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# Ethnic quotas and ethnic representation worldwide

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## Abstract

This article makes theoretical and empirical contributions towards understanding the form and function of ethnic quotas that are applied in various countries around the world. It advances a classification scheme for sorting through the broad variation in these electoral mechanisms. Initial exploration suggests that variation among ethnic quota schemes corresponds more with regime type, and less with differences in ethnic demography. Nevertheless, particular rules do operate differently in relation to ethnic diversity and inter-group conflict. Different rules also appear to have an impact on representational dynamics, including the capacity of minority ethnic representatives to exercise legislative influence on matters of concern to their community.

## Introduction

There is now a burgeoning comparative research agenda on gender quotas worldwide. In contrast, quotas and reserved seats for ethnic groups have received less scholarly attention and remain little understood. In this article, the term 'ethnic quota' refers to formal electoral rules that guarantee a minimum number of political representatives from particular ethnic groups. There are currently at least 28 countries with such rules in place for elections to the main/lower chamber of the national parliament.[1] These measures are remarkably varied, as are the political contexts in which they have been implemented and the groups to which they apply. Employed in both established democracies and authoritarian regimes, they may allocate a tiny share of seats to one or more minority ethnic groups or may determine the distribution of all seats in the legislature.[2] They apply most often to groups defined by ethno-national, cultural-linguistic or ethno-religious identities, or occasionally by tribal or caste membership.[3] According to Vukelic (2012: 40), 'there are virtually no two implementations of special [ethnic] group representation mechanisms that are completely alike one another'.

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This article takes this variation in ethnic quotas as an opportunity to examine how the rules impact the dynamics of ethnic representation. It does so by bringing to bear a set of theoretical principles to help sort through variation across these schemes and to assess how different systems work in practice. In particular, it sorts schemes into three distinct families. These families consist of systems guaranteeing seats to ethnic parties, systems incorporating designated ethnic groups within pan-ethnic parties and systems involving special electoral districts for ethnic groups. I hypothesise a set of representational dynamics that are likely to emerge within each distinctive family, and draw on selected cases to flesh out some of the real-world consequences of these different modalities of guaranteed ethnic representation. The overall goal is to develop a conceptual road map to promote a more comprehensive comparative research agenda on ethnic quotas and ethnic representation worldwide.

## Ethnic quotas: Political theory and practice

While the form and implementation of ethnic quotas around the world has received relatively little empirical attention, there is nevertheless a large body of related literature. There is normative theoretical work on group representation, literature on electoral systems and electoral engineering, and growing comparative and case study research on gender quotas. Each presents useful insights, but also suffers particular shortcomings for understanding ethnic quotas.

Beginning with normative theory, Hanna Pitkin's (1967) classic work on political representation continues to be a focal point for scholars concerned with the inclusion of women and minority ethnic groups in elected legislatures. While the problem of the structural exclusion of women and various ethnic groups is rather undervalued in Pitkin's examination (Celis and Mazur, 2012; Phillips, 2012), other scholars have developed more pointed contributions. Iris Marion Young (1990), Will Kymlicka (1995), Anne Phillips (1995), Melissa Williams (1998) and Jane Mansbridge (1999) have each developed various arguments in favour of group-differentiated mechanisms of representation to help historically marginalised groups voice their specific concerns and achieve a degree of political influence that would be denied them under a purely liberal-pluralist approach to representation.

Informed by the normative logic of democratic justice, these arguments have sometimes been applied without distinction to all groups. For example, Young makes no distinction with respect to 'representation of social positions structured by gender, race, nation, class, age, and so on' (Young, 1997: 373). Others have pondered more carefully the need for certain kinds of measures for different groups (Kymlicka, 1995: 141–44; Phillips, 1995). Still, there has been a general tendency to conflate women and minority ethnic groups. Moreover, there has been little attention to the dynamics of ethnic voting, the existence of ethnic parties or how variations in ethnic electoral politics might relate to particular institutional measures for enhanced group representation.

This tendency to conflate women's and ethnic groups' representation is also apparent in the literature on electoral systems and electoral engineering.[4] This literature brings into focus structural barriers to women's and minority ethnic representation, emphasising the effects of electoral rules and ballot structure. The core argument is that, in contrast to majoritarian electoral systems, proportional representation (PR) systems based on party lists facilitate the entry of women *and* minority ethnic groups into parliament. Closer examination, however, suggests that the causal mechanisms affecting representation levels of women and minority ethnic groups within PR systems are somewhat different, and that the benefits of PR for minority ethnic groups are often contingent on the presence of ethnic parties. Specifically, the main benefit for women derives from the incentive that the PR system presents to parties to produce gender-balanced candidate lists; while

the main advantage for minority ethnic groups tends to lie in the proportional translation of ethnic parties' vote share into parliamentary seat share.[5]

Related research addresses electoral engineering for ethnically divided societies. This literature has been largely dominated by the Lijphart–Horowitz debate on whether expanded representation along ethnic lines is beneficial or detrimental in such societies.[6] Important as this debate is, it has led scholars to focus on the main electoral families – PR/consociational versus majoritarian systems – and their impact on the inclusion of minority ethnic groups, system support by minorities in the population and overall regime stability. While some authors recognise the presence of reserved seats, affirmative gerrymandering and other alternative mechanisms for ethnic representation, these are not fully explored (Norris, 2004: 228). Or, they are simply discounted as being less fair than PR systems, which are thought to achieve inclusiveness while avoiding 'any invidious choices in favor of certain minority groups and, as a consequence, against other minorities' (Lijphart, 1994: 140).

The third vantage point for understanding ethnic quotas comes from the growing comparative analyses of gender quotas (Dahlerup and Freidenvall, 2005; Franceschet et al., 2012; Krook, 2009). This work has helped to clarify that all gender quotas are not alike. Descriptive and substantive outcomes for women vary depending on the particular quota rules adopted, the characteristics of the broader electoral system, the nature of party discipline and the degree to which parliament exerts control over the legislative agenda. Gender quotas are clearly a 'fast track' to increasing the number of women elected. However, a number of scholars who have examined their implementation and impact within non-democratic and partly free states warn that gender quotas may come at the expense of deeper reforms to the political process (Baldez, 2006; Longman, 2005; Zetterberg, 2008). Such research has also begun to reveal the gaps between quotas as a normative principle of political equality and inclusiveness, and the power and strategic interests inherent in electoral restructuring initiatives.

Following Htun (2004), researchers have begun to take note of basic differences in the political logic and implementation of quotas and reserved seats for ethnic groups compared with women. Htun points out that ethnicity is different from gender, insofar as ethnic identity tends to coincide with partisan cleavages, whereas gender cross-cuts partisan divisions. She argues that different institutional solutions – quotas in the case of women, reserved seats in the case of minorities – are therefore appropriate for these different groups. The present article shows that there is, in fact, broad variation in the kind of institutional measures that have been implemented for ethnic groups worldwide.

A comparison of ethnic quotas is needed to understand why policy solutions for ethnic groups' under-representation differ. Does variation across schemes correspond with demographic characteristics of ethnic groups and ethnic cleavages? Does it relate to differences in the broader electoral system? Is it a function of regime type? A comparative analysis can help to reveal how the rules themselves shape group identity and the dynamics of ethnic representation. Finally, it can enable examination of the outcomes of different measures and their implications for equity, justice and inclusivity for ethnic groups and the overall quality and sustainability of democracy, especially among societies in transition.

## Global overview of ethnic quotas

To begin to clarify and categorise ethnic quotas, I first drew on existing case study and survey literature to identify countries that employ such measures in elections to the national parliament.[7] Following supplementary analysis of constitutions and electoral legislation and consultation with national experts, this desk review produced a list of 28 countries where the basic rules of implementation could be discerned.

Table 1 provides a glimpse at the variety of measures found around the world. The table looks at 18 countries, organised by world region, and addresses eight basic characteristics.[8] These are: (a) the groups that receive special representation; (b) the number of parliamentary seats distributed to each group; (c) the ratio between the population percentage and seat percentage in parliament for each group;[9] (d) the type of electoral district in which designated ethnic candidates compete; (e) the rule for general elections and the rule for election of designated ethnic representatives; (f) the level of ethnic fractionalisation;[10] (g) the level of democracy according to Freedom House classifications; and (h) the manner by which group identity is determined. There is wide variation across each of these indicators. Ethnic quotas are found in all regions of the world. They occur across the entire spectrum of democracy, from countries that are fully free and democratic to those that are clearly non-democratic. They are found across all electoral families. They are applied in contexts where the party system is strongly aligned with ethnic cleavage, but also in systems that ban ethnic parties. There is no clear pattern of under- or over-representation of designated groups across regime types.

Based on these formal-descriptive features, what are the representational dynamics of different ethnic quotas? This is a complicated but crucial issue. For Paul Brass (1995), the key question is whether groups or individuals are the primary unit of representation, and how this in turn shapes the incentives for political actors to couch arguments in terms of ethnic group interests and conflicts. Following Melissa Williams (1998: 23–27), the 'mediative dynamics' of representation should be given close consideration. These include: '(1) the nature of legislator–constituency relations; (2) the process of legislative decision making; and (3) the criteria for defining constituencies, that is, for identifying politically relevant groups'. All of these aspects are important because they get to the heart of what a representative does for his or her constituents, the dynamics of interactions among legislators, and the aggregation and construction of citizen preferences for the purposes of responsiveness and in order to secure and maintain office. Because the rules for defining group membership are an inherent design element, they seem to be an especially crucial factor for sorting out different schemes.

This factor is captured in the final column of Table 1, which classifies the method of group determination under various quota schemes. The question of who is eligible to stand for and vote in elections under such schemes is somewhat tricky (Meier, 2009). It involves determining who can rightly claim to be a group representative and who can rightly claim to be represented by that member. Despite this complexity, we can roughly classify systems as applying a fixed predefinition of who is an ethnic representative and member of a given ethnic constituency, versus a more open process of self-definition, or falling somewhere in-between.

## Schematic framework for assessing ethnic quotas

Bringing these features together, we can elaborate a set of distinctive 'families' of ethnic quotas, and identify a set of representational dynamics that tend to emerge within each family. Given the enormous diversity of quota arrangements, this analysis will be necessarily exploratory and suggestive rather than exhaustive. The purpose here is not to survey all possible dynamics, but merely to sketch a range of possibilities. Cases drawn selectively from Table 1 help to illuminate the dynamics across different families. A synopsis of this discussion is presented in Table 2.

### *Family 1: Systems that guarantee seats to ethnic parties*

The first family involves predominantly PR systems of election, distributing seats to ethnic groups via threshold exemptions or proportionately among competing ethnic parties. This, along with

**Table 1.** Overview of ethnic quotas.

| a. Beneficiary groups | | b. No. of Seats/ Parliament size | c. Seat ratio | d. Electoral district type | e. Rule for general election/Rule for minority election | f. Ethnic fractionalisation | g. Freedom rating | h. Group determination |
|---|---|---|---|---|---|---|---|---|
| **Central and Eastern Europe** | | | | | | | | |
| Croatia | Serbs | 3 | 0.44 | Six separate nationwide districts for designated minority ethnic groups | PR/FPTP | .375 | Free (1.5) | Self-defined |
| | Hungarians | 1 | 1.89 | | | | | |
| | Italians | 1 | 1.59 | | | | | |
| | Czechs + Slovaks | 1 | 2.0 | | | | | |
| | Roma + others | 1 | 0.53 | | | | | |
| | Albanians, Bosniaks + others | 1 /151 | 1.71 | | | | | |
| Romania | Albanians | 1 | 150 | Single nationwide district together with majority group | PR with threshold exemption for ethnic parties (10% average seat cost = 1 seat; maximum one seat per minority ethnic group) | .3 | Free (2.0) | Self-defined |
| | Armenians | 1 | 37.5 | | | | | |
| | Bulgarians | 1 | 10 | | | | | |
| | Croatians | 1 | 10 | | | | | |
| | Germans | 1 | 1.11 | | | | | |
| | Greeks | 1 | 15 | | | | | |
| | Italians | 1 | 30 | | | | | |
| | Lipovan Russians | 1 | 1.87 | | | | | |
| | Jews | 1 | 15 | | | | | |
| | Macedonians | 1 | 100 | | | | | |
| | Poles | 1 | 30 | | | | | |
| | Roma | 1 | 0.12 | | | | | |
| | Ruthenians | 1 | 300 | | | | | |
| | Serbs | 1 | 3 | | | | | |
| | Czechs/Slovaks | 1 | 3.33 | | | | | |
| | Tatars | 1 | 2.73 | | | | | |
| | Turks | 1 | 2.14 | | | | | |
| | Ukrainians | 1/334 | 1.07 | | | | | |

*(Continued)*

**Table 1.** (Continued)

| Country | Group | Seats | | Description | | Status | Definition |
|---|---|---|---|---|---|---|---|
| Kazakhstan | Under-represented minority ethnic groups | 9/107 | 0.20 | Members of designated minority ethnic groups appointed from consultative assembly[epb] | .664 | Not free (5.5) | Predefined |
| Kosovo | Serb<br>Bosnian<br>Turkish<br>Roma<br>Ashkali<br>Egyptian<br>Gorani | 10<br>3<br>2<br>1 or 2<br>1 or 2<br>1 or 2<br>1/120 | 1.19<br>Others: 1.66 | PR with reserved seats for each designated group distributed to ethnic parties based on proportional formula | .80 | Partly free (4.5) | Self-defined |
| **Sub-Saharan Africa** | | | | | | | |
| Mauritius | Hindus<br>Muslims<br>General population<br>Sino-Mauritians | Up to 8 seats total for under-represented communities out of 70 | 1.0 | Nationwide | SNTV with seats awarded to 'best loser' candidates from each ethnic group (using census data to ensure balanced representation) | .632 | Free (1.5) | Predefined |
| Niger | Tuareg | 8/113 | 0.75 | Special districts (designated areas) | PR/FPTP[epb] | .637 | Partly free (3.5) | Self-defined |
| Burundi | Hutu<br>Tutsi<br>Twa | 60%<br>40%<br>3/100+ | 0.71<br>2.86<br>5.8 | Nationwide | PR with ethnic quotas and seats awarded to 'best losers' to balance out ethnic representation; 3 Twa appointed | .328 | Partly free (5.0) | Predefined |
| Djibouti | Issa<br>Afar<br>Arab | 33<br>30<br>2 /65 | 0.90<br>1.31<br>1.23 | Nationwide | Bloc vote with quota: approx. one-half of each slate for Issa and Afar[epb] | .606 | Not free (5.5) | Predefined |
| **Asia-Pacific** | | | | | | | |
| New Zealand | Māori | 7/120+ | 0.45 | Special districts (nationwide) | Mixed-member PR with double vote: PR + FPTP (general/Māori districts) | .363 | Free (1.0) | Self-defined |
| India | Scheduled castes<br>Scheduled tribes<br>Anglo-Indian community | 79<br>41<br>Up to 2/543 | 0.90<br>0.91<br>38.1 | Special districts (designated areas); Anglo-Indian MPs appointed | FPTP | .667 | Free (2.5) | Mixed |
| Pakistan | Non-Muslims | 10/342 | 0.60 | Appointed from party lists of exclusively non-Muslim candidates, in proportion to each party's seat share in the general election | .532 | Partly free (4.5) | Predefined |

*(Continued)*

**Table 1.** (Continued)

| Country | Group | Seats | Value | District | Electoral system | Index | Freedom | Definition |
|---|---|---|---|---|---|---|---|---|
| Fiji[a] | Ethnic Fijians | 23 | 0.56 | Nationwide | AV with double vote: 25 seats elected via open roll/46 seats elected via 3 separate communal rolls | .566 | Partly free (5.0) | Predefined |
| | Indians | 19 | 0.71 | | | | | |
| | Rotuman Islanders | 1 | 1.17 | | | | | |
| | Other minorities | 3/71 | 1.08 | | | | | |
| Singapore | Malays | 9 | 0.65 | Special districts along with ethnic majority candidates (designated areas) | Bloc vote with quota applied to 15 designated 'group representative constituencies' | .388 | Partly free (4.0) | Predefined |
| | Indians and others | 6/87 | 0.65 | | | | | |
| **Middle East** | | | | | | | | |
| Jordan | Christians | 9 | 1.0 | Special districts along with ethnic majority candidates, or separately (designated areas) | Double vote: PR + SNTV (quota seats elected via SNTV: Christian, Circassian/Chechen seats from multi-member districts electing 1 minority each; Bedouin seats in separate districts electing 3 minorities each) | .509 | Not free (5.5) | Predefined |
| | Circassians/Chechens | 3 | 2.0 | | | | | |
| | Bedouin | 9/150 | 0.18 | | | | | |
| Lebanon | Maronites | 34 | 1.21 | All seats across 26 multi-member districts allocated along confessional lines | Bloc vote with parties presenting religiously mixed lists | .780 | Partly free (4.5) | Predefined |
| | Sunnites | 27 | 0.75 | | | | | |
| | Shiites | 27 | 0.75 | | | | | |
| | Greek Orthodox | 14 | 1.37 | | | | | |
| | Druze | 8 | 1.04 | | | | | |
| | Greek Catholic | 8 | 1.5 | | | | | |
| | Armenian Orthodox | 5 | 0.98 | | | | | |
| | Alawite | 2 | na | | | | | |
| | Armenian Catholic | 1 | na | | | | | |
| | Protestants | 1 | na | | | | | |
| | Minorities | 1/128 | na | | | | | |
| **Americas** | | | | | | | | |
| Panama | Ngöbe-Buglé | 3 | 0.51 | Special districts (designated areas) | PR/FPTP | .507 | Free (1.5) | Self-defined |
| | Kuna Yala | 2/76 | 1.73 | | | | | |
| Bolivia | Indigenous groups | 7/130 | 0.10 | Special districts (designated areas) | PR/FPTP | .743 | Partly free (3.0) | Self-defined |
| Colombia | Afro-Colombians | 2 | 0.11 | Special districts (nationwide) | PR/FPTP | .656 | Partly free (3.5) | Self-defined |
| | Indigenous groups | 1/165 | 0.18 | | | | | |

*Notes:* [a]The system of ethnic quotas in Fiji has been non-operational since a military coup in December 2006. [ep]ethnic party ban in effect. PR – proportional representation; FPTP – first past the post; AV – alternative vote; SNTV – single non-transferable vote.

*Source:* Table adapted from Vukelic (2012).

**Table 2.** Summary of families of ethnic quotas.

| Family (countries) | Rule for minority election | Group definition | Average freedom rating | Average ethnic fractionalisation |
|---|---|---|---|---|
| **1. Seats for ethnic parties** (Kosovo, Romania) | PR: threshold exemptions or reserved seats | Self-defined: can vote for an ethnic or pan-ethnic party | 3.25 | .55 |
| **2. Inclusion via pan-ethnic parties** (Burundi, Djibouti, Jordan, Kazakhstan, Lebanon, Mauritius, Pakistan, Singapore) | PR, SNTV or bloc vote: ethnic quotas applied to party lists or best losers appointed among designated ethnic groups | Predefined | 4.5 | .55 |
| **3. Special districts** (Bolivia, Colombia, Croatia, Fiji, India, New Zealand, Niger, Panama) | FPTP, AV or mixed-member (PR/FPTP) | Self-defined: can opt for ethnic or general ballot (except India) | 2.7 | .56 |

*Notes*: PR – proportional representation; FPTP – first past the post; AV – alternative vote; SNTV – single non-transferable vote.

other contextual features (e.g. a highly diverse population consisting of several distinctive ethnonational groups), tends to produce intrinsically more fragile governments with incentives towards coalition-building and bargaining modes of deliberation among political groups. These rules ensure a presence in parliament for smaller groups, and send an important signal that the minority community is a full part of the society. However, the ethnic parties that win seats under such rules are prone to co-option by government. While they may win minor concessions, these arrangements more often seem to secure privileged positions for a few self-interested ethnic leaders, who become enmeshed in the clientele networks of the ruling party.

A related concern, especially in instances where designated minorities receive just a single seat, is that such systems tend to shore up the power of male ethnic leaders. This appears to have been the case in Kosovo under rules in effect prior to 2010.[11] It remains true of Romania, where all but one of the 18 reserved seats won in the 2012 parliamentary elections, and all but two of the seats won in the 2008 elections, were held by men.

The effectiveness of this family of ethnic quotas, in terms of universal inclusion, mass participation and empowerment, as well as fairness in governance, will depend upon the openness of the party and within-party competitiveness in selecting its candidates, on a flourishing ethnic media, and on citizens' ability to access the parliamentary record. In short, this family of ethnic quotas can be a crucial feature of improved representation and democracy-building, but must also be accompanied by a substructure of democratic institutions to help resolve the pressures, conflicts and potential subversions of such schemes that are likely to arise in a context of strong parties and a competitive or bargaining mode of decision-making. Such families are found principally in Central and Eastern Europe (e.g. Kosovo, Montenegro, Poland, Romania and Serbia).

Romania presents a clear example of this family of ethnic quotas. Considered an electoral democracy with free and fair elections since 1991, Romania has nevertheless failed to gain admission to the European Union principally because of corruption problems. Romania is a moderately diverse country, but with a history of ethnic tension. Apart from the numerically dominant ethnic Romanian population (comprising approximately 90% of the country's inhabitants), the largest minority group is the Hungarian population (at about 7%), which is settled principally in the region of Transylvania. The widely dispersed Roma comprise approximately 2.5% of the country's

population. The Romanian census also lists 23 other nationalities, including smaller Ukrainian, German, Russian, Turk, Tatar, Serb, Slovak and Czech minorities. Following the end of communism in 1989, the country has made significant advances in promoting minority rights. Article 6 of the constitution 'guarantees the right of persons belonging to national minorities to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity'.

Since 1991, Romania has also ensured a high level of political representation for its minority populations. This has been achieved through a PR system of elections, along with guaranteed representation for minority ethnic groups based on threshold exemptions. The upshot of this system is that a minority ethnic party receives a seat in parliament if its list receives at least 10% of the average number of votes needed for the election of one 'ordinary' MP. There is a limit of one seat per minority group, so in cases where several parties from the same ethnic group compete, the seat goes to the party receiving the largest number of votes. While formally a threshold exemption, it is effectively a 'one ethnic minority, one reserved seat' rule (Protsyk, 2010). These are the most extensive ethnic seat provisions in Europe. They produce a parliament that typically includes about 18 MPs (out of 334) from minority ethnic groups. In fact, small ethnic groups are over-represented in parliament relative to their numbers in the population: there are at least half a dozen ethnic communities, each constituting less than 0.01% of the population, that hold seats in parliament. In contrast, the Roma community is vastly under-represented, receiving just a single seat despite being the country's second-largest minority group (King and Marian, 2012: 571–572; Protsyk, 2010).

Unlike these smaller ethnic groups, the Hungarian population in Romania is sufficiently large, geographically concentrated and politically united that it has been able to elect co-ethnic representatives without resort to these special rules. The Democratic Union of Hungarians in Romania (UDMR) is the main party of ethnic Hungarians. It consistently receives about 6% of the popular vote – roughly proportionate to its share of the population – and has acted as one of the significant parties in the Romanian legislature. The Romanian scenario raises the question as to whether the special threshold exemptions have been devised in order to reduce the political influence of the larger and relatively more powerful ethnic Hungarian minority. While this was the likely original intent of the provision, it appears that the implementation of a broad set of minority rights for ethnic Hungarians has worked to counter this effect. It is true that the UDMR deputies tend to vote in opposition, while 'reserved seat' MPs behave consistently as a staunch ally of any government in power and always vote as such. Nevertheless, there is little evidence of erosion of the Hungarian ethnic bloc. Electoral reforms in 2008 that replaced the pure PR system with a mixed-proportional system brought no diminution in the percentage of seats held by the UDMR.

More questionable is what impact the Romanian quota scheme has in terms of the democratic empowerment of minority communities and the overall legitimacy of the political system. While the system has produced a high level of descriptive representation of Romania's smallest ethnic groups, King and Marian (2012) argue that there is effective segmentation and powerlessness of ethnic community organisations, and a lack of grassroots agency with respect to democratic equity and social reform. Concluding that Romania is 'an example of successful patronage politics through the vehicle of minority rights' (King and Marian, 2012: 585), they suggest that the main beneficiaries of the country's ethnic quota system are incumbent minority MPs, who use their positions to distribute benefits to ethnic clients in exchange for continued electoral support. Protsyk (2010) is more optimistic, pointing to deputies' active engagement in the parliamentary process, including chairing important parliamentary committees with competence over minority-related issues, participating in the preparation of government-drafted bills and exercising oversight of government agencies. While acknowledging the challenges of measuring deputies' responsiveness, he suggests that growing public access to online parliamentary records may hasten improvements in MP accountability. The fact that four of the 18 'reserved seat' MPs from 2008 were not returned in 2012 offers some support for this more positive assessment of Romania's ethnic quota system.

## Family 2: Systems that incorporate designated ethnic groups within larger pan-ethnic parties

This family ensures that ethnic candidates are included more or less proportionately within broader pan-ethnic parties. This may be done by imposing ethnic quotas within party lists (e.g. Djibouti, Singapore, Jordan, Lebanon), or by balancing the composition of the legislature by appointing 'best losers' among designated ethnic candidates from those lists (e.g. Burundi, Mauritius and, to some extent, Pakistan and Kazakhstan). The rules may be applied within PR or highly majoritarian systems (e.g. bloc vote, or single non-transferable vote in multi-member districts). This family of ethnic quotas offers some promise in terms of bridge-building in ethnically divided societies. Incorporating an ethnic group into broader parties may be important symbolically, modifying individual attitudes regarding in-group–out-group distinctions and thus reducing ethnic conflict at the societal level. The danger is that these rules often coincide with – and are used to justify – hegemonic political systems. There are two reasons for this. The first is that the ethnic MPs selected under such rules are usually beholden to the party for their position, and in many cases are not directly elected by an ethnic community at all. The second is that such systems require a strictly fixed definition of who is an ethnic representative or member of an ethnic group. The consequence of these two factors is that the community itself has very little power to ensure that representatives are responsive to their interests.

Singapore offers a well-documented case where an ethnic quota works as part of a cleverly conceived electoral design to ensure the continued dominance of the regime's ruling party. Since 1988, Singapore's electoral system has included a mixture of single-member constituencies (SMCs) and multi-member districts known as 'group representational constituencies' (GRCs), each elected by plurality rules (see also Tan, this issue). Within the GRCs, parties must field a list of candidates that includes at least one member of an official minority ethnic group (Indian, Malay or other non-Chinese). For their part, voters who live within an SMC select one candidate, while those in a GRC cast their ballot for an entire team of five to six candidates (a block vote). The ruling People's Action Party (PAP) argues that the GRC scheme provides a measure of inclusion for minority ethnic groups.

However, there is strong evidence that the ruling party introduced GRCs principally to disadvantage its political opposition, which had been gaining political momentum in the mid-1980s (Tan, 2010). The PAP has won all elections since the country gained independence in 1965, usually capturing the vast majority of seats, and no opposition parties have ever won a single GRC. Netina Tan (2010: 187–194) shows that ethnic representation in parliament was not imbalanced but generally approximated the national ethnic composition, and that current ethnic representation is not significantly different from the pre-GRC system. Rather, the main effect appears to have been to increase the seat advantage of the PAP. This advantage has grown as the GRC district boundaries have been shrewdly redrawn, the size of each block of GRC MPs enlarged and their proportion of all parliamentary seats increased.[12]

Similar to Singapore, ruling regimes in Djibouti, Kazakhstan, Pakistan and Jordan point to these measures of ethnic inclusiveness as evidence that the government is broadly representative and responsive to diverse societal interests, and that no systematic democratic reform is needed. Mauritius is possibly the only democratic state that can be classified under this family. Observers argue that the ethnic representational scheme in Mauritius has functioned well (Darga, 2004; Mathur, 1997). However, Barbara and Terrance Carroll (1999: 191) point out that while the provision may have been especially important in the early years of independence, it has now been more or less superseded by the normalisation of ethnically diverse candidate slates. They argue that despite its limited practical significance, the provision has been maintained because it symbolises

the fact that members of the various communities have an integral role to play in the affairs of their country. Mauritius aside, the weight of evidence suggests that of the three families, this one may be the least conducive to meaningful ethnic inclusiveness and democracy-building.

## Family 3: Creation of special electoral districts for ethnic interests

The third family guarantees group representation through the creation of separate electoral districts for ethnic groups. Countries applying this scheme include Bolivia, Colombia, Croatia, Fiji, India, New Zealand and Niger. A key feature of these schemes is that they usually allow members from the designated group a choice of voting in the general or special district. For example, in Croatia, minority ethnic voters can opt to cast their ballot for a general party list locally or for an ethnic representative in a larger, nationwide district. Likewise, in New Zealand, the country is divided into two completely overlapping sets of electoral districts. While non-Māori must vote in the general districts, Māori can choose to vote within the general district in which they reside or in their local Māori district.

India is an exception. The country is divided into 543 single-member constituencies, a percentage of which are reserved for Scheduled Caste (SC) and Scheduled Tribal (ST) representatives. In a reserved constituency, a voter cannot opt out of casting a ballot for a designated group representative; nor can a voter who is a member of the designated group, but who resides outside of a reserved district, opt in. Each of these modalities of group determination for the purposes of electing an ethnic representative has distinctive implications. In India, because the SC community tends to be widely dispersed, most SC representatives are in fact elected by a majority of non-SC voters, often reducing the responsiveness of SC representatives to the SC community (Jensenius, 2013). In New Zealand and Croatia, on the other hand, the process of self-selection into the ethnic electorate tends to produce a more distinctive, and often 'hard-line', ethno-nationalist constituency in the special districts.

How responsive the designated member is to constituent interests will also depend on the degree of party competition in these districts and the degree to which candidate nomination is controlled by a central party elite or given over to local actors. Where one party dominates the special districts, and where candidate selection is highly centralised, the elected member will owe allegiance more to the party than to the ethnic voters. Where the member is less certain that the party will carry the seat, or where the candidate must win a local primary election before running on the party ticket, we can expect the member to demonstrate more responsiveness to the expressed needs and interests of the group.

In general, this family of schemes is likely to ossify lines of group cleavage and leave group representatives largely frozen out or brushed aside from parliamentary deliberation. This occurs because the representatives elected to serve other districts may see themselves as removed from any responsibility to address minority ethnic interests. An MP's capacity for legislative influence tends to be greater in a minority government context. For minority ethnic MPs, opportunities for influence become especially strong where a minority government turns to small ethnic parties to secure parliamentary support. Such opportunities are less common under Family 3 than Family 1 quota systems. This is because ethnic quotas within Family 3 are usually embedded within a system of winner-take-all single-member districts that are inherently more likely to produce majority governments, while the proportionality rules of Family 1 quota systems are intrinsically more likely to produce minority/coalition governments.

There are a few cases under Family 1 where special minority districts are embedded within a more proportional mixed-member electoral system. New Zealand is an instructive case in this respect. Special districts for Māori representation have existed since 1867 as part of a

first-past-the-post (FPTP) system. Since electoral reform in 1996, the Māori seats have been embedded in a multi-member-proportional (MMP) system, combining single-member contests and party lists. The main effect of this reform is to produce a more balanced votes-to-seats ratio. It has facilitated a number of smaller parties winning legislative seats, one of which is the new Māori Party, formed in 2004. It also makes minority governments a more common occurrence. These circumstances have tended to increase the legislative influence of reserved-seat MPs, as can be seen in a number of ways. Prior to the reform, the Labour Party dominated the special Māori districts, and Māori MPs who were expected to vote with their party found it difficult to stand up for constituent interests. This was especially clear in a 2004 Labour government bill compromising Māori land rights. However, after the newly formed Māori Party won four of seven Māori seats at the 2005 election, Māori MPs were better able to resist mainstream party pressures (Johnson, 2013: 213–252). It can be seen again in 2011, when the National Party formed a minority government by negotiating an agreement with the Māori Party. The agreement stipulated a process of government consultation with the Māori Party, assigned ministerial portfolios to two Māori Party MPs and set out a series of policy objectives related to Māori interests and well-being.[13]

The New Zealand example suggests that where an ethnic community is geographically dispersed, embedding special ethnic districts within a mixed-member system presents several advantages. In addition to ensuring a minimum number of ethnic representatives via reserved seats, the added list procedure facilitates the election of smaller ethnic parties and simultaneously produces a new incentive for vote-seeking mainstream parties to demonstrate that they are ethnically inclusive. Cumulatively, this should result in genuinely more inclusive deliberations on issues that concern ethnic groups.

## Summary and conclusion

The main goal of this article has been to shed light on the complexity of ethnic quotas. Based on a broad survey of countries employing such measures, a novel schematic framework has been applied to classify different systems and theorise variations in representational dynamics that result from these rules. There are a number of important insights that arise from this work.

First, as Table 2 shows, variation among ethnic quota schemes appears to correspond more with regime type and the broader rules of the electoral system, and less with differences in ethnic demography. Nevertheless, particular rules do operate differently in relation to ethnic diversity and inter-group conflict. In particular, schemes under Family 1 can be 'gamed' by governing coalitions, who effectively co-opt a 'preferred' minority ethnic group in order to disempower a larger and more threatening ethno-nationalist group. Second, the analysis illustrates the role of regime authority and the strategy of power consolidation, to which Family 2 schemes appear especially vulnerable. Finally, rules for determining ethnic group membership influence legislator–constituency responsiveness, as well as the degree of inclusiveness in legislative decision-making. In principle, it seems important to allow minority ethnic voters to support a candidate for reasons *other* than group membership, and to allow responsiveness on a variety of dimensions *other* than the ethnic one. Voters from ethnic communities enjoy this kind of choice under both Families 1 and 3. Furthermore, mixed-member systems that incorporate special ethnic districts (Family 3) allow multiple channels for articulating the interests of ethnic communities – via mainstream parties, ethnic parties and special ethnic representatives – in the legislative process.

The three families that have been elaborated offer a useful starting point for understanding the wide variation in policy solutions for ethnic groups' under-representation. It is clear that distinct forms of ethnic quotas will have different effects in terms of the dynamics of minority representation. The rules for minority ethnic group integration into politics directly impact patterns

of mobilisation, the kinds of organisations that ethnic groups form and the demands that they articulate. Future research might take closer account of how prevailing ethno-political dynamics tilt the choice towards certain quota prescriptions over others, and how those rules in turn shape outcomes in terms of political stability, democratic equality, distributive fairness and transparency, mass participation, and empowerment. It should, in particular, explore the benefits and limitations of different schemes with respect to various stages of transition to democracy, and consider how rules might be revised as political conditions evolve.

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## Notes

1. There are also examples of ethnic quotas for elections to the upper house (e.g. Bosnia-Herzegovina) and at the sub-national level (e.g. Nicaragua, Peru). There are systems that ensure some degree of ethnic representation via federal structures, or through the creation of new municipalities and systems of territorial government (e.g. Canada, Spain, Mexico, Peru), or through over-representation in the seats allocated to certain regions (e.g. Tanzania). There are consultative bodies or separate parliamentary chambers for designated ethnic groups (such as the Sami Parliament in Norway). Finally, there are 'softer', less formalised procedures that can be undertaken to enhance (or limit) ethnic representation – including ethnic gerrymandering and voluntary party quotas. None of these are included in this study.
2. While most are *minority* groups, in some instances, the target may be a numerical majority that finds itself in a minority-like or non-dominant position. This is the case of the indigenous population in Bolivia, for example.
3. Ethnic quotas are distinctive from reserved seats for non-ethnic groups, such as youth, ex-militants or disabled persons. Representatives from these latter groups are usually appointed from civil society organisations, rather than elected by group members.
4. For example, both Lijphart (1999: 280–282) and Taagepera (1994) argue that we can use the proportion of women in elected office as a proxy indicator of minority representation in general. Similarly, proponents of electoral reform in various countries have argued that proportional systems using party lists offer the same advantage of better candidate placement for women and minority ethnic groups (e.g. New Zealand Royal Commission on the Electoral System, 1986; Law Commission of Canada, 2004: 62).
5. Where ethnic parties are absent, but where ethnic communities are residentially concentrated, those groups may do better under majoritarian electoral systems. In this case, groups can use their demographic size and group mobilisation to influence candidate selection among all parties vying to be the first past the post in the local contest.
6. Briefly, Lijphart (1999) is aligned with the consociational school of thought, which argues for PR electoral systems and formal power-sharing among groups. According to this view, majoritarian models of politics are inappropriate in ethnically divided societies because they tend to systemically exclude smaller ethnic blocs, which is likely to result in violence and democratic collapse. In contrast, Horowitz (1985, 1991) has argued against the introduction of PR on the basis that it leads to the representation of extremist or anti-system ethnic parties, which are a threat to regime stability. Rather than institutionalise ethnic differences, this school argues that political systems in divided societies should strive to disperse conflict, and create incentives for coalition-building across the ethnic divide.

7. See, especially, Bieber (2008), Bochsler (2010), Hughes (2008), Meier (2009), Reynolds (2005, 2006, 2007) and Vukelic (2012).
8. Space constraints prevent us from presenting information on all 28 cases. The full list of cases, along with functional details, can be obtained from the author.
9. The seat ratio is a function of the seats assigned under the ethnic quota, and does not reflect seats that group members might win outside of that scheme. It should therefore not be taken as an indicator of a group's under- or over-representation overall. Population data used to calculate the seat ratio for each group are drawn from the Central Intelligence Agency World Factbook and Minority Rights Group International.
10. Higher scores indicate highly fractionalised societies (see Fearon, 2003).
11. A change to Kosovo's electoral code in 2010 allows ethnic parties to have their votes count both for general seats (providing they surpass a 1% threshold), and for the 20 seats reserved for ethnic parties. The Serbian community in Kosovo (which receives 10 of the designated 20 seats) responded to this change by consolidating into fewer parties so as to increase their vote share and chance of winning general seats. A side effect of this strategy was to increase the number of Serbian minority women elected to the legislature. This is because Kosovo's gender quota placement rule (one woman for every three candidates) becomes effective only where a party elects more than two candidates. Following elections in 2007, of 10 Serbian minority MPs spread across six parties, only two were women; by contrast, elections in 2010 produced 13 Serbian minority MPs spread across three parties, six of whom were women.
12. In 1988, each GRC team was comprised of three MPs and the GRCs constituted approximately 48% of elected parliamentary seats. By the time of the most recent elections in 2011, the size of each GRC team had increased to either five or six MPs and 86% of elected parliamentary seats were from GRCs.
13. National Party of New Zealand Relationship Accord and Confidence and Supply Agreement with the Māori Party (11 December 2011). Available at: http://www.parliament.nz/resource/0001691459

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