Political Representation:
A Method of Conflict Resolution and a Process of Democratic Progress

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Foreword

DPI aims to foster an environment in which different parties share information, ideas, knowledge and concerns connected to the development of democratic solutions and outcomes. Our work supports the development of a pluralistic political arena capable of generating consensus and ownership over work on key issues surrounding democratic solutions at political and local levels.

We focus on providing expertise and practical frameworks to encourage stronger public debates and involvements in promoting peace and democracy building internationally. Within this context DPI aims to contribute to the establishment of a structured public dialogue on peace and democratic advancement, as well as to create new and widen existing platforms for discussions on peace and democracy building. In order to achieve this we seek to encourage an environment of inclusive, frank, structured discussions whereby different parties are in the position to openly share knowledge, concerns and suggestions for democracy building and strengthening across multiple levels. DPI's objective throughout this process is to identify common priorities and develop innovative approaches to participate in and influence the process of finding democratic solutions. DPI also aims to support and strengthen collaboration between academics, civil society and policy-makers through its projects and output. Comparative studies of relevant situations are seen as an effective tool for ensuring that the mistakes of others are not repeated or perpetuated. Therefore we see comparative analysis

of models of peace and democracy building to be central to the achievement of our aims and objectives.

Greater political representation for minority groups can provide people with a democratic and peaceful outlet for their views and grievances. This can contribute to a healthy dialogic exchange between different groups in society and on the political stage. This paper considers three case studies and the different political structures that Bolivia, South Africa and Sri Lanka have in place, in order to provide examples of both positive and less effective methods of ensuring political representation. In doing so, this paper aims to demonstrate the way in which greater political representation can lead to a successful resolution of conflict and/or help to assist democratic progress more generally.

This working paper was prepared with the kind assistance of Stephanie Guthridge.

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Democratic Progress Institute
March 2013

Introduction

Contemporary intra-state conflicts invariably involve one or multiple minority groups challenging the current system of government. Common features of such conflicts include: force and violence, loss of homes and internal displacement, low development rates, and loss of functionality of the state. Affronted groups in the contexts of such conflicts are often seeking some form of independence, autonomy, recognition of identity and rights, or political representation. Currently in many countries around the world, for example Colombia, Myanmar, and the Philippines, peace talks are beginning or have taken place with marginalised groups of society seeking political as well as other human rights; hoping for a fairer political system to be put in place. These political system reforms are what this paper is setting out to explore, looking particularly at how they can contribute towards stability in a country, in the context of conflict resolution.

Firstly, the meaning of political representation and the international commentary on this issue will be considered; looking at Conventions and Covenants to discern what perspective the collective international community presents on this matter. Also, a general overview of the subject matter will be presented, such as an introduction to the different types of political structures. Chapter II will look at the technical aspects of political representation, analysing in more detail the different electoral systems in the three branches of government(legislative, executive and judiciary), and

describing alternative modes of representation, such as regional autonomy. The final chapter will consider the social dimension of political representation, looking into the importance of trust-building, inclusionary dialogue, and identification with the state. The cases of the Plurinational State of Bolivia, the Republic of South Africa and the Democratic Socialist Republic of Sri Lanka will be considered in detail to support the arguments presented in this paper, as well as to show more or less positive examples of project implementation that allow for more representative political structures.

This paper aims to demonstrate that greater political representation cannot only help to resolve conflicts, but it can also contribute to the maintenance of long term peace and stability; decreasing the likelihood of violence reoccurring. However, it will also be shown that the effectiveness of greater political representation is determined by the degree to which minority groups are included in the process of creating a new system of government. This means that any particular system employed should be complementary to the specific issues within each country.

Chapter I: Background Information

The significance of political representation

In its strictest form political representation refers specifically to the accountability of an individual or political party to the group of people they are representing.[1] This is distinguished from the more general term 'political participation,' which is a less direct form of representation, in the sense that people from minority groups may be elected to Parliamentary positions but as part of a political group that does not have a specific minority agenda.[2] This type of participation is focused on having a more representative governing system, but the candidates from minority groups do not necessarily have a minority mandate to fulfil.

Broader distinctions have been made which describe representation in terms of the voting system; where the public selects candidates and political parties that represent their interests, and political participation as the engagement of public officials and the media by the public.[3]

This paper encompasses most of these ideas, but will engage mainly with the political system and with the steps that can be taken towards its reformation rather than looking at the ways in

1 Weller, M and Nobbs, K (2010) Political Participation of Minorities: A Commentary on International Standards and Practice. Oxford: Oxford University Press, pp. 82-83
2 Weller, M and Nobbs, K (2010) Political Participation of Minorities: A Commentary on International Standards and Practice. Oxford: Oxford University Press, p.79
3 Dalton, R. J (1985) 'Political Parties and Political Representation: Party Supporters and Party Elites in Nine Nations' Comparative Political Studies 18 (267), p.268, retrieved on 31/07/2012 at: <http://cps.sagepub.com/content/18/3/267>

which the public can exert influence on the Parliament.

Having a fair and democratic political system in place allows every citizen the opportunity to participate and represent people who share their views. It provides citizens with a platform to speak about their grievances and engage in dialogue with others whether or not they share the same views and concerns. The purpose of these forums is to allow individuals and groups involved to reach a compromise and agree a solution by generating a lively debate, which enables people to exchange views and opinions.. Without this outlet, resentment might arise among the people towards those in positions of power, a resentment which might escalate to violence, as people might start defying the rules of society.[4]

If all people were afforded their rights as laid out by the international agreements and covenants, then violent conflict could be avoided to some degree.[5] However, people require more than just a seat in Parliament; they need to be able to actually bring about the changes they feel to be necessary. Cooperation between the State and minority groups is necessary to accomplish the much desired unification and identification with the state. While a minority group may not share the same values as the State, they can still find a reason for identification in the rights granted them by the

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4 McDougall, G (2010) 'Report of the independent expert on minority issues' United Nations General Assembly: Human Rights Council. p. 12, retrieved on 30/07/2012 at: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-45.pdf>
5 McDougall, G (2010) 'Report of the independent expert on minority issues' United Nations General Assembly: Human Rights Council. p. 12, retrieved on 30/07/2012 at: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-45.pdf>

> **Political Representation:**
> Accountability of an individual or political party to the group of people they are representing.

State, and thus feel part of that nation. For a country to be on route towards democratic progress, greater political representation is the first step that needs to be undertaken.

International commentary on political representation

The International Covenant on Civil Political Rights (ICCPR)[6] refers explicitly in Article 25 to the right of every person to be able to participate in public affairs. However, all articles should be read in conjunction with Article 2, which requires that its contents be adhered to 'without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'.[7] Article 2 also requires each state to adopt legislation in accordance with the contents of the article, and to ensure that every individual has an effective remedy for violations of rights, and that this is both determined and enforced by a judicial authority.[8]

6 International Covenant on Civil and Political Rights: Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 23 March 1976, in accordance with Article 49, retrieved on 27/07/2012 at: <http://www2.ohchr.org/english/law/ccpr.htm>
7 Article 2 s.(1) of the International Covenant on Civil and Political Rights: Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 23 March 1976, in accordance with Article 49, retrieved on 27/07/2012 at: <http://www2.ohchr.org/english/law/ccpr.htm>
8 Article 2 s.(2), (3)(a), (b) & (c) of the International Covenant on Civil and Political Rights: Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 23 March 1976,

Article 25 states:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

These articles demonstrate the basic civil and political rights of each individual whose state is a party to the Covenant. This paper attempts to show how greater adherence to these rights could resolve conflict whilst at the same time, promote democratic progress. The ICCPR has been criticised for making broad claims, especially with regards to the use of the term 'genuine elections' which is not explained as well as more common terms ('free election' for example), and consequently leaves the provisions within the document open to great interpretation.[9] This is an issue of concern because it affects how seriously the provisions are taken, with broader rights too often being ignored.

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in accordance with Article 49, retrieved on 27/07/2012 at: <http://www2.ohchr.org/english/law/ccpr.htm>

9 Weller, M and Nobbs, K (2010) Political Participation of Minorities: A Commentary on International Standards and Practice. Oxford: Oxford University Press, p. 354

The United Nations (UN) Declaration of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities sets out more generally that minority groups must have a say in the decisions concerning the regions in which they reside. Even though this declaration is not quite as forceful as the Covenant set out above, as its broader wording gives states more interpretative licence, it nonetheless reinforces the idea that minority groups should have a say in how their regions are administered. The relevant sections of this Declaration are set out below:

Article 2

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.
4. Persons belonging to minorities have the right to establish and maintain their own associations.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.
2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

The General Assembly (GA) Human Rights Council (HRC) released a report in 2010 following a UN forum on minority issues,

which brought together experts in the field to exchange views and updates on minority issues in different regions around the world. This report looks at minority issues in general, with some focus on political participation; making the link between greater minority rights and conflict prevention and democratic progress. It cites the many ways in which greater minority involvement can lead to a more peaceful state, which will be discussed in this paper as well. Rather than being responsible for the fragmentation of thestate, increased minority involvement secures peace, as it provides for everyone the opportunity to share his/her viewpoint in a non-violent manner. Also,Additionally, the consideration and space for different viewpoints can lead to a more diverse and innovative state. Hence, the state can flourish on a number of different levels, especially with regard to development and policy making. This summary also points to the importance of taking note of the particular circumstances of each state; showing that the reforms necessary for each specific state can vary enormously. This notion depends both on the aspirations of different groups and the whether the communities of minorities are concentrated or spread out.

> **Rather than being responsible for the fragmentation of thestate, increased minority involvement secures peace, as it provides for everyone the opportunity to share his/her viewpoint in a non-violent manner.**

The High Commissioner for National Minorities (HCNM) is a role within the Organisation for Security and Co-operation in

Europe (OSCE). This position was created so as to establish early on, where and in which countries potential conflicts could arise, in order to find methods of preventing them. This is achieved by encouraging cooperation between the aggrieved parties as opposed to taking sides in a potential conflict; the HCMN acts as a neutral mediator. Speeches and publications are released frequently; giving updates on the situation as well as recommendations. This reinforces the idea that with early cooperation and negotiation, conflict can be avoided and issues can be resolved in a non-violent manner. However, one of the limitations of the HCMN's role is that communicating with groups using terrorism and violence is not within their capacity. Gaining a consensus on the complete disarmament of a conflict situation is not always straight-forward, and it often takes more time to negotiate or form part of a peace agreement. Therefore this proviso on the HCMN's role can be seen as restrictive.[10]

The use of international commentary in this area is limited because, while it may set the standards that need to be achieved, states are afforded great autonomy; the principle of sovereignty having the upmost importance. Therefore Covenants, Declarations and forums on the subject of improving dialogue and including more people in the political process can only go so far in promoting greater political participation. The real change has to come from within the state system itself.

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10 Organization for Security and Co-operation in Europe (OSCE) (2012) High Commissioner on national Minorities, retrieved on 03/08/2012 at: <http://www.osce.org/hcnm> Organization for Security and Co-operation in Europe (OSCE) (2012) High Commissioner on national Minorities; Mandate, retrieved on 03/08/2012 at: <http://www.osce.org/hcnm/43201>

Various electoral and political systems

The structure of Parliament and government in any country is determined by the electoral voting system that is used. Therefore a fair voting system is essential in order to gain a representative governing body. There are two main types of electoral systems, each with several variations. They are: the plurality-majority system, which is used in the United Kingdom (UK), Canada, India and several African countries such as Gambia, Botswana and Kenya, and the proportional representation arrangement which is utilised by many European countries such as Austria, Belgium, and Norway as well as Peru, Rwanda and Mozambique.[11]

> **Therefore a fair voting system is essential in order to gain a representative governing body**

There is no 'perfect' system and both of these systems are present in successful, democratic political systems. Moreover, these two systems are not completely independent of each other; states will often use a combination of approaches to achieve a desirable system.[12] This section will provide a general overview of the two main voting systems before exploring them in more depth later on in the paper.

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11 Table of Electoral Systems Worldwide IDEA, retrieved on 11/09/2012 at: <http://www.idea.int/esd/world.cfm>

12 Reynolds, A (2006) 'Electoral systems and the protection and participation of minorities' Minority Rights Group International, p. 8 retrieved on 03/08/2012 at: <https://www.tavaana.org/uploads/20715020003412956527565522/files/Electoral%20Systems%20and%20the%20Protection%20of%20Minorities%20-%20PDF%20-%20English.pdf>

Plurality-majority is the voting system whereby two main political parties dominate Parliament. Examples of this include First Past the Post (FPTP) and Alternative Vote (AV). The AV system requires voters to rank their candidates; the votes are added up beginning with the first choice, and if a majority has not been reached then the person with the least number of votes is discarded and the second choice votes for the discarded candidate are allocated to the candidates still in the running. This carries on until a majority has been reached. With the FPTP system, whoever wins the most votes in each constituency wins a seat in Parliament, regardless of whether they achieved a majority. This can be problematic where, for example, there are more than two parties to choose from; the winning candidate may only just get the highest number of votes and it will almost certainly not be a majority. Therefore, the system can end up becoming unrepresentative. However, the FPTP model may be potentially useful in countries where there are densely populated minority regions.[13] If the minority group puts forward a candidate, they stand a better chance of getting a majority vote in the regions dominated by that group and consequently, a seat in Parliament. The potential issue with this however, is that this system is usually dominated by two parties, for example the Labour Party and the Conservative Party in the United Kingdom (UK). For minorities, having just a handful of representatives in a system

13 Dalton, R. J (1985) 'Political Parties and Political Representation: Party Supporters and Party Elites in Nine Nations' Comparative Political Studies 18 (267), pp.130-134, retrieved on 31/07/2012 at: <http://cps.sagepub.com/content/18/3/267>; Reynolds, A (2006) 'Electoral systems and the protection and participation of minorities' Minority Rights Group International, pp. 8-11 retrieved on 03/08/2012 at: <https://www.tavaana.org/uploads/20715020003412956527566522/files/Electoral%20Systems%20and%20the%20Protection%20of%20Minorities%20-%20PDF%20-%20English.pdf>

that is dominated by the parties that have always been in place, may not do much to change policy. On the other hand, political change is a slow process and this could work as a stepping stone towards greater political representation. The system adopted is then dependent on the type of measures that are needed in a particular country. In Sri Lanka for example, a mere few candidates representing the Tamil population have not been enough to secure the rights that they seek to attain.

Again, with the AV system there is still the issue of the two main parties dominating. Further, minority groups may well put one of the dominant groups down as their second and third choice, which means that if the first choice (for example one of the minority parties) does not get enough votes to be awarded a seat in government then the second choice is looked at, which is usually one of the dominant parties.

Plurality majority voting system:
There are two parties who dominate the political system and the most common electoral system are FPTP and AV. This is not overly suitable for minority representation.

One point of interest to note at this stage is the provisions made to include more women in the political structure of the state. In post-conflict situations women's interests are equally as important as ensuring the minorities are represented. However, the provisions made for women, depending on the country of course, tend to require less of an overhaul of the system because it involves using

quotas and increasing the number of women in existing political parties.[14] Bear in mind that this is not always the case, for example in Northern Ireland a Woman's Coalition was formed in 1996 which impacted greatly on the path the country took towards reconciliation and a redrafting of rights.[15] However as a general rule, women tend to be included through using these quotas, but ethnic groups tend to have their own political parties which represent their viewpoint.[16] Therefore, systems which accommodate smaller parties tend to be more useful.

Proportional representation (PR), in contrast to a plurality majority system, is directly proportional to the number of votes each seat obtains. This is calculated on a percentage basis and it is meant to reflect, as closely as possible, the will of the people.
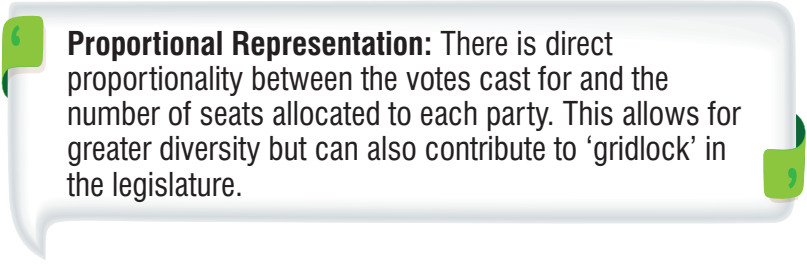
With the PR system, voters sometimes get the opportunity to vote for the parties' leader – this is done using a preference list where candidates are ranked. This system allows for greater representation if minority groups are small but also widely dispersed because parties do not have to gain a majority in their particular region or area, they are just awarded the number of seats proportional to the

14 Htun, M (2004) 'Is Gender like Ethnicity? The Political Representation of Identity groups' Perspectives of Politics 2 (3), p.441, retrieved on 05/09/2012 at: <http:// www.u.arizona.edu/~jag/POL596A/htungenderethnic.pdf>

15 DPI (2012) 'The Role of Women in Conflict Resolution' DPI Roundtable Meeting, p.53, retrieved on 16/11/2012 at: <http://www.democraticprogress.org/wp-content/up-loads/2012/11/DPI-Roundtable-The-Role-of-Women-in-Conflict-Resolution.pdf>

16 Htun, M (2004) 'Is Gender like Ethnicity? The Political Representation of Identity groups' Perspectives of Politics 2 (3), p.441, retrieved on 05/09/2012 at: <http:// www.u.arizona.edu/~jag/POL596A/htungenderethnic.pdf>

number of votes they received. This could be quite useful in post-conflict countries where there is often widespread displacement of people.[17] However, this voting system could be problematic in that, with no dominant party in Parliament, a clear agenda and direction of government may be hard to determine and implement.[18]

> **Proportional Representation:** There is direct proportionality between the votes cast for and the number of seats allocated to each party. This allows for greater diversity but can also contribute to 'gridlock' in the legislature.

However, the threshold for a party to gain entry into the legislature is relevant to both systems. A country may set a standard or threshold of , for instance, six per cent which means that for an individual or political party to serve in the legislature, they must have received six per cent of the votes throughout the country. This is clearly a problem for minority groups who do not always reach this threshold. In certain instances the percentage of people within a minority group may be less than the required threshold percentage. Especially since some people from minority groups may have voted for other parties and others may abstain.

A further issue to consider is the way in which the country is

17 Reynolds, A (2006) 'Electoral systems and the protection and participation of minorities' Minority Rights Group International, p. 10 retrieved on 03/08/2012 at: <https://www.tavaana.org/uploads/20715020003412956527565226/files/Electoral%20Systems%20and%20the%20Protection%20of%20Minorities%20-%20PDF%20-%20English.pdf>

18 Dalton, R. J (1985) 'Political Parties and Political Representation: Party Supporters and Party Elites in Nine Nations' Comparative Political Studies 18 (267), p.150, retrieved on 31/07/2012 at: <http://cps.sagepub.com/content/18/3/267>

divided. For example, the United States of America (USA) is a federal constitutional republic and is split into fifty states.

Each state has its own jurisdiction and is largely autonomous, with only a few areas being governed through the central system. The police departments, criminal law and education are all determined at the *state* rather than the *federal* level. Each state has its own executive, legislature and judiciary, just as the central system does, and below this level, are local government bodies, as the state is divided into counties and districts.[19] China on the other hand is split into *provinces* each with their own provincial governing systems but they do not have the same degree of autonomy as the states in the USA. China's system cannot be considered federal, because the central authority appoints the provincial leaders, rather than the people of the provinces electing a representative. However, each province is in charge of its own education, health, and welfare system as well as its financial budget. Projects for economic growth need to be agreed upon by the central authority but on the whole, provinces are free to carry out different initiatives in this area.[20] These systems are largely in place due to the size of the USA and China; they are simply too large for one central authority to control them.

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19 State and Local Government, retrieved on 07/08/2012 at: <http://www.whitehouse.gov/our-government/state-and-local-government>
20 Lawrence, S.V, Martin, M. F (2012) 'Understanding China's Political System' Congressional Research Service, p.5 retrieved on 07/08/2012 at <http://www.fas.org/sgp/crs/row/R41007.pdf>

Variations on these systems exist elsewhere, for example Canada has a federal system with one central authority, ten provinces and three 'territorial' governments, all of which have a law-making function.[21] However, the central authority has control over more areas, such as agreement on a nation-wide health plan.[22] South Africa has national, provincial, and local government systems; the provinces have their own legislatures and executives.[23] Again, the central authority reserves the right to intervene in a variety of areas, such as fiscal issues.[24]

This consideration of comparative models of governance provides an idea of the many ways in which a country can be organised and the endless hybrid model possibilities; meaning that each country can organise itself with their particular needs in mind.

> **Executive, Legislature, Judiciary:** These are the three arms of government. They are ideally meant to be separate, so as to increase accountability through a 'checks and balances system'.

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21 Parliamentary Institutions: The Canadian System of Government, retrieved on 07/08/2012 at: <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch01&Seq=2&Language=E>
22 Health Canada: Canada's Health Care System, retrieved on 07/08/2012 at: <http://www.hc-sc.gc.ca/hcs-sss/medi-assur/index-eng.php>
23 Government in South Africa, retrieved on 07/08/2012 at: <http://www.southafrica.info/about/government/gov.htm>
24 van Zyl, A, Walker, L (1999) 'Juggling central control and provincial fiscal autonomy in South Africa' Development Southern Africa, retrieved on 07/08/2012 at: <http://www.tandfonline.com/loi/cdsa20>

On a final note, the judiciary plays a very significant role, in its traditional democratic capacity as providing a check on the executive and the legislature. This paper will not focus too heavily on this institution however, preferring to limit the paper mainly to a discussion of those who are typically elected by the people but the role of the judiciary in making the governance institutions more accountable will be touched upon.

Chapter II: Technical aspects of different political systems

Due to the many ways in which governments and legislatures can be organised and the different processes of achieving such organisation, the technical aspects of political representation need to be considered. These include questions of how the plurality majority model and the proportional representation system impact on the structure and functionality of the arms of government, for example, the executive, the legislature and the judiciary; and consequently, the extent to which it allows for democratic progress to occur. Assessing the technical aspects of political representation involves a consideration of the way in which political parties can be formed and the basis of their formation, such as through a shared ethnicity or ideology, and the effect that these different approaches can have. Outside of the central system of government, the regional and local authorities need to be considered as this is an important way in which minorities can gain representation – through having

regional autonomy. These issues will be looked at in the specific contexts of Bolivia, South Africa and Sri Lanka. Despite the potential usefulness of comparative case studies, it is important to note that each country is different in size, layout, ideology, ethnicity, culture and the type of social issues they experience. This means that a 'carbon copy' of one set of political reforms that took place in South Africa cannot automatically be applied to Sri Lanka. To do so would be to ignore the vast cultural, geographical and social differences between the two countries. Having said that, these case studies and examples are useful for providing ideas about the different systems that can be adopted and even small parts of one country's reforms may be useful for another. This chapter seeks to demonstrate some of the ways in which political structures can bring about conflict resolution and enhance democracy.

Electoral Systems
Plurality majority systems

The main case studies to be used in this paper namely, Bolivia, South Africa and Sri Lanka, all have at least one element in common; they all have electoral systems using the proportional representation method of voting. However, Bolivia has a hybrid system in that, it uses both proportional representation and the plurality voting systems. The advantages and disadvantages of plurality majority systems and those of proportional representation have already been alluded to above, but further explanation of plurality majority systems are noted briefly here.

Plurality majority systems of FPTP and AV are popular throughout the world and they do provide a legitimate structure for democracies. For example, by having fewer parties in Parliament, legislative changes and agreements can be made more quickly because it is easier to gain the majority required to make changes. Although, this is not particularly useful in contexts of conflict resolution where the changes that need to take place, require the involvement of representatives from all sides of the conflict. The intra-state conflicts of the last few decades have, for the most part, contained an element of tension between different ethnic groups. This is true for the conflict in Rwanda between the Tutsis and the Hutus, the Kurds in Turkey, the conflict in the Balkans, as well as for the case studies that are being considered in this paper – Bolivia, South Africa and Sri Lanka. Of course there are added elements and complexities to each conflict. For example the conflict in the Democratic Republic of the Congo (DRC) began as a result of weak governance and ethnic tensions but developed into a conflict surrounding competition for natural resources.[25]

The plurality majority model does not fit with conflict resolution models because by its very nature, it is not sufficiently inclusive and this lack of inclusivity is often what sparks outbreaks of violence in the first place. It was noted above that the plurality majority model may work quite well in countries where there are one or two regions that are densely populated with a minority group. However, while

25 Nest, M, Grignon, F and Kisangani, E. F (2006) The Democratic Republic of the Congo: Economic Dimensions of War and Peace. International Peace Academy Occasional Paper Series. Colorado: Lynne Rienner Publishers Inc, pp.35-36

this may allow for a small number of people from minorities to be elected, it does not give them any power to improve the situation of their minority group. The effectiveness of this method varies from between countries but it can be safely assumed that, if there has been a conflict, then merely affording the minority group one or two seats in Parliament is unlikely to provide a sustainable solution. For example, the Tamils in Sri Lanka who mainly reside in the Northern and Eastern areas of the country, were not satisfied with their role in parliament and began demanding complete separation from the state.

Despite this example, one situation in which having a dominant party has worked quite well is in South Africa. The first post-apartheid election in 1994 saw the African National Congress (ANC) win with over 62 per cent majority, creating a Government of National Unity with the National Party and the Inkatha Freedom Party. The ANC had the required two thirds majority to make necessary constitutional changes for democratic reform The new constitution recognised the injustices of the past while providing rights for all races, as instrumental in making South Africa a more equal society. However, the ANC's majority was obtained using a voting system of proportional representation and this election had a turnout of over 85 per cent of the population. This sweeping majority then, was still an accurate reflection of the desires of the people.

Hybrid systems

Bolivia has one of the largest proportions of indigenous peoples in Latin America, comprising several different ethnic groups. Having been colonised by the Spanish, Bolivia also includes a white ethnic group that until the takeover of Evo Morales in 2005, has largely dominated the positions of power in the country. The range of ethnic groups in Bolivia has resulted in vast differences in opinion on the division of land and the use of natural resources; leading to protests, several coup d'états and widespread civil unrest. Since 2005 Bolivia has made significant steps towards stability; something which has been impacted greatly upon by the Movimiento Al Socialismo (MAS – Movement towards Socialism) Party taking office, with Evo Morales as the leader. This marked the first time that a member of an indigenous group rose to power in Latin America. However this has not completely quelled the unrest in Bolivia as there are several ethnic minorities, all with competing interests. This section will consider the methods applied to gain this greater political representation, in order to assess what has worked well, but also to highlight the areas that still require some attention.

> **Bolivia has one the largest proportions of indigenous peoples in Latin America, comprising several different ethnic groups.**

The process towards Bolivia's political structure is complex in that it adopts three different methods for electing members to

the Chamber of Deputies (CoD) and the Senate. The CoD uses two election methods; one of which requires people to vote for a representative from their district to take a seat in Parliament, and seven out of the 77 seats allocated are specifically held for districts with indigenous communities. The remaining 53 seats stem from the nationwide vote that is cast for the election of the overall presidential party. So whoever gains seats in this second method of voting, this will correspond to the percentage of votes gained by the parties that were chosen on a national, as opposed to regional scale. Finally, the Senate has 36 seats and these are allocated using a preference voting list which tends to favour larger political parties. The President and Vice President are elected directly in a separate vote cast nationwide.[26]

The most recent national elections in 2009 saw a turnout of over 95 per cent of registered voters and an 85.55 per cent turnout overall; with Evo Morales gaining a firm majority.[27] This is a very positive response and it is something which many 'stable and democratic' countries such as the USA and the UK struggle to achieve.

The MAS party is not specific to one indigenous group in the sense that its policies seek to include everyone – their ethnicity being irrelevant. Furthermore, the threshold for political parties to take

26 Article 166, Bolivia Political Constitution of the State (2009), Translated by Embassy of Bolivia, Washington DC, retrieved on 03/09/2012 at: <http://www.scribd.com/doc/73770823/Bolivia-2009-Official-Translation>
27 IDEA (2011) 'Voter turnout data for Bolivia' International Institute for Democracy and Electoral Assistance, retrieved on 30/10/2012 at: <http://www.idea.int/vt/country-view.cfm?id=29>

place is set at only three percent, which means that small indigenous groups have the opportunity to become involved in politics. This has been successful in quelling some of the civil unrest in Bolivia; the inclusivity the political system allows for, means that citizens feel as though they have the chance to be well represented.[28]

However, even with this approach there remain some significant flaws in the system. For example, by only having seven seats out of 130 allocated for indigenous groups, (of which there at least 135 forming over half of the population) the space reserved for them is not big enough for them to have a real impact.[29] Further, due to the way in which the votes in the Senate are calculated,[30] larger parties tend to fare best in this scenario. So even though the threshold is set very low, the system only goes so far in accommodating smaller political parties. The grievances felt by the people of Bolivia can be seen through the current conflict over the road that may be built through the middle of the Isiboro Secure Indigenous Territory and National Park. Reports show that not all the people living in this area were consulted about the project and yet the government claim that they had approval from the residents. However, opinions on the construction of road are divided, with some indigenous groups

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28 Kohl, B (2010) 'Bolivia under Morales: a Work in Progress' Latin American Perspectives,37 (107), retrieved on 10/08/2012 at: <http://www.temple.edu/gus/kohl/documents/kohlbumworkinprogress.pdf>
29 Bueno, R.L, Datta, A (2011) The politics of Evo Morales' rise to power in Bolivia: The role of social movements and think tanks, retrieved on 09/08/2012 at: <http://www.odi.org.uk/resources/docs/7063.pdf>
30 D'Hondt system, for further explanation of this method see: Álvarez-Rivera, M (2010) The Republic of South Africa Electoral System, retrieved on 10/09/2012 at: <http://electionresources.org/za/system/#ASSEMBLY>

in support and others against it.[31] Even with greater representation there are many problems to be confronted in making sure that each groups' interests are looked out for. This can be seen clearly when looking at the protests of local miners who are fighting to safeguard Bolivia's natural resources, to protect their jobs against multinational corporations.[32]

These events and conflicts suggest that the plurality majority section of Bolivia's system is still hindering the representation of certain minority groups. Alternatively, it does mean that there is not a 'gridlock' in Parliament or the legislative arm of the state. In fact, there is more chance of a majority being reached on policies. Additionally, as Bolivia is still a transitional democracy, the state is still working to implement the articles of its constitution into legislation. to have an impact on society, less 'gridlock' in Parliament is very useful. Furthermore, even if all minority interests were represented one government will never be able to please all groups of people. Take the conflict over the potential road construction in Isiboro National Park, whichever way the decision to build goes, some people will be aggrieved and this may lead to unrest.

31 Farell, R.H (2012) 'Outcome of TIPNIS consultation uncertain' latinamericapress, retrieved on 16/10/2012 at: <http://lapress.org/articles.asp?art=6720>; Shahriari, S (2012) 'TIPNIS Divided as Some Communities Block Government Road Consultation' Indian country: todaymedianetwork.com, retrieved on 16/10/2012 at: <http://indian-countrytodaymedianetwork.com/2012/09/19/tipnis-divided-as-some-communities-block-government-road-consultation-134722>
32 Harris, D (2012) 'Mining Conflicts and the Politics of Post-Nationalization Bolivia' Upside Down World, retrieved on 16/10/2012 at: <http://upsidedownworld.org/main/bolivia-archives-31/3901-mining-conflicts-and-the-politics-of-post-nationalization-bolivia>

A delicate balancing act is required but ultimately, more provisions need to be made to accommodate the multiple viewpoints in Bolivia.

> **Morales dismissed many judges in 2009 without reappointing the same amount which means that the full force of this particular check on the government can be said to be missing.**

Also relevant to political representation is the role of the judiciary. Ideally, the judicial arm of the state comprises impartial enforcers of the legislation and/or common law of a country, and therefore, the method of appointment used and their affiliations become very important. Morales dismissed many judges in 2009 without reappointing the same amount which means that the full force of this particular check on the government can be said to be missing.[33] However, Bolivia's constitution does allow for the appointment of Magistrates of the Supreme Court through the people's vote and this could be seen as a step towards a more impartial and accountable judiciary.[34]

> **Hybrid System:** This is a system whereby both the plurality majority political mechanism and the proportional representation system are used to determine who makes up the governing system.

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33 Wolff, J (2011) 'Challenges to Democracy Promotion: The case of Bolivia' The Carnegie Papers, p.6 retrieved on 19/10/2012 at: <http://carnegieendowment.org/files/democracy_bolivia.pdf>

34 Articles 181-182(1), Bolivia Political Constitution of the State (2009), Translated by Embassy of Bolivia, Washington DC, retrieved on 03/09/2012 at: <http://www.scribd.com/doc/73770823/Bolivia-2009-Official-Translation>

Proportional Representation Systems
The Republic of South Africa

Following South Africa's brutal apartheid regime, the ANC, led by Nelson Mandela, took power and began the process of more equal distribution of rights for all citizens. The system of apartheid reduced the non-white population of South Africa to second class citizens and caused complete segregation in the country; with the non-white people being told where their designated areas were by the white people. This marginalisation caused widespread civil unrest and resulted in the deaths of thousands of people. Mandela was an activist who was combating this racism, and ended up paying the price with a 27 year prison sentence. Upon release, Mandela and the ANC received the majority vote in the first fair election of South Africa that took place in 1994. They were able to make constitutional changes which then entrenched greater rights for all citizens within South African law.[35] Below, the process used to bring an end to apartheid is examined, as well as the way in which South Africa has progressed in the years since the ANC first came to power.

South Africa is a unique case as a new constitution was adopted in 1997, after winning a two thirds majority in the Constitutional Assembly set-up by the interim government that ruled from 1994 to 1996. After years of negotiations, the new constitution allowed for new political and social structures to be implemented.. Usually constitutional change is something which is gradually worked

35 Constitution of the Republic of South Africa (1996), retrieved on 03/09/2012 at: <http://www.info.gov.za/documents/constitution/1996/a108-96.pdf>

> **This marginalisation caused widespread civil unrest and resulted in the deaths of thousands of people.**

towards only after greater political representation has been secured, as was the case with Bolivia. Since the end of apartheid, South Africa has largely managed to avoid civil conflict and to establish itself among the category of fast developing nations (Brazil, Russia, India, China and South Africa - BRICS).

The President of South Africa is elected from among the members of the National Assembly, by those members.[36] The National Assembly of South Africa is elected using a system of proportional representation. A method is used whereby two hundred seats are allocated using regional votes and the next two hundred via a national vote. In each case the elector votes for a whole party rather than an individual. A calculation is used whereby the total number of votes cast is divided by the seats available (plus one) and the value obtained (X) sets the threshold for the political parties hoping to obtain a seat. Thus, the number of votes for each party is divided by X, and the result is the number of seats that will be allocated for that party. If X is greater than the number of votes for a party, then that party will not gain any seats. This calculation is used for both regional and national votes.

36 s.86, Constitution of the Republic of South Africa (1996), retrieved on 03/09/2012 at: <http://www.info.gov.za/documents/constitution/1996/a108-96.pdf>

The remaining seats are distributed among the parties that have already obtained seats, starting with the party that has the highest number of votes left over and working its way down. This usually means that the remaining seats are distributed among the smaller parties, as is the case with South Africa. The Provincial levels of government are elected in the same manner. This method ensures that there is widespread representation and that smaller parties have a chance of gaining seats.[37] However, it is important to note that people are voting for parties rather than being able to choose the individuals that represent them. This means that the decision over who exactly is in power is still made by relatively few people due to this closed list system. If South Africa wanted to increase accountability, one way to achieve this would be to switch to an open list where the citizens could choose the people in the positions of power.[38]

The ANC still dominates most of the seats but this domination is fairer in a system that uses proportional representation as opposed to the plurality-majority model because the number of seats directly represents the number of votes. Furthermore, South Africa has, for the most part, fair elections without issues of intimidation tactics being used.[39] Therefore, South Africa has the start of a

37 Álvarez-Rivera, M (2010) The Republic of South Africa Electoral System, retrieved on 10/09/2012 at: <http://electionresources.org/za/system/#ASSEMBLY>

38 Open Society Foundation for South Africa (2006) 'South Africa: Democracy and Political Participation: A Discussion Paper' AfriMAP and Open Society Foundation for South Africa, pp.12-13, retrieved on 09/08/2012 at: <http://www.afrimap.org/english/images/report/AfriMAP_SApolpart_discdoc.pdf>

39 Turianskyi, Y (2009) 'South African elections: A good example for the rest of Africa?' South African Institute for International Affairs, retrieved on 01/11/2012 at: <http://www.saiia.org.za/governance-and-aprm-opinion/south-african-elections-a-good-

good electoral system in place to ensure representation but a more accountable system would include an open-list of candidates during the elections as opposed to the current closed-list system. Moreover, there remain vast cultural differences between different groups of people in South Africa and this is looked at in greater detail below, when discussing the provincial division in the country. One reason for the ANC's continuing popularity could be because the system of apartheid divided the non-white people from white people as a whole, rather than singling out one ethnic group to discriminate against; all non-white people from various different ethnic groups were subjected to discrimination. The ANC stands for the individual rights of each and every citizen rather than focusing on one ethnic minority. This means that it can have mass appeal across the country because it does not discriminate between different ethnic groups.[40] This ideology is also what helped to secure Morales' rise to power in Bolivia.

Despite these political changes, South Africa continues to face problems with widespread social inequality, crime and the most recent miners' strike demonstrating that the current government is not meeting everyone's needs. The poorest members of society still remain marginalised, and whilst this has not escalated to violent conflict, it shows that civil unrest continues to be a part of South African society. This has partly been attributed to a lack of autonomy for the provinces, which is considered in detail below.

example-for-the-rest-of-africa.html>
40 African National Congress (2011) African National Congress Constitution, re-trieved on 12/11/2012 at: <http://www.anc.org.za/show.php?id=207>

The particular method of proportional representation used has guaranteed a sustainable resolution of conflict, in order to quell the relatively milder forms of civil unrest and continue with democratic progress, however more regional autonomy and devolved powers needs to be considered.

The judicial system in South Africa is described in the constitution as impartial and independent. However appointments to judicial positions are made by the President on the recommendation of the Judicial Service Commission (JSC). The JSC puts forward potential candidates which the President then appoints, however the JSC is made up of Cabinet ministers as well as attorneys appointed by the President so the system as a whole is not particularly impartial. The judges are bound by the constitution but their accountability is questionable when one considers by whom they are appointed. When considering future democratic progress this is something which should be looked at more closely, how to make the judiciary *actually* more impartial.

The Democratic Socialist Republic of Sri Lanka

SSri Lanka sustained a thirty year conflict, which was fought mainly between the Sinhalese majority and the Tamil Tigers or the LTTE (Liberation of the Tamil Tigers of Eelam) resistance movement made up of people from the Tamil ethnic minority. Repression of Tamil culture, rights and language began after Sri Lanka gained independence in 1948. Previously, the Westminster political system

in place and the support the British Government had shown for the Tamil population meant that the Tamils received preferential treatment, or it appeared as such to the Sinhalese people. This led to the formation of the LTTE and the outbreak of violent conflict. The LTTE sought an independent state but after the final ceasefire and peace agreement in 2008 they did not achieve this goal. The system which is now in place in Sri Lanka is explored in detail below.

> **Following independence, many Tamils found themselves out of work and very restricted within their own country**

The President of Sri Lanka is chosen through a contingent vote system, in which each voter chooses their top three candidates. If there is no clear winner after the first round of counting (if no one wins by over 50 per cent) then the candidate with the least number of votes is removed from the race and the second preferences for that person are divided between the two remaining candidates; this continues until there is an overall winner. When it comes to Parliament, which is made up of 225 members, each person is selected from the votes and each one runs in a multi-member constituency. There are 22 regional constituencies, the votes from which account for 196 seats in Parliament, the remaining 29 seats are given to people who are voted for from a nationwide constituency. The threshold for taking part in the system used to be 12.5 per cent but has since been reduced to five per cent which

means that smaller parties have a greater chance of participating in the political system.[41]

The latest elections in Sri Lanka took place in 2010 and records show that they had the lowest turn-out since the country gained independence, with just over 50 per cent of the population participating in the vote. In the Northern region of Jaffna (where the large majority of Tamil people reside) the turnout was only 18 per cent. Further, many people endured intimidation from the dominant party in Sri Lanka and journalists were discouraged from reporting on anything that may hurt the chances of the ruling party being re-elected. The Tamil National Alliance (TNA) won just 14 seats in Parliament and there was no mention of other minority groups such as the Muslims or the Christians. Further, there has been very little talk of a new state that recognises the rights of the Tamil people; it is not part of the United People's Freedom Alliance's (UPFA) agenda so currently, democratic progress is relatively limited.[42]

> **The latest elections in Sri Lanka took place in 2010 and records show that they had the lowest turn-out since the country gained independence.**

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41 Election Guide (2010) 'Sri Lanka: Country Profile' Election Guide, retrieved on 24/09/2012 at: <http://electionguide.org/country.php?ID=201>; Hofsvang, M (2008) 'Political representation and conflict in a multi-ethnic society: A study of the civil war and the challenges of resolution in Sri Lanka' Department of International Environment and Development Studies, retrieved on 20/08/2012 at: <http://www.umb.no/statisk/noragric/publications/master/2008_mari_hofsvang.pdf>
42 Socialist World (2010) General Election 2010, retrieved on 30/10/2012 at: <http://www.socialistworld.net/doc/4231>

The conflict in Sri Lanka was particularly bloody, with atrocities and human rights abuses committed by both the Sri Lankan military and the LTTE rebel forces. The hatred that exists between the two major warring parties has not been sufficiently addressed, and as a result, there continues to be violence, disputes over land, and vast numbers of internally displaced people (IDPs). What is most apparent is the lack of involvement of minority groups as a whole, in the attempts to rebuild the country. For example one of the Reconstruction Task Forces that was appointed by the President for the Northern region of Sri Lanka, did not contain anyone from that area.[43]

In developing a more representative political system, one of the next steps is to increase women's representation in government. Since the late 1990s, women's organisations have been lobbying political parties and the Parliamentary Select Committee on Electoral Reform to institute legal quotas. Despite having the right to vote for over 70 years, political representation of women has remained relatively stagnant. Furthermore, the few existing women politicians tend to be from political Sinhalese families, with very few representing Muslim and Tamil minorities. Only five Tamil women and two Muslim women were elected to Parliament during the period spanning 1948-2004 making women from minority

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43 DushiYanthini (2012) Passion Parade, retrieved on 18/10/2012 at: <http://passionparade.blogspot.co.uk/>; South Asia Forum for Human Rights (SAFHR) (2012) Sri Lanka – Current Situation, retrieved on 30/10/2012 at: <http://www.safhr.org/index.php?option=com_content&view=article&id=61:sri-lanka-current-situation&catid=71:evolving-situation&Itemid=341>

groups the most under-represented segment of the population.[44]

Language rights have been central to the Sri Lankan conflict. Between 1987 and 1988, two constitutional amendments were adopted to end "Sinhalese only" policies and confirm Tamil as an official language. Previously, the constitution defined Tamil as a national language, allowing local authorities in the Northern and Eastern provinces to conduct business in Tamil and ensuring Sri Lankan rights to education in either national language. However, language rights were limited as Sinhala remained the official language of the courts and a requirement for most government posts, limiting Tamil participation.[45]

Turning briefly to the judiciary, all appointments to the Constitutional Court and Supreme Court as well as the Magistrate level Courts are made by the President; judges are not independently elected. Their role is to enforce the policies and legislation deriving from the central governmental authority. Moreover, people are appointed unashamedly on the basis of their adherence to the central party line as opposed to their experience or qualifications for the job.[46]

44 Kodikara, C (2009) 'The Struggle for Equal Political Representation of Women in Sri Lanka', retrieved on 03/04/2013 at < http://www.undp.org/content/dam/srilanka/docs/governance/WPE%20FINAL%20PDF.pdf>
45 The Constitution of the Democratic Socialist Republic of Sri Lanka (1978), retrieved on 03/09/2012 at: <http://www.priu.gov.lk/Cons/1978Constitution/1978ConstitutionWithoutAmendments.pdf>
46 International Crisis Group (2009) 'Sri Lanka's Judiciary: Politicised courts, compromised rights' International Crisis Group, Asia Report No.172,pp.i-9, retrieved on 30/10/2012 at: <http://www.crisisgroup.org/~/media/Files/asia/south-asia/sri-lanka/172_sri_lankas_judiciary___politicised_courts__compromised_rights.ashx->

This section has shown that, whichever system is used, there needs to be a balance between granting representation for all sections and groups in society and establishing enough common ground between those in charge of making decisions to ensure minimal 'gridlock' in Parliament. It also shows that even in systems where new constitutions have been written, this does not immediately solve issues of political representation and accountability. Enhanced representation is a continuous process and should constantly be evolving to meet demands as they arise. Further, merely having a representative model as a voting system in place is not enough to ensure fairness. The media needs to be free to provide independent analysis and the people need to be free from intimidation to vote for a certain party. Finally, the judiciary needs to remain as independent as possible because they are the applicators of the laws provided by the legislature.

Regional autonomy versus central governance

When considering changes that are needed within governance systems, the way in which a country should be divided is just as important as deciding which electoral system the country should use to vote. This is because granting regions of the country greater autonomy is another way in which greater political representation can be established. This can sometimes be more effective than providing proportional representation which usually offers minority groups only a small handful of seats, because increased autonomy gives minority groups the power to govern themselves.

The Plurinational State of Bolivia

Bolivia no longer has a centralised political system; it is split into regions, provinces and municipalities. It has nine regions, with the leader or the prefect of each region directly elected by inhabitants from a choice of candidates. There are 94 provinces in total, of which there are sub-prefects, who see to the administration of their province. There are 312 municipalities, which are presided over by a mayor, who is directly elected by public vote every five years.[47] Alongside this local political system of governance, each municipality has an 'oversight committee,' which is made up of non-political actors, for example people from local or grassroots organisations that are there to provide a check on the local government and to act as a deterrent against corruption.[48] In addition to this, the 2009 Constitution of Bolivia has made provisions for indigenous communities to seek autonomy in order to grant them greater say over the way in which they live their lives.[49] It is uncertain at the present time how many autonomous communities there are in Bolivia, but one article reports that 11 communities asked for autonomy, and these were mostly from the West Highland area of Bolivia.[50] These provisions for indigenous

47 Mongabay (2012) Country Profile, retrieved on 13/11/2012 at: <http://www.mongabay.com/reference/country_profiles/2004-2005/2-Bolivia.html>

48 Faguet, J-P (2003) 'Decentralization and local government in Bolivia: An Overview from the Bottom Up' Working Paper No.29, retrieved on 15/10/2012 at: <http://sticerd.lse.ac.uk/dps/decentralisation/bolivia.pdf>

49 Articles 289-296, Bolivia Political Constitution of the State (2009), Translated by Embassy of Bolivia, Washington DC, retrieved on 03/09/2012 at: <http://www.scribd.com/doc/73770823/Bolivia-2009-Official-Translation>

50 Rice, R (2011) 'Regional Autonomy and Municipal Politics in Post-Neoliberal Bolivia: Paper prepared for the 2011 American Political Science Association Annual Meeting' Social Science Research Network, retrieved on 10/09/2012 at: <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1901983>

communities demonstrate a commitment on the part of the MAS Party to accommodate indigenous groups in Bolivia.

Despite unprecedented progress in Bolivia's political structure, it continues to face issues of civil unrest, and there remains a section of the population that is deeply unsatisfied. As is alluded to above, it has been reported that some indigenous communities are not in favour of President Morales and think that he could do more to help their group/s in the struggle for greater autonomy. The conflict concerning the potential building of a road through Isiboro National Park is a prime example of the need to consider the opinions of all the people that are going to be affected.

As for the effectiveness of local government systems; opinions on this vary. On the one hand, the local government can work very well where those in charge have people's best interests in mind and when the oversight committee is diligent in the fight against corruption. However, when the oversight committee or other bodies armed at evolving the separation of powers are weak and there is no other check on politicians, the situation can be completely different. The elite or other group can end up in control and can profit a great deal, whereas those in the minority groups can suffer the consequences of a poorly governed municipality. The level of corruption can vary from region to region and it will depend on the type of area for example, if it is a rural or urban area.[51]

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51 Faguet, J-P (2003) 'Decentralization and local government in Bolivia: An Overview from the Bottom Up' Working Paper No.29, retrieved on 15/10/2012 at: <http://sticerd.lse.ac.uk/dps/decentralisation/bolivia.pdf>

On the whole, Bolivia has made significant strides in the direction of democratic progress, and has achieved huge successes especially in the area of recognising and preserving indigenous identities and cultures. However, there has still been a tendency towards the elite and those connected to them, benefiting the most and holding most of the power. Arguably, if Morales is to truly revolutionise the country, he must create a more equitable process between the different types of indigenous communities. Having said this, practical problems are also inevitable where numerous groups within a state are granted autonomy. With several opinions at play, it can take longer for action to be taken to make real changes. Furthermore, corruption is another issue that often needs to be confronted in local systems of government. This is where an independent and impartial judiciary needs to play a role in making sure that there are mechanisms in place that bring manipulators of the system to justice. What is important to note is that by providing greater regional autonomy and having a separate vote for those in Parliament, means that there is less 'gridlock' in Parliament, but also that people have their say in how their region is run. What Bolivia's case demonstrates is that a state can be unified and can function effectively by allowing differing cultures to thrive and enjoy recognition of their individuality. While Bolivia has a long way to go before its problems are completely solved, the significant steps that it has already made demonstrate the necessity of respect for different groups in society; if democratic advancement is to be realised in practice.

The Republic of South Africa

The Republic of South Africa has a system of 'cooperative government' or a 'quasi-federal' structure which in this case, means that there are three levels of government: central, provincial and local; each with their own powers but nonetheless intertwined and dependent on each other to run the country.[52]

South Africa has nine provinces; each has the option to pass their own laws as long as it is in line with the constitution of the federal state, and to legislate on matters including but not limited to; education, housing, regional planning and agriculture. Each province has its own executive and legislature, which, must act within the confines of the national constitution. A proportional representation system is used to elect people to these positions of authority and it is the same system that South Africa uses to elect the National Assembly. South Africa is further divided into local government areas, of which there are currently 284; either in the form of metropolitan municipalities or district and local councils. The local areas have powers to determine what happens with issues such as building regulations, municipal health services, tourism and so forth.[53]

The diverse nature of South African society calls for these smaller levels of authority because in theory, it means that policies can

52 Titus, Z (2000) 'Provincial Government in South Africa' Keynote Address in Holiday Inn Garden Court, Umtata, p.18, retrieved on 09/08/2012 at: <http://www.kas.de/wf/doc/kas_4883-1522-2-30.pdf?040622163250>
53 Schedule 4, Constitution of the Republic of South Africa (1996), retrieved on 03/09/2012 at: <http://www.info.gov.za/documents/constitution/1996/a108-96.pdf>

be implemented on a province-province basis. While this is true, what also needs to be considered is that devolving powers from the centre and allowing for more autonomy, increases the risk of corruption in local and provincial authorities. When the ANC first came to power in South Africa, the Party wanted a central system because they believed in unifying the state. At the time, the opposition party (The Democratic Party) were very much in favour of a system which gave more power to each region, arguing that the country was too large to be managed effectively from the centre.

> **The Republic of South Africa has a system of 'cooperative government' or a 'quasi-federal' structure**

Recently, central government is finding itself needing to hand over some of its powers to the provinces in order to ensure that the policies being implemented are in touch with the needs of the people. Currently, central government dominates provincial levels of government, most visibly in their appointment of those in charge of the provinces. This top-down method of decision-making does not ensure that the policies being implemented in the provinces are a reflection of the true needs of the people.[54] There is also an issue with corruption, with some people abusing their positions of

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54 Cloete, F; de Villiers, B; Hoffschulte, H; Magi, L; Malherbe, R; Naidu, R and Thornhill, C (2008) 'Review of provinces and local governments in South Africa: Constitutional foundations and practice' Konrad-Adenauer-Stiftung (KAD), pp.47-51, retrieved on 10/09/2012 at: <http://www.kas.de/wf/doc/kas_15071-1522-2-30.pdf?090204111055>

authority and not ensuring that funds coming to their area reach the people.[55]

> **The overall voter turnout in 2009 (the most recent general election in South Africa) was 59.3 per cent**

The overall voter turnout in 2009 (the most recent general election in South Africa) was 59.3 per cent, which was up from the election in 2004 where it was 56.8 per cent but still far from the 1994 turnout of 86 per cent.[56] These results show a disinterest in politics and a lack of engagement with the South African people. Even though mechanisms are in place for a fair and representative election, a lack of interest means that the government policies are not reaching the population as they should be.

The Democratic Socialist Republic of Sri Lanka

In the late 1980s Sri Lanka successfully created a system of decentralisation whereby provincial councils were set up to ensure the smooth implementation of policies from central government. There are nine provinces in total, yet only seven provincial councils. The Northern and Eastern provinces were originally merged together and had one provincial council, but in 1989 the government took back their control of these particular regions.[57]Today, there is

55 Polgreen, L (2012) 'South Africans Suffer as Graft Saps Provinces' The New York Times, retrieved on 13/11/2012 at: <http://www.nytimes.com/2012/02/19/world/africa/south-africans-suffer-as-graft-saps-social-services.html?pagewanted=all>
56 Kersting, N (2009) 'Voting Behaviour in the 2009 South African Election' Africa Spectrum (44) 2, p.128, retrieved on 30/10/2012 at: <http://hup.sub.uni-hamburg.de/giga/afsp/article/viewFile/128/128>
57 Ninth Schedule, List 1, The Constitution of Sri Lanka (1978) retrieved on

still a strong military presence in these areas, signifying the lack of regional integrity afforded to areas where the majority of the population is Tamil.[58]

The provincial councils are intended to be autonomous and have legislative powers, in that they can make statutes and laws for their province as long as it is in line with the main constitution. There is also an executive arm to the provincial councils, in the form of a Governor. Governors of the provinces are elected by the President and in the Sri Lankan constitution it explicitly states that, the Governors are not representatives of the people in their province, but are in fact there to implement actions on behalf of the President. All other appointments to the provincial councils: the Board of Ministers, the Chief Secretary, and the Provincial Secretariat, are made either by the President or the individual Governor and so there is no system whereby individuals are accountable to the people; once the President has been elected the people in power are chosen by the current President.[59] Governors are in charge of fiscal plans for their region, budgets and development projects. The provincial councils retain decision-making authority over a range sectors including education, local government, agriculture, housing, health, land amongst others.[60] However, as noted above,

07/01/2013 at: <http://www.priu.gov.lk/Cons/1978Constitution/Schedle_9_Amd.html>

58   Aneez, S (2011) 'Sri Lanka's war-weary north votes amid intimidation, mistrust' Reuters, retrieved on 13/11/2012 at: <http://www.reuters.com/article/2011/07/23/us-srilanka-politics-idUSTRE76M1QL20110723>.

59 Government of Sri Lanka (2010) 'Provincial Councils: Sri Lanka' The Official Website of the Government of Sri Lanka, retrieved on 29/10/2012 at: <http://www.priu.gov.lk/ProvCouncils/ProvicialCouncils.html>

60 Ninth Schedule, List 1, The Constitution of Sri Lanka (1978) retrieved on

due to the selection process, control still remains with the central authority.

Sri Lanka's devolved structures and electoral system have the potential to establish a more democratic political authority, yet struggle to achieve this aim. In theory, the proportional representation voting system is designed to make room for minority groups, while devolution of powers enables the different regions to form policies best suited to each region's needs. However, the government continues to invoke populist measures, such as the restriction of the media, thereby weakening overall democratic progress. In the case of Sri Lanka, proportional representation has resulted in a majoritarian democracy where there are few accountability mechanisms to challenge the ruling party.

Even though the conflict officially ended in 2008, there continue to be outbreaks of violence across Sri Lanka. Repression of culture and rights is ongoing for anyone who does not identify with being Sinhalese. For true progress to be made, the government must protect the rights of minorities including the Tamils, Muslims, Christians, and others. Sri Lanka has a workable structure in place, but must address the deep-rooted historical causes of the conflict and outstanding issues of reconciliation. This will be discussed in the following chapter.

07/01/2013 at: <http://www.priu.gov.lk/Cons/1978Constitution/Schedle_9_Amd.html>

Chapter III: Identification with the state

Increasing political representation and encouraging democratic progress are processes which require input from everyone in the country, to share their ideas, knowledge and concerns. Much of the work that takes place in a state in a post-conflict situation surrounds *rebuilding* and *unifying* the state. This unification and the underlying policies will differ depending on the needs of the state, but what is of vital importance, is creating a system that people can *identify* with. One way of achieving this is by involving everyone in the changes that need to be made and providing platforms for all concerned to air their views in a peaceful and reciprocal forum. This paper has considered some of the different ways in which political representation can be achieved, but in order to understand fully *why* this works as a method of conflict resolution and democratic progress, some of the policies and ideologies (or lack thereof) in reform procedures will be examined, looking again at Bolivia, South Africa and Sri Lanka. By describing some of the ideas behind policies and changes that have taken place in these countries, the need for innovation and specific policies will be demonstrated.

The Plurinational State of Bolivia

The overhaul of the Bolivian system of governance began with the realisation that such a multicultural or plurinational society *has* to be governed in a less centralised way, meaning that groups and communities needed to have more of a say over their region

or area.[61] Central to this idea, was the desire of many people in Bolivia to move away from the dominance of neoliberal thinking and policies that sought to maximise the country's vast natural resources. This can be seen from the continuing problems in the mining industry; with many Bolivians resenting the influence that multinational corporations have over their natural resources.[62]

Long-term stability in Bolivia required any political structure that was put in place to meet the needs of the people, and for it to be representative of the above issues. Morales succeeded in reaching to power because he understood these issues and was committed to moving forward with policies that reflected the wishes of his people. One thing to note that is significant about the MAS Party is that it is not specific to one indigenous group rather it is striving for everyone to have equal rights. Morales granted the regions of Bolivia greater autonomy and proposed nationalisation of industries, which meant Bolivia could secure more jobs for people. Instead of adopting policies concerning natural resources and land, which would please the international community (and, more specifically, in the case of Bolivia, the USA), Morales chose to adopt policies which more aptly benefit the citizens of Bolivia. This can be seen from the nationalisation of some of the companies in the gas, mining and telecommunications sectors.[63]

61 Andolina, R; Laurie, N and Radcliffe, S. A (2009) Indigenous Development in the Andes: Culture, Power, and Transnationalism. London: Duke University Press pp.83-85
62 Harris, D (2012) 'Mining Conflicts and the Politics of Post-Nationalization Bolivia' Upside Down World, retrieved on 16/10/2012 at: <http://upsidedownworld.org/main/bolivia-archives-31/3901-mining-conflicts-and-the-politics-of-post-nationalization-bolivia>
63 Andolina, R; Laurie, N and Radcliffe, S. A (2009) Indigenous Development in the

These reforms are specific to Bolivia but are used here as a way of demonstrating the way in which political representation works effectively. Continuing issues remain because more engagement with the people is still required; political representation is not a 'quick fix' solution and requires on-going work and attention.

The Republic of South Africa

When the ANC first came to power, the goal was to unify the nation and at the time, for South Africa, this meant having a centralised system in place as opposed to having enhanced regional autonomy. The ANC is comparable to the MAS Party in Bolivia by virtue of the fact that it was not created with one minority group in mind, but with the idea of unifying the nation as a whole, and treating all people equally, irrespective of race or gender.[64] This idea addressed the issues in 1994 but in the years since then South Africa has failed to implement further policies of progress, which has meant that the country still faces large problems with social inequality.

A disinterest in politics can be deduced from the declining voter turnout rates in South Africa, and the recent miners' strikes show a lack of engagement on the part of the ruling party with the needs of the South African people. Remaining issues demonstrate the need for greater regional autonomy and more say over whom specifically is in power. The latter, as it has been suggested above,

Andes: Culture, Power, and Transnationalism. London: Duke University Press, pp.126-127; Wolff, J (2011) 'Challenges to Democracy Promotion: The case of Bolivia' The Carnegie Papers, pp.4-5 retrieved on 19/10/2012 at: <http://carnegieendowment.org/files/democracy_bolivia.pdf>

64 African National Congress (2011) African National Congress Constitution, retrieved on 12/11/2012 at: <http://www.anc.org.za/show.php?id=207>

can be achieved through offering an open-list of candidates for the election of politicians to the legislatures. Addressing these problems could help to achieve more sustainable conflict resolution and increased democracy.

Despite these concerns, it is important to remember that democratic progress is an on-going process that needs to constantly adapt to the new demands of society. Therefore a country often needs to implement reforms, but they must not be static when it comes to progression. The system must continuously evolve in order to truly represent the will of the people on a constant basis.

The Democratic Socialist Republic of Sri Lanka

Of the three case studies examined, Sri Lanka's system, hasn't yet accomplished the stability seen in Bolivia and South Africa. While the conflict between the government and the LTTE ended in 2008, sporadic violence has continued, perpetuating ethnic antagonism and weakening attempts to nation building.

With the support of Tamil diaspora, the LTTE polarised the Tamil position by creating a violent movement set on secession. At the same time, its attacks and massacres of Muslim populations in the North and East isolated the Tamil community from other minority groups. With the disintegration of the LTTE, there is an opportunity for a democratic Tamil voice. Rather than focus on nationalist identities, a collective consensus amongst minorities may be more effective in communicating grievances to a majority Sinhalese government that has often used a nationalist narrative to

marginalise minorities.[65]As the security threat of the LTTE no longer exists, government policies must shift away from militarisation in favour of democratic reforms, thereby ending extra-constitutional practices associated with its counterterrorism strategy.[66]

While the LTTE was responsible for massacres, human rights abuses, and extortion of the Tamil people, the government is also accused of violating human rights and failing to protect Tamil civilians during its campaign against the LTTE. In order to bring about reconciliation, it may be necessary to establish an independent commission to document offenses committed by both parties to the conflict. Although President Rajapaksa established a Lessons Learnt and Reconciliation Commission, the final report was criticised by Tamil political parties, international human rights organisations, and civil society organisations for failing to fully address government accountability and provide mechanisms for redress. In order to rebuild trust and confidence in state institutions, it is important not to ignore transitional justice issues. Impartial documentation of the events of the war will help address injustices, in turn setting the stage for equitable political representation and cooperation.

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65 Kadirgamar, A (2009) 'Sri Lanka's Post-War Political Economy and the Question of Minorities' Perspective, retrieved on 30/10/2012 at: <http://www.srilankademocracy. org/docs/Kadirgamar_Post_War.pdf>
66 DeVotta, N (2009) 'The Liberation Tigers of Tamil Eelam and the Lost Quest for Separatism in Sri Lanka' Asian Survey 49(6), retrieved on 03/04/2013 at <http://www. jstor.org/stable/10.1525/as.2009.49.6.1021 >

Conclusion

This paper has highlighted some of the different political structures and mechanisms which can bring about democratic political representation, focusing mainly on electoral systems and the regional division of countries. It has been shown that political structures themselves can only go so far in changing the status quo for people, but that the attitudes and the ideologies need to be altered in order to effectuate real and long-lasting change, where it is necessary. Therefore attention needs to be paid to both the technical and ideological components of political reorganisation, in order for sustainable democratic progress that looks to broaden bases as opposed to marginalising people, to occur.

Proportional representation has been shown in a more positive light than the plurality majority model when it comes to remodelling political structures in a post-conflict state. However, the potential problems with the proportional representation system have also been demonstrated by the 'gridlock' in Parliament that can sometimes occur. Also, even with a representative system in place, having a free media, as well as the ability to vote for whom you would like to see in power is vital to securing true representation. This can be seen from the examples of Sri Lanka and South Africa where elections take place on a closed-list system, meaning that individuals in power are not directly elected by the citizens. Open-list proportional representation systems allow for greater accountability, as well as for having a directly elected judiciary to serve as an impartial check

on the legislature and the executive. Furthermore, the limited effect of a few seats in Parliament can sometimes be strengthened if more regional autonomy is granted to smaller groups in society. This can be seen from the case of Bolivia, where autonomy has been granted to some indigenous groups which now have the right to govern their community as they choose, so long as it does not contradict the rights or provisions presented in Bolivia's constitution.

The positive aspects of Bolivia's system have been shown to be the widespread representation it has managed to offer indigenous groups, the open-list voting system that is in place and the regional autonomy it offers in addition to a representative electoral system. Areas for further improvement have been highlighted in the need for more independently elected judges as well as a fairer distribution of represented interests, especially from the indigenous communities.

South Africa's political system allows for fairly good representation of interests and the country is divided into more manageable provinces, each with their own executive and legislature. Furthermore, the electoral system is designed so that smaller political parties have a greater chance of gaining seats in the National Assembly. Less positive aspects include the closed-list system of voting, where the people vote only for the party and do not get to choose the person in power. Remaining issues and tensions in South Africa may mean that more control needs to be passed onto the provinces and away from the central government.

Sri Lanka has a proportional representation electoral system in place, coupled with a low threshold and therefore has the potential to progress and allow for greater representation of interests in Parliament. However, restrictions on the media and the methods used by the ruling party to gain votes highlight a corrupt political system. Furthermore, the accountability of those in power is questionable, considering that all appointments to positions of power in the judiciary and the provinces are made by the central government.

The final chapter of this paper demonstrates the way in which political representation allows for conflict resolution and helps ensure sustainable democratic progress. It discusses the fact that, when everyone in society is given the opportunity to voice their views and to participate in politics, policies can be created that reflect the will of the people. The continuation of policies that enable this representation in practice, can contribute to a sustainable state of peace because groups slowly cease to be marginalised.

Greater political representation of the diverse opinions and viewpoints in every society has been shown to be essential to effective and long-lasting conflict resolution and democratic advancement. Creating platforms for dialogic exchange and encouraging the collaboration of different groups in society can lead to a creative, diverse and ultimately more democratic society.

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Renowned Turkey based Author and Poet. Columnist, focusing mainly on Kurdish politics, the Armenian issue, daily politics, minority problems, prison literature, and women's issues. Has won several literary prizes and her work has been translated into 17 languages. Former Director of the Diyarbakır Cultural Art Foundation (DKSV).

Professor Monica McWilliams

Professor of Women's Studies, based in the Transitional Justice Institute at the University of Ulster. Was the Chief Commissioner of the Northern Ireland Human Rights Commission from 2005 2011 and responsible for delivering the advice on a Bill of Rights for Northern Ireland. Co-founder of the Northern Ireland Women's Coalition political party and was elected to a seat at the Multi-

Party Peace Negotiations, which led to the Belfast (Good Friday) Peace Agreement in 1998. Served as a member of the Northern Ireland Legislative Assembly from 1998-2003 and the Northern Ireland Forum for Dialogue and Understanding from 1996-1998. Publications focus on domestic violence, human security and the role of women in peace processes.

Jonathan Powell

British diplomat, Downing Street Chief of Staff under Prime Minister Tony Blair between 1997- 2007. Chief negotiator in Northern Ireland peace talks, leading to the Good Friday Agreement in 1998. Currently CEO of Inter Mediate, a United Kingdom -based non-state mediation organization.

Sir Kieran Prendergast

Served in the British Foreign Office, including in Cyprus, Turkey, Israel, the Netherlands, Kenya and New York; later head of the Foreign and Commonwealth Office dealing with Apartheid and Namibia; former UN Under-Secretary-General for Political Affairs. Convenor of the SG's Executive Committee on Peace and Security and engaged in peacemaking efforts in Afghanistan, Burundi, Cyprus, the DRC, East Timor, Guatemala, Iraq, the Middle East, Somalia and Sudan.

Rajesh Rai

Rajesh was called to the Bar in 1993. His areas of expertise include Human Rights Law, Immigration and Asylum Law, and Public

Law. Rajesh has extensive hands-on experience in humanitarian and environmental issues in his work with NGOs, cooperatives and companies based in the UK and overseas. He also lectures on a wide variety of legal issues, both for the Bar Human Rights Committee and internationally.

Professor Naomi Roht Arriaza

Professor at University of Berkeley, United States, expert and author on transitional justice, human rights violations, international criminal law and global environmental issues.

Professor Dr. Mithat Sancar

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