.3. Party system in the central state and the autonomy

In all successful territorial autonomies an independent regional multi-party system has emerged. For Åland, South Tyrol and Gagauzia conflict-reducing networks between the systems are also detectable. Therefore, the hypothesis that the development of multi-party systems has a positive effect, can principally be confirmed (H₂). In Mindanao, there is no regional party system. In the highly personalised system all

representatives belong to national parties or compete as independent candidates.²⁷¹ In Aceh, however, there are several regional parties, two of which are also represented in the autonomous parliament.²⁷² A regional multi-party system is not a *sine qua non* condition for a successful conflict regulation. Considering the successful cases, the development and consolidation of such as well as the democratisation in general seem to give the autonomy the necessary stability for a long durability. Even the prime example, Åland, survived almost 60 years without a party system. In Gagauzia a high number of independent candidates competed at first. For the case of Aceh, one can hope that the development follows the opposite direction.

6.4. Economic differences

Åland and South Tyrol are economically slightly better off than the central state. However, the overall view shows that in Bougainville as well as in Gagauzia no major economic differences exist between the successful territorial autonomies and the central states. Even in retrospect, no major differences can be observed. A different picture can be drawn when looking at the contrasting cases. Aceh exposes even a 'double inequality'. While the unemployment rate of about 10 percent is only slightly above the national average of about 6 percent, the region has been measured by the gross regional product (GRP) as one of the richest regions of the country for years. However, it is a typical enclave economy due to the oil and gas wealth, which, as mentioned, leaves little profit for the local population. Considering the poverty rate

271 Lau, Bryony (2012): Party Politics in Muslim Mindanao, Under: <http://www.crisisgroupblogs.org/resolvingconflict/2012/08/06/party-politics-in-muslim-mindanao/> (Last checked 05.12.2013)

272 Supriadi, Ichal and Witt A. Gatchel (2012): Aceh 2012. Local Election. Elections Observation Mission Report, p. 17-18, Under: <http://anfrel.org/wp-content/uploads/2012/11/Aceh-Mission-Findings-report.pdf> (Last checked 05.12.13)

and the per capita expenditures, Aceh is one of the poorest regions in Indonesia.²⁷³

Between the ARMM Mindanao and the Philippine central state, there are also big economic differences. With an average of 27.819 pesos (467.43 Euros) in 2012, the GRP is around 1.390 Euros below the national average of 110.314 pesos (1.854 Euros). In the second poorest region of Caraga, the GRP is almost twice as high.²⁷⁴ The poverty rate is also the highest in the country.²⁷⁵ Do small economic differences between central state and the autonomy have a positive effect on the success of an autonomy as a conflict regulation instrument (H_3)? This hypotheses can be confirmed – wide economic differences seem to have a negative effect.

6.5. Financing the autonomy

Does a low burden of the state budget for financing the autonomy have a positive effect on the success of a territorial autonomy (H_4)? For this hypothesis, the case studies do not provide accurate results. All successful territorial autonomies are hardly a burden for the state budgets (Figure 22).²⁷⁶ The budget of the ARMM

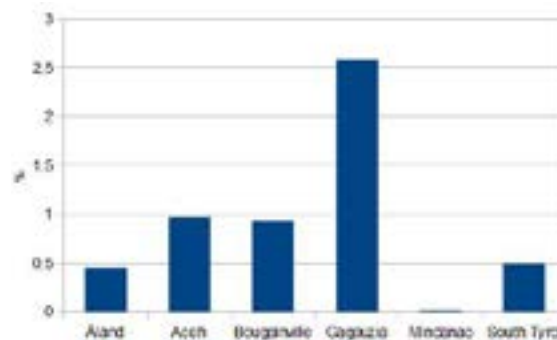


Figure 21: Share of transfer payments to government revenues

Mindanao is made up largely from government transfer payments, which currently amount to about 13.1 million pesos. This is just 0.014 per cent of total government revenue.²⁷⁷ Aceh is financed by local taxes, state subsidies and prorated charges from the resource business. The state funding amounted to around 815 million U.S. dollars in recent years. Measured by the state revenue of around 84 billion U.S. dollars, this results in a percentage of the transfer payment of about 0.97 percent.²⁷⁸ In both cases, tensions continue to occur, as the autonomous governments consider the financial support from the state as too low. Thus, the results point in the opposite direction. It is not the burden of the central state what is crucial for success, but the financing of the autonomous institutions which is deemed to be insufficient.

273 BPS Statistics Indonesia (2013): Under: <http://www.bps.go.id> (Last checked 06.12.2013); UNDP (2010): Provincial Human Development Report Aceh 2010, p. 57 ff. Under: <http://www.undp.or.id/pubs/docs/Aceh%20HDR%20-%20English.pdf> (Last checked 06.12.2013); Murshed, Mansoob and Mohammad Z. Tadjoeeddin (2007): Reappraising the Greed and Grievance Explanations for Violent Internal Conflict, In: Microcon Research Paper No. 2, p. 22

274 NSCB (2013): Gross Regional Domestic Product, Under: <http://www.nscb.gov.ph/grdp/2012/dataCharts/default.asp> (Last checked 05.12.2013)

275 Cf. *ibid.*; World Bank (2013): ARMM Social Fund Project, Under: http://l.hh.de/ARMM_Poverty; Arguillas, Carolyn O. (2013): ARMM is poorest region in 2012 but poverty incidence dropped in islands provinces, Artikel vom 26.04.2013, MindaNews, Under: <http://l.hh.de/4o1XLH> (Last checked 06.12.2013)

276 The official statistics show not clearly whether the transfer payments only concern the ATU Gagauzia or include also contributions for the ATU Transnistria. However, the proportion of 2.58

percent does not change the argument.

277 Own calculation according: Republic of the Philippines – Departement of Budget and Management (2013): National Expenditure Programm. XXVII ARMM, Under: <http://www.dbm.gov.ph/> (Last checked 06.12.2013)

278 Own calculation according: UNDP (2012): Governance and Capacity Building in Post-Crisis Aceh, p. 37 ff., Under: <http://www.undp.or.id>; World Bank (2004): Aceh Public Expenditure Analysis. Spending for Reconstruction and Poverty Reduction, p. 47; Brodjonegoro, Bambang (2001): Indonesian Intergovernmental Transfer in Decentralization Era. The Case of General Allocation Fund, Under: <http://www.econ.hit-u.ac.jp> (Last checked 06.12.2013)

6.6. Social structure

Hypothesis H_5 states that a low degree of polarisation has a positive effect. The analysis shows that a low polarisation degree is not a factor for success. In Gagauzia and South Tyrol the degree within the autonomy (RQ_{TA}) is much higher compared to the negative cases. In Moldova the degree of polarisation of the total population (RQ_{zs}) exceeds the one of the negative cases (Figure 10/Appendix). In none of the cases, there is a bipolar structure. Apart from the very specific case of Papua New Guinea, all successful autonomies exist in homogeneous states, while Aceh and Mindanao (Figure 23) are homogeneous regions in heterogeneous central states. To verify this correlation, the number of cases is too small. However, it can be assumed that in heterogeneous states, it is harder for ethno-national groups to gain a special status because the central government expects a domino effect. The very homogeneous states

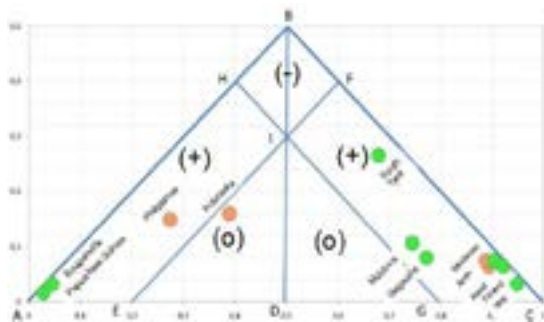


Figure 22: Social structures by comparison

Finland, Italy and Moldova with strong majorities were not concerned about that. The proportion of the autonomous groups with regard to the total population is very low in all cases, and the settlement concentration is relatively high. Both conditions have to be interpreted as constitutive conditions.

6.7. Civil society

It has been suggested that strong civil societies have a positive impact (H_6). This hypothesis cannot be verified. A pluralistic and networked civil society is not a specific characteristic of successful autonomies. In none of the successful cases, civil society organisations had significant participation in the adoption and implementation of an autonomy statute. The importance of an active civil society has to be seen in the context of a general peace- and democratisation process. As a consequence, they contribute to the creation of a diversity-friendly atmosphere, which can lead to the establishment of a territorial autonomy. Thus with regard to the factors of democracy and party system, an indirect effect of the third sector can certainly be considered. Civil society actors, unlike government officials or elites of the ethno-national group, are not in a decision-making role. This becomes clearly evident with regard to the contrasting cases.

With approximately 100,000 NGOs, the Philippines have the strongest civil society in South-east Asia that can be considered as active and influential, despite often missing internal democratic structures and the political co-optation.²⁷⁹ In Mindanao itself a number of NGOs is active. In the Consortium of Bangsamoro Civil Society alone, the umbrella organisation of the Moro organisations, around 200 local NGOs are represented. Networks between ethno-national, local and state-owned organisations are detectable via the Civil Society Assembly of the United Nations or Panagtagbo Mindanao Indigenous Peoples' Consultative

²⁷⁹ Loewen, Howard (2005): Zivilgesellschaft und Demokratie auf den Philippinen, In: Südostasiens aktuell. Journal of current Southeast Asian affairs, Vol. 24, Nr. 2, p. 16 ff.; Croissant, Aurel (2003): Demokratie und Zivilgesellschaft in Ostasien, In: Giga, Nord-Süd aktuell, Nr. 2, p. 239 ff.

Assembly.²⁸⁰ The general peace-making activities appeared in particular in the course of the failure of the MoA-AD. Although NGOs were involved in negotiations, their demands and actions had little relation to the creation of an autonomy arrangements:

Civil Society organisations concentrated as previously on non-contentious activities such as painting or singing for peace-workshops evading all complicated issues.²⁸¹

Aceh is the only example, where NGOs were consulted to draw up the statute of autonomy in 2005. A commission consisting of representatives of the government and GAM as well as religious leaders, NGOs and academics, worked out the conflict regulation model.²⁸² Since this has yet to be adopted, it remains unsuccessful thus far and thus confirms the falsification of H₆.

6.8. Engagement of international organisations

The engagement of international organisations prior the establishment of autonomy is no indicator for a later success. Already in the early 1970s, the Organisation of the Islamic Conference (OIC) got involved in the Mindanao conflict. As a result, the MNLF moved away from their demands for independence and the government agreed to talks. The mediation through

the OIC led to the completion of the (unsuccessful) peace agreements of 1976 and 1996. The establishment of the ARMM was however done solely by the national government under President Fidel Ramos, without consulting an international organisation or being called for the granting of a special status.²⁸³ The Indonesian government blocked for decades all attempts by the GAM to internationalise the conflict. Only the effects of the tsunami of 2004 and the related external assistance as well as the presence of thousands of foreign helpers in the region, drew the attention of the international community on the conflict. The “Aceh Monitoring Mission”, founded jointly by the EU and ASEAN, monitored the Helsinki Peace Agreement negotiated between the conflicting parties and the implementation of the subsequent autonomy statute for Aceh. However, this was mainly due to pressure of the first freely elected president of the country, Susilo Yudhoyono. The role of international organisations was limited here to the monitoring and mediation in the peace process.²⁸⁴ The hypothesis that the engagement of international organisations in the establishment of a territorial autonomy has a positive impact cannot be verified (H₇). In the conflicts of the successful cases, international organisations were also involved. Solely in the

280 Toohey, Aileen (2005): Social Capital, Civil Society and Peace: Reflections on Conflict Transformation in the Philippines, p. 15, Under: <http://www.engagingcommunities2005.org/abstracts/Toohey-Aileen-final.pdf>; UNDP (2013): More national civil society advisory committees launched, Under: <http://l.hh.de/cKiqbe> (Last checked 08.12.2013)

281 Williams, Timothy (2010): The MoA-AD Debacle – An Analysis of Individuals’ Voices, Provincial Propaganda and National Disinterest, In: Journal of Current Southeast Asian Affairs, Vol. 29, Nr. 1, p. 135

282 Askandar, Kamarulzaman (2001): The Aceh Conflict and the Roles of the Civil Society, Under: <http://l.hh.de/AcehCSO> (Last checked 08.12.2013); Benedikter, Thomas (2012): p. 170-171

283 Åkebo, Malin (2011): The Role of External Actors in Managing Peace Processes in Asia: An Overview of Attempts in Aceh, Mindanao and Sri Lanka, p. 94, In: Amer, Ramses and Keyuan Zou (2011): Conflict Management and Dispute Settlement in East Asia, Farnham; May, John R. (2013): The Philippines. The ongoing saga of Moro separatism, p. 221, In: Aspinall, Edward et al. (2013): Diminishing Conflicts in Asia and the Pacific.

Why some subside and other’s don’t, New York

284 Mietzner, Marcus (2012): Ending the war in Aceh: leadership, patronage and autonomy in Yudhoyono’s Indonesia, p. 101, In: Ganguly, Rajat (2012): Autonomy and Ethnic Conflict in South And South-East Asia, New York, Feith, Peter (2007): The Aceh Peace Process. Nothing Less than Success, In: United States Institute of Peace, Special Report Nr. 184, p. 1ff.



Figure 23: *International integration of the autonomies in comparison*

case of Åland, the League of Nations raised the demand for autonomy. This suggests that not participation per se is important, but the type of participation. The granting of special status was, in accordance with the principle of sovereignty, left to the central government in all other cases. It is, however, striking that in the successful cases, the parties to the conflict *itself* were calling on international organisations to get involved to act (South Tyrol) or serve as an external mediator (Bougainville, Gagauzia). To clarify the Åland question, the central and the kin state agreed jointly to leave the solution to the League of Nations. Whereas in the case of Aceh and Mindanao, international organisations intervened without being called upon. This points to the need of the willingness of the conflicting parties to end the conflict. Building on this, international organisations are probably not the driving force, but give possibly the final push for a successful implementation of a self-rule arrangement.

6.9. *International integration of the autonomy*

Their competences allow the investigated territorial autonomies to join international institutions. Åland and South Tyrol act both as self-conscious international actors. Also for Gagauzia, an incipient integration can be stated, despite its small size and lack of a kin state. The crucial condition for this seems to be the endurance of the autonomy. The consolidation phase in Gagauzia (Figure 24) is completed

after almost 20 years, but the autonomy of Bougainville is still in its infancy. After just nine years after the adoption of the constitution in 2004, an admission to international institutions cannot be expected.

An increasing integration of the ARMM Mindanao in the sub-regional cooperation within the framework of the East ASEAN Growth Area (BIMP-EAGA) between Brunei, Indonesia, Malaysia and the Philippines is emerging. However, up to now, the cooperation has worked very one-sided via the central government. For example, all development cooperation programs in the region are organised via the central government. The autonomous government itself has no active international role.²⁸⁵

Aceh is also part of the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT). In addition since 2008 there is an unofficial Memorandum of Understanding between the autonomous government and the U.S. states of California, Illinois and Wisconsin, which provides for cooperation, information sharing and joint project financing.²⁸⁶ However, this is not suffi-

285 Turner, Mark (2007): Autonomous Regions and the Contribution of International Relations to Peace and Development: Mindanao, Bougainville and Aceh, In: *Ethnopolitics*, Vol. 6, Nr. 1, p. 91 ff.; Manila Bulletin (2011): ARMM Reactivates Role in BIMP-EAGA, Under: <http://sulucurrent.blogspot.de/2011/03/armm-reactivates-role-in-bimp-eaga.html> (Last checked 10.12.2013)

286 Suksi, Markku (2011): p. 584; Turner, Mark (2007): p. 97; Asian Development Bank (2013): Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), Under: <http://www.adb.org/countries/subregional-programs/imt-gt> (Last checked 10.12.2013)

cient to characterise the autonomy as integrated. In both negative cases, the conflict seems to have prevented an international integration so far. There are clear signs that success and integration are related to each other, whereby the duration of the autonomy plays an important role. The integration of the autonomy into international institutions has a positive effect. H_8 can therefore be confirmed.

7. Final results

The result of the investigation after the negative test is shown in Table 17:

At the state level, neither the democratic constitution and the party system nor the level of central governmental expenditures for financing the autonomy are crucial factors, however existing economic differences between the central state and the autonomy have an impact. The factors examined at the societal level provide no accurate result. There is no evidence that conflict regulation through self-rule is only successful in case of a certain (homogeneous, heterogeneous, low-polarized) society structure. Also the existence of a civil society is not a specific factor for success. At the international level, the participation of international organisations in conflict regulation alone has no effect. However, they seem to have had an accelerating effect for the successful cases. The case of Åland suggests that a specific claim for the establishment of a special status for an ethno-national group has a positive effect. The integration into international institutions is another success factor taking the durability of the autonomy system into account.

Of course, these are no mono-causal rela-

tionships. If an autonomous government joins an international agreement, the external recognition can contribute to success in the long-term. However, only established autonomies are admitted into international institutions. This 'double effect' applies also for the development of a democracy, a party system or the civil society. Nevertheless, framework conditions for success can be identified. A self-rule arrangement hardly seems to work if large economic differences between the groups prevail. The groups to which limited sovereignty is granted, are numerically relatively small. It does, however, not matter how many ethno-national groups in total exist in the state. Also, for those types of conflict resolution models the truism applies that the will must be there to end a conflict. In all positive cases, the interest of *both* parties for a negotiated political solution can be observed prior to the establishment of an autonomy system. If there was a general willingness of the central state to recognize the difference and division of sovereignty, the ethno-national groups refrained from secession or independence demands in all successful cases. This is not to be observed in the cases of Aceh and Mindanao. The process of acceptance for remaining within the central state while being granted self-gov-

Level	State level				Societal level		International level	
Factor	Democracy	Party system	Econ. difference	Financing	Social structure	Civil society	Intern. organisations	Intern. integration
Åland	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)
Bougainville	(o)	(+)	(+)	(+)	(+)	(o)	(o)	(-)
Gageuzia	(+)	(+)	(+)	(+)	(+)	(+)	(o)	(+)
South Tyrol	(+)	(+)	(+)	(+)	(+)	(+)	(o)	(+)
Mindanao	(+)	(-)	(-)	(+)	(+)	(+)	(o)	(-)
Aceh	(+)	(+)	(-)	(+)	(+)	(+)	(o)	(-)

Table 17: Results table

ernment can possibly take a very long time (as in the case of Åland) and be very conflict-ridden (as in the case of South Tyrol). As described in the conclusion, in none of the cases, this process has been completed yet. However, if the central state and the affected ethno-national group agree jointly to find a mutually acceptable solution, then this is, as this study shows, -the breeding ground on which stabilising factors such as international organisations, a party system and civil society actors can work.

VII. Conclusions and outlook

Territorial autonomies are not a panacea that can be imposed universally in case of secessionist demands. The examined cases, however, show that self-rule may be a suitable option for conflict regulation, because cooperation between ethno-national groups is largely avoided in contrast to shared-rule models. The state retains its integrity.

Happy families are all alike; every unhappy family is unhappy in its own way.²⁸⁷

As already assumed by several authors (Table 2), it is a hardly verifiable bundle of factors that affect the relationship between the central state and the autonomy and create a lasting state of peace. Autonomy systems, which were established for conflict regulation are always unique, with regard to the concepts tailored to the conflicting parties, which contain power-sharing elements, committees, commissions, and linguistic and cultural regulations. None of the cases resembles another, not even roughly, with regard to the delimitation of competences, the autonomy institutions and certainly not regarding its genesis. Consequently, the factors are of varying importance for the individual systems. While for South Tyrol local parties were always of great importance due to the power-sharing arrangements, in the party system on Åland, they can be seen as a kind of a final chord to complete the political system. According to the Anna Karenina principle, a single factor, however, can be enough to cause a failure. Territorial autonomies are enormously dynamic entities which are exposed to constant pressures to adapt to ongoing negotiation processes. In other words: For a success, both

sides have to make an effort over and over again. In Åland, the autonomous government calls for more financial autonomy. An amendment concerning this matter is also planned in South Tyrol.²⁸⁸ Furthermore, it is discussed whether the language regulations have to be adjusted due to the increasing proportion of migrants.²⁸⁹ In Finland, the question was raised whether the language regulations on Åland violate the UNESCO convention against discrimination in education.²⁹⁰ At this point, there is a danger of a 'minority within minorities' conflict. In both autonomies (so far silent) voices are to be heard, which are calling for secession from the central state. These voices scream loudest in Gagauzia. Discrepancies regarding competencies with Chisinau during the summer of 2013 led to a popular initiative, which claims a referendum on independence. This possibility is currently being discussed in the autonomous parliament.²⁹¹

For Bougainville, such a referendum is already fixed. This leads to the question of whether and when territorial autonomies are a stepping stone on the way to an independent state and in which cases a 'mini-state within a nation state' such as Åland and South Tyrol remains. Here as well, it is uncertain if the autonomy status is actually the end point of development considering the huge increase in the range of competencies. The investigation has shown that the previous intensity of the conflict per se does not affect

287 Tolstoj, Nev Nikolaevic (1878, 1957): *Anna Karenina*. Translated from the Russian by Hermann Röhl, Berlin, Bd. 1, p. 7

288 Autonome Provinz Bozen Südtirol – Pressedienst (2013b): *Autonomie ausbauen: Premier Letta und LH Durnwalder unterzeichnen Abkommen*, Under: http://www.provinz.bz.it/lpa/service/news.asp?archiv_action=4&archiv_article_id=432941 (Last checked 11.12.2013)

289 Siegl, Walter (2010): p. 233

290 Suksi, Markku (2011): p. 519

291 Berbeca, Veaceslav (2013): *Gagauzia Autonomy: Political Blackmail or in search of new contractual relations between Comrat and Chisinau*, In: IDIS Policy Brief, Under: http://www.fes-moldova.org/media/publications/2013/Gagauzia_autonomy_en_policy_brief.pdf (Last checked 11.12.2013)

the subsequent self-rule-regulation. However, the actual demands of the ethno-national groups, which can range from the specific protection of their language and culture to secession and independence to the inclusion into another state, remain unnoticed. Further success factors, such as geographical features, for example the distance from the central state or an insular position implicating already a certain degree of autonomy in many cases, need to be investigated. It should, however, not be forgotten that the establishment of an autonomy may also result in the escalation of a conflict, as the example of South Tyrol shows.

We have adjusted our understanding of state sovereignty and its limits to the existence of international and supranational forms of cooperation. International politics is no longer just horizontal politics among sovereign nation-states, but rather occurs in many areas vertically on different levels. It is time to place greater focus on the 'lower' part of the vertical axis with its various forms of sub-national state organisation. Given the nearly 100 ethno-national conflicts worldwide, this would certainly be worthwhile. Because *si vis pacem para pacem*.²⁹²

292 *If you want peace, prepare for peace*. A reversal of the sentence: "Si vis pacem para bellum" (*If you want peace, prepare for war*), which can already be found in late Roman writings. Cf. Senghaas, Dieter and Eva Senghaas-Knobloch (1992): Si vis pacem para pacem, In: Leviathan, Vol. 20, Nr. 2

VIII. Appendix

Appendix I: Administrative Autonomy of Danes and Friesians in Germany

<i>Area</i>	<i>Institution</i>	<i>Tasks</i>
Politics	Südschleswiger Wählerverband (SSW), Bund Deutscher Nordschleswiger (BDN), Südschleswiger Verein (SSF)	(Regional-) political participation
Economy	Landwirtschaftlicher Hauptverein für Nordschleswig (LHN), Agricultural Association for South Schleswig, Schleswiger Kreditverband e.G.	e.g. Assistance for farmers, loans to members of the ethno-national group
Culture	Südschleswiger Verein (SSF), Culture committee of BDN, Nordfriesischer Verein, various sports and youth organisations	Organisation of theaters, concerts, cultural days, language courses, sport events (e.g. "Flensburger minority marathon")
	Danish Central Library for South Schleswig, Association of German libraries Nordschleswig, Northern Friesian Institute, Interessengemeinschaft Baupflege Nordfriesland e.V.	Preservation, research of culture and history
Education	Danish School Association for South Schleswig, German School and Language Association for Northern Schleswig (DSSV) with 146 institutions and ca. 10.000 schoolchildren	Full education program (through high school), evening classes
Media	e.g. Der Nordschleswiger, Flensburg Avis, Nordfriesland, Radio Mojn, Nordfriisk Radio	Participation in the public debate
Social Affairs	Danish social services for South Schleswig, Social Service Nordschleswig, Danish workers association	Social services, assistance with compensation of victims of the Nazi regime

Table 18: Administrative Autonomy of Danes and Friesians in Germany¹

Appendix II: Practical relevance of territorial autonomies for conflict regulation

<i>Territorial Autonomy</i>	<i>Central State</i>	<i>Conflict before the establishment of autonomy?</i>
Sicily	Italy	No
Sardinia	Italy	Yes
Friuli-Venezia Giulia	Italy	No
South Tyrol	Italy	Yes
Aostatal	Italy	No
Åland	Finland	Yes
Greenland	Denmark	No
Faroe Islands	Denmark	No
New-Caledonia	France	Yes
French Polynesia	France	No
Gagauzia	Moldova	Yes
Vojvodina	Serbia	Yes
Azores	Portugal	No
Madeira	Portugal	No

Table 19: Practical relevance of territorial autonomies for conflict regulation

¹ Cf. EURAC (2007): Kompetenzanalyse. Minderheiten als Standortfaktor in der deutsch-dänischen Grenzregion, Bozen, p. 13 ff.

Appendix III: Number of parties in the parliaments of Finland and Åland

<i>National parliament</i>										
Year	1945	1948	1951	1954	1958	1962	1966	1970	1972	
Number of parties	7	6	6	6	7	8	8	8	8	
Year	1975	1979	1983	1987	1991	1995	1999	2003	2007	2011
Number of parties	10	9	9	10	10	10	10	9	9	8
<i>Autonomous parliament</i>										
Year	1946	1949	1952	1955	1958	1961	1964	1967	1971	
Number of parties	1	1	1	1	1	1	1	1	1	
Year	1979	1983	1987	1991	1995	1999	2003	2007	2011	
Number of parties	4	4	6	5	5	6	7	6	6	

*Table 20: Number of parties in the parliaments of Finland and Åland²⁹³**Appendix IV: Number of parties in the parliaments of Papua New Guinea and Bougainville*

	<i>National parliament</i>								<i>Auton. parliament</i>	
Year	1977	1982	1987	1992	1997	2002	2007	2012	2005	2010
Number of parties	---	---	8	9	9	14	18	21	2	3

Table 21: Number of parties in the parliaments of Papua New Guinea and Bougainville²⁹⁴

293 For the sake of clarity, only the elections since 1945 are presented; Finland – Ministry of Justice (2013): Under: <http://www.vaalit.fi/14173.htm>; Ålands Lagting (2013): Under: <http://www.lagtinget.ax/start.con?iLan=2> (Last checked 30.11.2013)

294 Cf. Inter-Parliamentary Union Database (2013); Electoral Commission Papua New Guinea (2013), Under: <http://www.pnecov.pg/index.html> (Last checked 04.11.2013)

Appendix V: Government transfer payments to provinces in Papua New Guinea

<i>Province</i>	<i>Transfer payments in Mio. Kina</i>		
	<i>2011</i>	<i>2012</i>	<i>2013</i>
National Capital District	3.7	3.9	3.09
Hela Provincial Government	Newly built	Newly built	33.6
Gulf Provincial Government	27.6	36.1	40.3
Manus Provincial Government	26.6	35.7	40.6
New Ireland Provincial Government	40.0	39.2	41.3
Iwaka Provincial Government	Newly built	Newly built	41.4
Fly River Provincial Government	44.8	42.6	44.2
Oro Provincial Government	37.4	38.1	44.8
Enga Provincial Government	71.3	56.4	65.2
Milne Bay Provincial Government	59.5	64.1	66.5
West New Britain Provincial Government	58.7	58.6	66.5
Central Provincial Government	63.3	62.3	73.1
Sandaun Provincial Government	52.9	66.0	80.0
Simbu Provincial Government	68.5	73.5	83.6
Western Highlands Provincial Government	95.2	90.9	84.3
Eastern Highlands Provincial Government	87.1	84.5	85.8
Bougainville Autonomous Government	77.4	78.4	87.0
Southern Highlands Provincial Government	108.3	87.7	87.3
East New Britain Provincial Government	73.2	77.0	89.5
Madang Provincial Government	86.1	79.6	93.0
East Sepik Provincial Government	90.5	89.5	97.7
Morobe Provincial Government	102.8	93.6	101.0
Average 2013: 65.9 Mio. Kina			

*Table 22: Government transfer payments to provinces in Papua New Guinea²⁹⁵**Appendix VI: Number of parties in the parliaments of Moldova and Gagauzia*

	National parliament						
Year	1994	1998	2001	2005	2009/1	2009/2	2010
Number parties	4	4	3	3	4	5	4
	Autonomous parliament						
Year	1995	1999	2003	2008	2012		
Number parties	6	6	4	4	4		

Table 23: Number of parties in the parliaments of Moldova and Gagauzia²⁹⁶

295 Cf.: Papua New Guinea – Ministry for Treasury (2013): 2013 Recurrent Budget Estimates of Revenue and Expenditure for National Government Departments, Under: http://www.treasury.gov.pg/html/national_budget/national_budget.html (Last checked 06.11.2013)

296 ADEPT (2013a): E-Democracy Moldova. Parliamentary Elections in the Republic of Moldova, Under: <http://www.e-democracy.md/en/elections/parliamentary/> (Last checked 14.11.2013)

Appendix VII: Ethno-national groups in the Moldovan parliament

<i>Ethno-national Group</i>	<i>Legislative period</i>				
	<i>1990-94</i>	<i>1994-98</i>	<i>1998-01</i>	<i>2001-05</i>	<i>2005-09</i>
<i>Moldovans/Romanians</i>	71.24 %	70.0 %	84.62 %	63.71 %	79.49 %
<i>Ukrainians</i>	8.71 %	5.38 %	5.13 %	17.74 %	4.27 %
<i>Russians</i>	16.62 %	12.31 %	3.42 %	8.87 %	7.69 %
<i>Gagauz</i>	2.64 %	4.62 %	5.13 %	7.26 %	2.56 %
<i>Other</i>	0.26 %	3.85 %	1.71 %	2.42 %	1.71 %

*Table 24: Ethno-national group in the Moldovan parliament²⁹⁷**Appendix VIII: Number of parties in the parliaments of Italy and South Tyrol*

<i>National parliament</i>									
<i>Year</i>	1948	1953	1958	1963	1968	1972	1976	1979	1982
<i>Number parties</i>	11	9	12	10	9	10	11	12	13
<i>Year</i>	1987	1992	1994	1996	2001	2006	2008	2013	
<i>Number parties</i>	14	16	12	11	14	16	6	9	
<i>Autonomous parliament</i>									
<i>Year</i>	1948	1952	1956	1960	1964	1968	1973	1978	1983
<i>Number parties</i>	7	6	6	6	8	6	8	9	9
<i>Year</i>	1988	1993	1998	2003	2008	2013			
<i>Number parties</i>	8	10	11	10	9	9			

*Table 25: Number of parties in the parliaments of Italy and South Tyrol²⁹⁸**Appendix IX: Distribution of ethno-national groups in South Tyrolean parties*

	<i>Parties in autonomous parliament 1998/2003</i>									
	<i>SVP</i>	<i>Union für Südtirol</i>	<i>Die Freiheit.</i>	<i>Alleanza Nazionale</i>	<i>Pace e Diritti</i>	<i>Unione Autonom.</i>	<i>Forza Italia</i>	<i>Unitalia</i>	<i>Ladins</i>	<i>Grüne-DPS</i>
German	21/20	2/2	1/2							1/3
Ladin	0/1								1/0	
Italian				3/3	1/1	2/1	1/1	1/0		1/0

*Table 26: Distribution of ethno-national groups in South Tyrolean parties in the elections 1998 and 2003²⁹⁹*²⁹⁷ Cf. Protsyk, Oleh and Ion Osoian (2010): p. 13²⁹⁸ Ministerium des Innern Italien (2013): Archivio storico delle elezioni, Under: <http://www.interno.gov.it/mininterno/export/sites/default/it/temi/elezioni/sottotema003.html> (Last checked 22.11.2013); Südtiroler Landtag (2013): Ergebnisse der Landtagswahlen seit 1948, Under: <http://www.landtag-bz.org/de/wahlen/wahlen-historisches-archiv.asp> (Last checked 22.11.2013)²⁹⁹ Shown is the number of MPs. Cf. Woelk, Jens et al. (2008): p. 311-312

Appendix X: Polarization degrees by comparison

	<i>Ethn.-nat. group</i>	<i>RQ_{CS}</i>	<i>Share of total population</i>	<i>Share within autonomous territory</i>	<i>RQ_{TA}</i>
<i>Aceh</i>	Acehnese	0.39	3%	90%	0.32
<i>Åland</i>	Ålander	0.25	0.5%	94.5%	0.19
<i>Bongainville</i>	-	-	<1%	4%	-
<i>Gagauzia</i>	Gagauz	0.58	4.4%	82%	0.51
<i>Mindanao</i>	Muslims	0.37	5%	90%	0.03
<i>South Tyrol</i>	German South Tyroleans	0.27	0.7%	69%	0.79

Table 27: Polarization degrees by comparison³⁰⁰

300 Cf. CIA (2013); <http://l.hh.de/n8gQTf> (Last checked 07.12.2013); Levinson, David (1998): Ethnic groups worldwide. A ready reference handbook, Phoenix

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