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Presence and Impotence: The perils of guaranteed descriptive representation

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by

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ABSTRACT

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Around the world, states are grappling with how to integrate minority communities into social, economic and political life. Increasingly, calls have come from academics and minority community leaders for the creation of guaranteed descriptive representation institutions, designed to secure permanent descriptive representation for marginalized minority communities in the legislative branch. Communally reserved legislative seats are one of the more commonly used institutions to provide such guaranteed representation. Under this system, legislative seats are set aside for the representation of minority interests.

This system is now found in more than 20 states around the world, with many of these states adopting the system after the end of the Cold War. To date, most research on this type of guaranteed descriptive representation institution has utilized single case-studies. One of the most consistent findings in this research has been that communal reservations seem to have little to no impact on the policy-preference attainment of minority communities. This finding contradicts a theoretical literature that argues that providing a political presence for communities should translate into increased policy influence for the targeted communities.

This project posits a theory as to why there is a discrepancy between theory and evidence in this case. I argue that, rather than an anomaly, the lack of policy-influence for communities provided with communal reservations is a feature of the system. The creation of special, minority-targeted electoral districts I believe causes a bifurcation of the political system. Instead of having a national political conversation about ethnicity and difference, the creation of communal reservations allows mainstream political actors to essentially ignore minority concerns, passing them off as the domain of minority representatives alone. The electoral incentives associated with campaigning for minority voters are minimized as a result of the special constituency.

In order to justify the hypotheses I establish about the relationship between communal reservations and policy-influence, I conduct a plausibility probe in the state of Croatia. Using a combination of elite interviews, media analysis and electoral analysis, I show that, at least for within Croatia, communal reservations seem to be limiting the policy influence of minority community leaders, as I predicted. One of the key causes of this, according to my research, is a decision among mainstream political parties and actors to remain effectively silent on minority issues. To establish the generalizability of the theory, I conduct two tests. First, I provide evidence that shows that, systematically, turnout in communally reserved districts is substantially lower than the national average, which I argue indicates low levels of engagement and/or satisfaction among minority community members. Next, I look at coalition participation rates among small parties in Europe, and find that ethnic parties elected through reserved districts are substantially less likely to participate in governing coalitions than other parties, even accounting for party size. I believe this is because the

design of communal reservation systems creates disincentives for coalition-building with ethnic minority parties.

This research has two major implications. The first is that, as a tool for providing representation for minority communities, communal reservations are a poor choice. If anything, this institutional design may exacerbate inter-ethnic tensions. More broadly, the findings suggest that, while descriptive representation may provide benefits, guaranteeing descriptive representations may create negative externalities for which at present we have not accounted.

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Introduction

July 25th, 2018 represented a major day for Mahesh Kumar Malani. On that day, he became the first non-Muslim ever elected to the Pakistani parliament from a general voting constituency (Ashraf 2018). Malani, a member of Pakistan's Hindu community, was elected from a constituency that is home to many Hindus and was notably aided in his election by the fact that the Muslim vote was split between twelve candidates. The combination of a strong base and a split competition produced a victory for Malani. However, while being the first Hindu elected in a general voting constituency, Malani is not the first Hindu ever elected.

That is because Pakistan is one of a number of countries around the world that has utilized a communally reserved legislative seat system to guarantee legislative seats to small and/or marginalized minority communities. In 1978, the Pakistani government created 10 such reserved seats: 4 to be held by Hindus, 4 by Christians, 1 for Ahmadis and one for other non-Muslims (Ashraf 2018). These seats would be contested by members of the targeted community, and only members of the community would be allowed to vote. The system roughly parallels the reservation system for scheduled castes and tribes in neighboring India, though at a much smaller scale than the extensive reservation system found there.

The goal of such communal reservations is, at least on the surface, to create a political presence for these communities. Without them Pakistan's Hindu community, for instance, which makes up less than two percent of the population, would be incredibly unlikely to win a proportional share of legislative seats. Malani's election, however, gives some pause to those thoughts: Pakistan abandoned its separate constituencies rule in 2002, instead opting to

have parties fill in the 10 minority seats based upon proportion of overall vote share. And yet, Malani was elected outside of those channels.

In an era of increasing awareness of diversity, Malani's story is an outlier – an instance where a politician representing a marginalized community overcame the odds to force his way into the political mainstream. In democracies around the world, minority rights and privileges are increasingly challenged. In Israel, the summer of 2018 saw the passing of a new nationality law that establishes Israel as the state of the Jewish nation and contains clauses that have been interpreted by many of Israel's minority communities as targeting their constitutional rights (Halbfinger and Kershner 2018). In Croatia, a state that like Pakistan has reserved seats for minority communities in the national parliament, a referendum initiative has been advanced by nationalist political forces that would reduce the voting privileges of members of parliament elected by minority constituencies (Vladisavljevic 2018). The government of Italy, led on the issue by Matteo Salvini, has begun the process of conducting a census of the country's Roma population, with the stated intention of the deportation of those Roma who cannot be clearly identified as Italian citizens (Kirchgaessner 2018).

Minority communities rather consistently find themselves the targets of campaigns of discrimination, dislocation and violence. Their differences from the majority community make them easy scapegoats for nationalists and demagogues. States have long struggled to identify best-practices in integrating minority communities into national political, social and economic life in such ways that they can be less easily targeted in such a way, while also allowing the communities to serve as their own advocates. By and large, states have relied on institutions to achieve these goals.

Institutions and Minority Integration

Starting in the 1960s and 1970s, perhaps as a result of an uptick in civil conflicts in post-colonial states with multicultural populations, political scientists and public policy experts began to pay much greater attention to how institutions can help to ameliorate civil strife and prevent inter-ethnic conflict. Work from Kenneth McRae (1974), Arend Lijphart (1977) and others began to suggest that states could best prevent civil strife by recognizing ethnic diversity in constitutional and institutional design. These arguments, which would eventually come to be known collectively as the theory of consociationalism, posited that creating institutions that reflect and reinforce existing social cleavages, while also incentivizing elite cooperation, was the best way to stabilize society in deeply divided societies (Andeweg 2000). Built largely off of European cases in the first phase of research, consociational theories began to be applied to cases such as Malaysia, Colombia and Lebanon.

Arrayed against this position are those scholars and policy-makers who argue for an institutional design that forces political actors to compete across ethnic lines. This argument, most commonly associated with Donald Horowitz, is rooted in the idea that for states to truly be stable, competition must be around truly national-level issues, and not narrower sectarian issues (Horowitz 1985, 2014). The goal should be, rather than to reify and protect existing ethnic differences, to instead focus on generating new coalitions, committed to shared electoral and ideological positions that cross group boundaries.

Consociational theories, despite several weaknesses that were identified over decades of study, came to be highly influential in both policy and scholarly circles. Consociational principles were heavily applied when the international community attempted to broker peace

after ethnic conflict in Rwanda, Burundi, Kosovo, Bosnia and Herzegovina and, most notably, in Northern Ireland (Horowitz 2014). Somewhat less noticeably, several of the fundamental assumptions of consociational theories came to influence a new generation of scholars of democratic inclusion. Most prominent was the assumption that certain minority communities enjoy a special claim to participation in government and provision of special access provisions.

Among the most notable proponents of this is Kymlicka (1995), who argues that autochtonous groups have a right to make special claims against the state for political and social protections. One key shift in this newly emerging body of literature was an embrace of claims for minority inclusion and protection measures from a normative framework rather than an analytical framework. While centripetal and consociational theories had as their goal understanding how deeply divided societies could be stably governed, much of the literature in the field of minority integration and representation that emerged in the 1990s and early 2000s focused on claims of justice in democratic governance. Work from Guinier (1994), Phillips (1995) and Young (2000) falls squarely into this body of literature. These works collectively advocated for the creation of institutions that produced descriptive representation for minority communities. This politics of presence, as Phillips (1995) identified it, is both a normative and an empirical good that states should pursue.

While scholars were increasingly focused on these analyses of just institutions, several states across the globe were adopting institutions that embraced the notions of group rights to representation, but that did not move into fully consociational arrangements. Of the four pillars Lijphart (1977) establishes as core to consociationalism, and thus to stable democracy in divided societies, many states were embracing institutional regimes that only

recognized the need for proportional access and created specially reserved seats in national legislatures for minority communities. While states like India and New Zealand had long had systems of minority enfranchisement that recognized minority rights to representation, and duly created reserved electoral constituencies, reservations for minority communities were relatively rare prior to the end of the Cold War (Bird 2014).

With the end of the Cold War and the beginning of the Third Wave of democratization came a large increase in the number of states that utilize such reservation systems. The largest increase came in the countries of southeastern Europe, where hopes for accession to the EU incentivized several countries in the region to create institutions that would satisfy minority rights concerns (Glüpker 2013). At the same time, indigenous rights movements in Latin America successfully lobbied for the creation of several reserved seats systems (Htun 2016).

Communal Reservation Systems

This surge in states that utilize communal reservation systems posed a challenge for scholars. Outside of a significant body of research on reservations in India, there was very little work that had been done on reservations more generally. Reynolds (2005) notes that part of the explanation for this is the historically very small number of states that utilize reservations. But in encouraging future work, Reynolds notes that there are now a significant number of states that have some variation of a guaranteed descriptive representation institution that comparative, cross-national theorizing is a necessity.

Communal reservation systems enjoy a lot of normative support. As an institutional design that can help redress marginalization of traditionally marginalized communities, they

are seen by many scholars as a potentially strong tool for achieving more just democracies (Mansbridge 1999, Dovi 2002, Htun 2004). And scholarship on descriptive representation has very consistently shown that increasing the presence of minority communities in decision-making bodies can have a positive impact on things such as feelings of integration among the targeted community and responsiveness to minority political opinions (Banducci et al 2004).

It was somewhat surprising to the overall research community, then, when case study after case study came back pointing to the general inefficacy of these institutions. In several states, the institution was tied to truly negative outcomes. In Colombia, the system has been tied to further marginalization of the Afro-Colombian community (Alarcon 2014). Politicians elected through reservations in Romania have been accused of being corruptible and not serving the interests of their communities (Marian and King 2012). The most favorable findings in relation to communal reservation systems indicate that they provide very limited benefits. In Taiwan, Aboriginal communities have been able to extract limited political concessions during periods of tight competition between Taiwan's major parties (Templeman 2018). Reservations for the Maori community in New Zealand have been tied to greater support for democracy and stronger overall feelings of efficacy among minority voters, if not many notable policy victories (Summersby 2009, Kroeber 2017). The extensive reservation system in India, while of doubtful importance for redressing social and economic differences between communities, has had positive impacts on social acceptance of minority participation in political life (Jensenius 2016).

Scholars have been somewhat puzzled about how consistently ineffective reserved seats systems have been in creating strong representational benefits for the targeted minority

communities. While many consociational designs have been deemed failures, at least some of them have been successful (Horowitz 2014). The uniformity of the disappointing results in the study of communal reservations defies even those skeptical of institutional provisions for guaranteed descriptive representation.

What scholars have been unable to produce to this point is any coherent, generalizable theory of how we should expect communal reservation systems to function. Bird (2014), among others, notes this deficiency as one of the major problems currently facing scholars. Scholars, with few exceptions, have generally not engaged in serious cross-national theorizing on this subject. Without a general expectation, we are unable to make any coherent judgments about the efficacy of these institutions. The purpose of this study is to propose such a general theory.

The Tradeoff of the Politics of Presence

In this study, I will argue that the inability of minority legislators elected through communally reserved constituencies to achieve much politically is not an aberration. It is, instead, a function of the institutional design itself.

Reserved seats systems, in a generous interpretation, take as their foundation the idea that minority communities are justly due a seat at the table when important, state-level decisions are being made. This assumption is very similar to the one made in consociationalism. Unlike consocitionalism, however, communal reservation systems stop with this seat at the table, while consociationalist systems add in several features (such as mutual vetoes, elite power sharing, etc.). These extra provisions in consociationalist systems are designed to guarantee that majority communities must account for the wants and needs of

the minority communities in the state (Andeweg 2000). In communal reservation systems, these guarantees of influence do not exist. Without them, should it be surprising that minority communities are unable to exercise political and policy influence? They are permanent legislative minorities, locked into a position where their political influence is permanently a function of the needs and goodwill of mainstream political actors.

The limited nature of communal reservation systems, I believe, is the core problem, and the reason why scholars are consistently underwhelmed with their ability to improve the representation of minority communities. By creating special districts for minority parties and candidates to compete, these states have effectively created a system that abrogates mainstream political actors from any responsibility to advocate for or compete over minority communities. Simultaneously, it has created incentives for a hyper-emphasis on specifically minority interests among those politicians competing in the reserved districts. Since there is no grand coalition between the elites of majority and minority communities, minority politicians must negotiate coalition entry during every political cycle if they wish to have steady and significant influence on policy. And yet the system has produced parties, representing both the majority and minority communities, that have little range for political bargaining.

This theory is important for more than just what it says about the use of communal reservations. It also suggests that descriptive representation may have limitations. Calls for improving descriptive representation regularly advocate for institutional solutions that guarantee a presence for minority politicians. But my theory implies that a guarantee of descriptive representation through segregated electoral mechanisms may involve trading presence for policy influence.

General expectations of political representation involve not just having a seat at the table, but also having the opportunity to impact policy decisions. In the long-term, it seems unlikely the positive integration impacts of descriptive representation will hold in the face of a consistent inability to get policy concessions from the government. In fact, such consistent inefficacy may eventually translate into the very societal upheaval that these types of systems, at least in theory, are attempting to prevent.

Going Forward

This study will both develop a general theory of how communally reserved electoral districts impact politics and representation and provide empirical tests of this theory. I will provide a mix of qualitative and quantitative evidence to show that communal reservations serve as an isolating force, minimizing the political and policy influence of minority legislators elected through these mechanisms.

Before laying out this theory, I think it is important to provide a concrete set of cases to which it is applicable. In Chapter 2, I survey the existing literature on guaranteed descriptive representation institutions to establish the world of cases and draw clear boundaries between communally reserved legislative seats systems and other types of systems that should have functionally different outcomes. As understanding the nature of representation will also be of major importance, in Chapter 3 I survey the major works on descriptive and substantive representation as they relate to minority representation. As this is a study focused on communally reserved legislative seat systems, I forego any further discussion of power-sharing arrangements like those advocated in consociationalist theories.

I present my theory in its entirety in Chapter 4. There, I use a combination of principal-agent assumptions and coalition bargaining theories to show how communally reserved constituencies create disincentives for cooperation among minority and mainstream political actors. I also show that, while there may be certain political situations where cooperation can happen, and minority parties can be part of formal governing coalitions, they will be able to extract very little in the way of political or policy concessions from their coalition partners. I use these theoretical foundations to form three observable hypotheses that I can test using empirical methods.

The first empirical test, found in Chapter 5, is a major case study of communal reservations in Croatia. Croatia is a strong test for my theory, as it has a constellation of institutional forms that more-or-less mirrors the modal arrangement found in the body of cases. Using a combination of media analysis, existing work and elite interviews, I show that the system of communal reservations in Croatia serves as a de facto roadblock to minority representation. Not only are minority political and social elites dissatisfied with the system, but so are minority voters, who turn out to vote at significantly lower rates than their Croatian peers. This suggests that the positive benefits generally associated with descriptive representation in terms of feelings of efficacy and integration are not present in the Croatian context.

Finally, in Chapter 6 I provide a cross-national evaluation of my theory. Two of the observable implications of my theory are the turnout hypothesis and the coalition participation hypothesis. In the former, I propose that one impact of communal reservations should be notably lower turnout in those districts reserved for minority communities. Using data from several states that have reservation systems, I show that the turnout hypothesis

holds – turnout in reserved districts is consistently lower than turnout in non-reserved districts. The latter hypothesis posits that, given the disincentives to coalition formation between mainstream and minority parties, we should observe that parties elected through reserved electoral districts are less likely to participate in governing coalitions than other parties. With data from several European democracies, I show that this is in fact the case. Parties and candidates elected through reserved constituencies have a lower likelihood of participating in coalitions than both other ethnic parties and other small parties.

I conclude the study with a discussion of the results. Given the potential negative implications of my findings, I take time there to contextualize what the results are, what they do and do not say, and what they mean about the concept of descriptive representation.

Chapter 2 – Communal Reservation Systems Across the Globe

Before going too far in to the implications of communal reservations for political integration and representation, I think it is useful to identify the body of states that make use of communal reservation systems. While the arrangement is far from ubiquitous, many states across the globe make use of reservations or similar designs.

Communal reservation systems are a form of guaranteed descriptive representation institution. Guaranteed descriptive representation institutions are political institutions designed to guarantee a presence for ethnically oriented groups in politics. Sometimes, the term ethnic quota is used to capture all guaranteed descriptive representation systems. In my opinion, this term obscures more than it illuminates. In the representation literature, quota is a concept generally used exclusively to refer to gender quotas applied to electoral lists or party nominations schemes. This is a very specific institutional design, one rarely seen in the provision of descriptive representation for minority communities. As such, I will refer to the body of institutions designed to provide a legislative presence for minority communities as guaranteed descriptive representation institutions.

Partly because of the small number of cases, the comparative study of guaranteed descriptive representation systems is still relatively new. Perhaps the seminal work, by Andrew Reynolds, was published only in 2005. In it, Reynolds makes one of the first attempts at a comprehensive list of states that utilize some form of descriptive guarantee. Reynolds makes a case for a big-tent conceptualization, arguing that we should be able to analyze the diverse body of guaranteed descriptive representation systems through the same

frameworks. In his scheme, there are five types[1] of guaranteed descriptive representation institutions: reserved communal seats, identity conscious electoral system design, power-sharing settlements, race-conscious districting, and overrepresentation of defined ethnic/national regions (Reynolds 2005, Table 1). All told, he identifies 33 governments that make some sort of guarantee of descriptive representation for minority communities, which I identify in Table 2.1.

In his piece, Reynolds endorses the idea that scholars of representation should analyze all these types of arrangements together. In his conceptualization, since these systems are all ostensibly built around providing descriptive representation, they can be analyzed using similar means and methods (Reynolds 2005, 309). This approach, however, has flaws.

The first, and most obvious problem, comes with comparing regimes of full ethnic partition[2], like those found in Lebanon or Bosnia, to regimes of limited minority participation, such as Slovenia and Colombia. In a society that is fully partitioned, all politics is ethnic. The political goals and representational hopes of minorities in these states should be categorically different, as the overall structure of the state is usually such that the communities have a vested stake in the system. In contrast, in states with a small number of reservations, like Colombia (where Afro-Colombians are guaranteed just a single seat in the lower house), it should be expected that politics only occasionally takes on an ethnic character, rather than being defined by it.

[1] He identifies a sixth grouping of historical, colonial regimes that I exclude here.
[2] These include identity conscious electoral system designs and power-sharing arrangements. In both of these system types, the entirety of the popularly elected political class is ethnically partitioned, and this sets it apart from systems of much more limited reservations.

Figure 2.1

Reynolds (2005)	Bird (2014)	Allen
Communal Reservations India, Jordan, Niger, Pakistan, Palestinian Authority, Bhutan, New Zealand, Samoa, Romania, Taiwan, Kiribati, Venezuela, Slovenia, Iran, Colombia, Tibet (in exile), Belgium and Ethiopia Identity Conscious Electoral System Designs Lebanon, Singapore, Mauritius, Germany, Poland and Denmark Power-sharing Arrangements Bosnia and Herzegovina, Cyprus (1960), Rwanda, Fiji, Sri Lanka (1924), Zimbabwe (1980-85), Kosovo and Macedonia (proposed) Race Conscious Districting United States and Ukraine Overrepresentation of Defined Ethnic/National Region United Kingdom, Denmark, Tanzania and Finland	Seats Reserved for Ethnic Parties Kosovo and Romania Seat Guarantee in Pan-Ethnic Parties Burundi, Djibouti, Jordan, Kazakhstan, Lebanon, Mauritius, Pakistan and Singapore Special Districts Bolivia, Colombia, Croatia, Fiji, India, New Zealand, Niger and Panama	Democratic Cases Croatia, Slovenia, Taiwan, New Zealand, India, Romania, Kiribati, Samoa, Colombia, Panama, Bolivia, Kosovo*, Niger*, Jordan*, Pakistan and Montenegro[3] Non-Democratic Cases Venezuela, Iran, Ethiopia, Kazakhstan and Burundi[4]

The second, and somewhat less obvious problem of such comparison is lumping together states that utilize electoral mechanisms, such as threshold exemptions[5], with states that reserve seats communally. Threshold exemptions (found in Germany, Denmark and

[3] Montenegro's system technically combines elements of a threshold exemption system with elements of racially conscious districting. However, Florian Bieber makes the case that we should consider the Montenegrin system as a system of reservations similar to those found in Croatia and Slovenia (Bieber 2010).
[4] Burundi is included not for the full partition of the legislature between Hutus and Tutsis, but for the small, separately designed reservation for the Twa community.
[5] Threshold exemptions refers to systems where the state has implemented a minimum share of the vote a party must receive to be allotted seats, but exempts minority affiliated parties from having to reach this threshold.

Poland) create a particular form of ethnic representation provided by ethnic parties. To qualify for the exemption the party running must be ethnic in character. In contrast, communal reservations do not mandate in the vast majority of cases that the candidates be from an ethnic party; instead, the condition is only that the candidate come from the targeted community. This may seem like a small difference. But as scholars like Zuber (2015) argue, we should expect very different behavior of representatives from ethnic parties and mainstream parties. Evaluating the representational outcomes associated with these two designs as if the designs produce equivalent political realities would thus be a mistake.

Of Reynolds' categories, then, what is left are reserved communal seats systems, race-conscious districting, and overrepresentation of defined ethnic/national regions. For the purposes of comparative analysis, it also seems as if the overrepresentation of defined ethnic/national regions should be disaggregated. While overrepresentation of small and particularly concentrated communities may mimic some of the characteristics of reservation systems (see the Faeroe Islands in Denmark, or the Aland Islands in Finland), the design itself guarantees neither that members of the ethnic minority community will be nominated for the seat, nor that an ethnic minority party will win the seat. Overrepresentation, then, creates conditions under which the election of a member of the minority community is more likely, but not necessarily guaranteed.

Race-conscious districting, unlike the other types of arrangements discussed so far, shares a number of features with communal reservation systems. The voting base is, in theory, largely drawn from the targeted minority community. In theory, the goal of such an arrangement is to produce a representative that is drawn from the targeted community. While the guarantees of descriptive representation are not present, it seems fair to suggest that when

a race-conscious districting system is working as designed, it should produce representational outcomes similar to those found in communal reservation systems.

A more recent work by Karen Bird (2014) sheds most of the non-comparable cases of communal reservations, while updating the list of cases to include a handful of states Reynolds missed. She ends up with eighteen cases of states that use some form of ethnic quota.[6] For Bird, the world of cases involves three types of reservation regimes: those that reserve seats for ethnic parties; those that guarantee seats for minorities in pan-ethnic parties; and those that create special districts (2014, Table 2). Again, this includes several regimes that I would argue are not similar enough to compare. Many of the states that guarantee seats in pan-ethnic parties are fully partitioned ethnic states, like Lebanon or Burundi.

Combining these two analyses, a list of states that could reasonably be argued to have relatively similar institutional designs begins to become somewhat clear. I present that list in Table 2.1, along with a comparison to the classifications of Bird and Reynolds. Table 2.2 provides context about the number of seats reserved and for what groups in each state[7].

As the tables shows, communal reservation systems are found in sixteen democratic or near-democratic systems around the world. In another five non-democratic states you see similar institutions in play. While we should not expect any representational benefit from the reserved seats in these states, they are important to note. As Croatia and Taiwan can both attest, legislative institutions are sticky: reservation systems in these states preceded full democratization.

[6] A notable missing case here is Slovenia, which is missing for unknown reasons.
[7] The data in this table is collected from Reynolds (2005) and Bird (2014).

Figure 2.2

State	Number of Seats	Groups	Democratic
Croatia	8	Serbs (3), Hungarians, Italians, Czechs and Slovaks, Roma and Others, Post-Yugoslav Groups	Yes
Slovenia	2	Italians, Hungarians	Yes
Taiwan	8	Highland and Lowland Aboriginals	Yes
New Zealand	7	Maori	Yes
India	120	Scheduled Castes (79), Scheduled Tribes (41)	Yes
Romania	18	Albanians, Armenians, Bulgarians, Croatians, Germans, Greeks, Italians, Lipovan Russians, Jews, Macedonians, Poles, Roma, Ruthenians, Serbs, Czechs/Slovaks, Tatars, Turks, Ukrainians	Yes
Kiribati	1	Banaban	Yes
Samoa	2	Partial and non-Samoans	Yes
Colombia	3	Afro-Colombian (2), Indigenous groups (1)	Yes
Panama	5	Ngobe-Bugle (3), Kuna Yala (2)	Yes
Bolivia	7	Indigenous groups	Yes
Kosovo	19	Serbs (10), Bosnian, Turkish, Roma, Ashkali, Egyptian, Gorani	Yes
Niger	8	Tuareg	Yes
Jordan	21	Christians (9), Circassians/Chechens (3), Bedouin (9)	Yes
Pakistan	10	Non-Muslim groups	Yes
Montenegro	4	Albanians	Yes
Venezuela	3	Indigenous groups	No
Iran	5	Zoroastrians, Jews and Christians	No
Ethiopia	22	Minority national representatives	No
Kazakhstan	9	Underrepresented minority communities	No
Burundi	3	Twa	No

A Brief Overview of the Case Study Literature

One consequence of the relatively new nature of the field is that there have been very few comprehensive, comparative studies of communal reservation systems. This despite the rallying call of Reynolds in 2005. What has emerged over the last 15-20 years is a body of literature focused almost exclusively on single-case analyses.

Most notable among these is the corpus of literature that has begun to emerge on the reservation system in place in India. The Indian reservation system is, by most accounts, the largest system of ethnic reservations in the world (Jensenius 2017). This system reserves seats for both members of scheduled castes (part of the Hindu religious structure) and scheduled tribes (a more traditional ethnic minority). Reservations in India were implemented with the goal of overcoming long-standing political, economic and social disadvantages faced by these groups (Jensenius 2017).

Much of the early work on reservations in India focused on distributional impacts. Given the large scale social disadvantages faced by scheduled caste and scheduled tribe members, the institution should, in theory, be judged by the ability of the system to redress these inequalities through redistribution. Early work, most notably by Pande (2003), indicated that there may be real, substantive redistribution that could be attributed to the reserved seats. However, subsequent work has failed to duplicate these findings. Some find limited effects, contingent upon the partisan identity of the elected official nominated (Dunning and Nilekani 2013). In perhaps the most comprehensive study of electoral reservations in India, Jensenius concludes that there are next-to-no substantive distributional benefits that can be attributed to the reservation system for the national parliament, and only

small social benefits, related to social inclusion and acceptance (Jensenius 2017). These findings apply both at the national and local level, as Chauchard (2014) finds in his study of the use of reservations at the local council level.

Another heavily studied state has been Romania. The Romanian system is technically a threshold exemption system. But the exemption is so minimal (5% of the average vote required to elect a deputy), that the system serves as a de facto communal reservation for 18 groups that have consistently crossed this threshold since 2000 (Lublin and Wright 2013).

Less than 15 years after the democratization of Romania, scholars began to note the difficulties created by the Romanian reservation system. Alionescu (2004) notes two major problems: large numbers of those casting votes in reserved seats are not members of the minority community in question, a consequence of the open nature of the electoral roll; and the hijacking of minority seats by political opportunists with only erstwhile ties to the targeted minority communities (2004, 71). In a follow-up study nearly 10 years later, King and Marian (2013) find that time has not solved these problems. Additionally, a new problem has emerged around clientelism. Given the limited influence of a single, non-partisan legislator in a relatively large parliament (329 seats), politicians elected through reservations have increasingly been the targets of political purchasing campaigns (King and Marian 2013, 585).

In Colombia a similar problem has emerged. Seats were created for Colombia's Afro-Colombian community in both the lower and upper house of the legislature in 1991, with the writing of a new constitution (Htun 2016, 93). Afro-Colombians have long faced social exclusion, and reservations were seen as an opportunity to redress some of these issues

(Alarcon 2014). The system in Colombia from the very beginning led to problems. As Htun notes, by 2011 the Supreme Court felt obligated to step and cancel the reserved seat elections, as the seats had come to regularly be filled by legislators who were not recognized members of the Afro-Colombian community, some of whom were believed to have ties to paramilitaries and drug traffickers (Htun 2016, 94).

Scholars believe the problems noted above, as well as others, are linked to the structure of Colombia's reservation system. Eligibility to vote in the Afro-Colombian reserved districts is open to all Colombians, which has made the seats regular targets for mainstream parties or political forces (Htun 2016, 94). Even if the system worked to absolute perfection, however, it systematically underrepresents Colombia's Afro-Colombian population, reserving just under 2% of the seats for a community that, by conservative estimates makes up 10% of the population of Colombia (Alarcon 2014, 19).

Such dramatic underrepresentation through reservations is, however, the exception, not the rule. In most countries, minority communities targeted for reservations either get a seat share roughly proportional to their population share, or are overrepresented (see, for instance, the seats reserved for Romania's 18 minority communities. In some cases, overrepresentation is a by-product of providing a single seat to a very small community. However, this is not always the case.

In Taiwan, for instance, the Aboriginal community has a number of seats reserved that, as a share of the overall legislature, is almost triple the share of the Aboriginal community in the broader population (Templeman 2018, 1). This is in part a legacy of the fact that the reservation system was introduced during an era of martial law, when the seats

were simply symbolic and were not expected to have any influence on actual politics (2018, 2). This overrepresentation might be expected to translate into an outsized influence for the community, but the reality has been far more dismal. The reserved seats in Taiwan have been dominated by Taiwan's historically dominant party, the Kuomintang. Because no Aboriginal party has emerged, internal divisions among Highland and Lowland communities have hampered the ability of the community to consistently impact policy (Templeman 2018, 3). This has not completely crippled the political power of minority legislators, however. A period of very close elections from 1995 until electoral system reforms in the mid-2000s led to a period of minority empowerment, with minority legislators, even when elected under the Kuomintang label, used their pivotal position to force through several minority empowerment measures (2018, 15).

This problem with ethnic party formation, and internal fighting among the communities, is something seen in many reservation systems. It is noted as a major issue in Colombia, where rural and urban Afro-Colombian communities have major differences in policy preferences (Alarcon 2014). In both Colombia and Taiwan, the scholarship concludes that reservations would likely be more effective if they created strong incentives for ethnic minority party formation. I will come back to this issue in the next section.

In New Zealand, a strong ethnic minority party has emerged to contest reserved districts. It is important to note, however, that an ethnic minority party did not emerge in New Zealand until the 21st century, and after an electoral system reform from single-member district plurality to mixed-member proportional (Xanthaki and O'Sullivan 2009). Reservations, on the other hand, go back to the Maori Representation Act of 1867. It seems doubtful, had the electoral system remained unchanged, a Maori party would have emerged.

This is an important distinction to make, because prior to the 21st century and the emergence of the Maori Party, most scholars admit the reservation system was not doing an adequate job of giving Maori the ability to influence politics (Xanathaki and O'Sullivan 2009, Summersby 2009). Embedded within a more proportional system, however, the Maori community has been able to extract notable concessions in exchange for political support to major, mainstream political groups. Summersby (2009) notes, however, that the positive outcomes achieved on behalf of the Maori community are deeply rooted in both the new electoral system and the size of the Maori community which, at nearly 16% of the overall population, is an electoral force that is hard to ignore.

The preceding literature review is not exhaustive, but it does represent a large proportion of the work that has been done on this topic. A few trends can be drawn from this body of case studies. The first is that, in every case cited above, the reservation system does not seem to have been associated with a large substantive impact on the representation of minority issues. That is not to say there has not been some impact – in both Taiwan and New Zealand the evidence is strong that there has been a small, but significant positive impact from these reservations. But the general tone of the pieces is one of surprise at how minimally effective the reservation systems have been in generating genuine representational benefits for the targeted communities. A few of the concluding thoughts from these pieces paint the picture:

> "The important question is: If reserved seats further traditional, patronage, and even criminal politics, why have them at all?" – Htun 2016, 119

> "Minority organizations subject to reserved seats in Romania emerge relatively quiescent, co-opted, dependent, and powerless, yet simultaneously satisfied that they can guarantee by means of state subsidies the foundations for group maintenance." – King and Marian 2012, 585

> "The Taiwan case thus provides a cautionary tale for efforts to enhance minority representation: the mere creation of reserved seats, however well-intentioned, is not enough to ensure that minority group interests are well-articulated in representative institutions." Templeman 2018, 19

Another element that quickly becomes clear is that the specifics of the institutional design in a given state matter intensely. In India, the fact that the reservation applies at the candidate level, not the voter level, effectively means that candidates cannot run explicitly on ethnic platforms (Jensenius 2016). In both Colombia and Romania, the open nature of both the candidate and voter bases has had intense ramifications on the electoral politics in these districts, allowing political opportunists and mainstream political forces to insert themselves in these elections. The resultant representatives in both states have been accused of having weak ties to their constituencies and engaging in little political activism on their behalf. Even in a group of states with relatively similar guaranteed descriptive representation institutions, the small variations in institutional design seem to matter.

Finally, the impact of communal reservations is clearly filtered by the political and social context in which they are embedded. This may not be surprising, but it is something that all cross-national comparative work must consider, and it is one potential explanation for why so little comparative research has been done to date (Reynolds 2005). We know from the case of New Zealand that group size can have an impact, with larger groups having a greater likelihood of shaping political outcomes than smaller groups. We also know from New Zealand that electoral systems matter: reservations embedded in a broader single-member district plurality system were far less effective at generating substantive Maori representation than a mostly similar reservation system embedded in a more proportional mixed member electoral system. Even basic political context, like how competitive the

overall electoral arena is, can matter, as we see in Taiwan, where the legislators elected in the reserved Aboriginal districts enjoyed their greatest influence only when the system was otherwise deadlocked.

These trends have not gone unnoticed by scholars. As this body of case studies has been built, increasingly scholars have begun to note the similarities I just outlined and discuss them in their works. This, in turn, has contributed to the beginnings of some broadly applicable theories of communal reservations.

The Beginnings of a Theory of Communal Reservations

The study of communal reservations may be dominated by case studies, but three pieces of generalist and cross-national research deserve mention here. Each has taken the body of case study literature and attempted to create from it a more general theory of how reservations may work.

In a series of projects, David Lublin has taken up the issue of how different institutional arrangements foster the creation of ethnic minority parties (Lublin and Wright 2013, Lublin 2014). As was noted in the previous section, several single-country analyses of communally reserved legislative seats have pointed to the problems that occur when the reservation does not lead to the creation of a viable political party. While Lublin's book deal with far more than just communal reservation systems, he does devote an entire chapter to these states.

If one of the conditions for the success of legislative reservations is the creation of a viable party behind which the community can rally, Lublin finds communal reservation systems severely lacking (2014, 175). Compared to some of the other guaranteed descriptive

representation systems discussed earlier, such as threshold exemptions, communal reservations fall far behind.

Lublin's work is mostly concerned with explaining under what conditions ethno-regional parties will emerge. In general, the book is less concerned with explaining why certain systems create the incentives they do. Luckily, this hole was filled by the next scholar.

In "Reserved Seats, Political Parties and Minority Representation" Cristina Zuber argues that we cannot understand the impact of reserved seats on representation without understanding the party system (2015). The party affiliation of a minority representative moderates any representation they provide. When a minority representative is elected by an ethnic party, or as an independent, she hypothesizes we should expect the best representative outcomes, with strong congruence between the desires of the minority community and the actions pursued by the representative (396). In contrast, where minority legislators are elected under the label of a non-ethnic party, the impact of the reservation system is effectively null (398). It is possible the community may get some sort of representational benefit, but only when the goals of the minority community and the goal of the non-ethnic party overlap.

While Zuber does not describe it this way, her theoretical framework can be re-caste as a principal-agent problem. In a traditional principal-agent relationship, a principal forms a contract with an agent to represent their interests; the problem emerges when the agent has a different agenda than the principal and does not act in congruence with the principals wants and needs. In representation theory, principal-agent modeling is relatively common, with

electorates cast as the principal and representatives the agent. In theory, electoral mechanisms should help to solve the principal-agent problem, as the electorate has a semi-regular opportunity to sanction unreliable agents by voting them out of office.

The first scenario Zuber discusses, where minority parties are elected in reserved districts, is one where a representative has two principals, the minority electorate and the minority party. In this instance, we should expect the two principals to be pulling in largely the same direction. The assumption here is that the party membership, which is pulled exclusively pulled from the membership of the district, will have preferences that nearly perfectly align with the interests of the community. In the second scenario, however, where a legislator is elected in a reserved district as a member of a non-ethnic party, legislators face a two-principal problem. They are beholden both to the voters who elected them and the party that nominated them. The legislator is forced to balance these competing demands, and the most likely outcome, as Zuber notes, is that the achievements of the legislator will be limited to any areas where the goals of both principals overlap (see Figure 1, 396).

Zuber's theory is both novel and insightful, even without empirical tests. Most notably, it deserves praise for fitting in well with what we already have learned about communally reserved legislative seats. The outcomes observed in Taiwan, New Zealand, Colombia and Romania all align well with Zuber's hypotheses.

The last broadly comparative piece on communally reserved legislative seats focuses not on parties, but on the choices of institutional design made by individual states. In a recent article, Corinna Kroeber argues that we can understand communal reservation systems as

being divided by two dimensions: the openness of the electorate[8], and the openness of the nomination process[9] (2017, 201). This divides neatly into a two-by-two table, with four categories: systems with limited electorates and limited candidacy rules; systems with limited electorates but open candidacy rules; systems with open electorates but limited candidacy rules; and systems with open electorates and candidacy rules.

Kroeber argues that these institutional differences map onto differences in representational outcomes. Systems with limited electorates should have better substantive outcomes, all things being equal, because the candidates must satisfy the electorate to be re-elected (2017, 201). Limited candidacy rules should have a negative impact on representation, however, as limiting the choice of representative to a much smaller pool may have an adverse impact on candidate quality. She also argues that reservation systems with limited candidacy lead to greater acceptance of democracy among minority voters, and that systems with limited candidacy and a limited electorate generate the most acceptance among minority community members (202). A legislator that is drawn from the community is important for establishing a psychological tie between members of the community and the state, while a limited electorate assuages any potential concerns among minority community members that their vote is in any way diluted.

The proposal of a theory is not the only goal of Kroeber's study. It contains an empirical element to test her four hypotheses. She tests these hypotheses by investigating the

[8] A closed electorate is one where voters must be a member of the ethnic minority community targeted by the reservation, while an open electorate is one where voters can self-select in to the district.
[9] Limited candidacy rules exist where the candidate must come from the minority community targeted by the reservation, while an open ruleset is one where candidates can come from outside the targeted group.

reservation systems in New Zealand, Taiwan and Venezuela[10]. The selection of cases is notable here, as Kroeber has a case with limited candidacy but open electorate (Venezuela), limited electorate but open candidacy (New Zealand), and limitations on both candidacy and the electorate (Taiwan). By focusing on party affiliation, parliamentary activity and rates of re-election, she confirms her theory about the relationship between the openness of the electorate and candidacy rules on representation (207). I will return to this element of the results in Chapter 4. Using survey data, Kroeber is also able to largely confirm her hypotheses in relation to limitations on candidacy and the electorate and acceptance of democracy (209).

Kroeber's piece represents the first attempt to my knowledge to create a comprehensive theory of how variations between communally reserved legislative seat designs impact representation. And, much like Zuber's work, the descriptive framework largely fits in with the case study work. Both pieces have given future researchers a strong theoretical foundation for understanding how to link communally reserved legislative seat systems with representation.

The study, however, transitions well into another discussion that must be had before any serious discussion of the relationship between reserved legislative seats and representation. What does it mean to be represented? How is representation provided, generated, delivered? While representation is the goal of guaranteed descriptive representation systems, the de jure goal is, by definition, simple descriptive representation – generating a legislator that has similar characteristics to the minority community in question.

[10] The inclusion of Venezuela is questionable in hindsight, but as of 2016, Venezuela was still considered a partly free country by Freedom House.

The question must be whether simple descriptive representation is enough, or if guaranteed descriptive representation institutions must be judged by a more comprehensive conceptualization of representation. If the answer is the latter, what must be included in that more comprehensive conceptualization? I will discuss this in the next chapter.

Chapter 3 – The Limits of Current Theories of Representation

In the previous chapter, I discussed the current literature on communally reserved legislative seat systems. At the end of the day, the collected case studies seem to portray a relatively dismal portrait: reserved seats systems seem to be only minimally impactful in generating positive representational outcomes for the targeted minority communities. But how are we to judge the representational outcomes of these systems? More broadly, what does it mean to be represented. The collected studies operationalize representation in numerous, highly idiosyncratic ways – which is to be expected of case-study research, which has as one of its strengths the ability to address context and nuance in the study of politics.

For truly comparative studies, however, this lack of consensus poses a problem. Without a fixed definition of what it means to be represented, it is nearly impossible to compare across cases. What scholars have largely relied upon to date for such cross-national comparisons is the concept of descriptive representation, or 'standing for' representation (Pitkin 1967). By this metric, a population can be evaluated as having achieved representation if the legislative branch approximately matches the socio-demographic makeup of the society from which it is elected.

However, this reliance on descriptive representation also presents problems. Descriptive representation as a conceptualization of what it means to be represented is reductionist. It relies solely on the mirroring of social characteristics. Almost all popular conceptualizations of representation are much more comprehensive in nature (Saward

2010)[11]. Even in the realm of democratic theory, most full conceptualizations of representation include some element of speech or action, rather than just simple presence (Urbinati and Warren 2008).

Why, then, do studies continue to rely upon descriptive representation? In this chapter, I will address this question, with a focus on what we have learned from several years of study of descriptive representation, as well as the serious limitations it presents to the study of institutions of guaranteed descriptive representation. I will then discuss how several more recent studies have attempted to conceptualize representation, with a focus on studies that focus on speech and process. Finally, I will argue that a better approach to studying the relationship between institutions and representation is to focus on a tiered conceptualization of representation, that combines elements of presence, speech and action. Such a combined approach has the advantage of being truer to most conceptualizations of representation, while at the same time still presenting a viable approach for cross-national research.

Representation as a Mirror Image

While descriptive representation has emerged in recent decades as a popular topic in public and academic discourse, it is by no means a new concept. Pitkin notes the idea that a legislative body should mirror the socio-demographic and ideological characteristics of the population from which it is elected goes back to at least Edmund Burke and John Adams (1967, 61). The body of work advocating for descriptive representation argues that a

[11] As Pitkin (1967, 76) notes, "Not many people, after all, seriously think that the best legislator is one who is typical and average in every conceivable respect, including intelligence, public spiritedness, and experience."

representative body can only be considered such if it bears "…an accurate correspondence or resemblance to what it represents, by reflecting without distortion," (1967, 60).

These early claims, according to Pitkin, were often made to discount the representativeness of those bodies, such as the British House of Lords, that bore no resemblance to the population at large, or to advance the argument for proportional representation electoral systems (1967, 61-63). The latter movement was particularly associated with the concept of descriptive representation, as proportionality was believed to be one of the most effective ways of drawing together the myriad voices of society in such a way that all could have a voice in politics.

Starting in the early 1990s, scholarly work began to associate descriptive representation with the representation of marginalized communities. Works by Lani Guinier (1994) and Anne Phillips (1995) label to lack of descriptive representation for women and minorities as a failure of representative democracy. Both argue for institutional manipulations to increase the probability that these marginalized groups can elect a member of the group into the legislative body. For both scholars, presence is the goal of the institutional reform, rather than some greater conception of representation, which they believe can only come after presence has been achieved. Phillips, in particular, notes that the goal of institutions designed to guarantee some level of descriptive representation must not be to create blocs representing only the marginalized group's interests, but rather "to enable those now excluded from politics to engage more directly in political debate and political decision," (1995, 167). These claims, then, can be seen as more normatively based: descriptive representation is morally and ethically essential for democracy, almost regardless of its outcomes.

Works that built from these earlier, more normatively centered accounts go beyond the normative claims to argue that descriptive representation provides concrete benefits. Mansbridge argues that descriptive representation for women and minorities should be pursued not just because it is normatively right, but because it produces feelings of democratic satisfaction among the targeted population and may produce real policy effects (1999). Dovi (2002) concurs, arguing that descriptive representatives, especially those that strongly resemble marginalized community members, have the potential to increase democratic participation and legitimacy among marginalized communities (742).

Some of the claims of these early scholars have proven to be accurate. Banducci et. al. (2004) find that increased descriptive representation of minority communities in the United States and New Zealand increases integration of the targeted communities into the broader democratic process, as well as improving feelings of representation. Kroeber (2017) finds similar impacts in Taiwan and Venezuela. Some studies even show benefits beyond these improvements in democratic feeling. Kittilson (2008) finds that increasing the number of women in legislatures in OECD countries was associated with increased attention paid to family leave policies, traditionally seen as women's representation issues.

For all of the attention paid to the benefits of descriptive representation, far less has been paid to the limitations of the concept. Pitkin, to her credit, was quite cognizant of these limitations, noting that "a representative must first of all be capable of effective action," (1967, 65). She effectively rejects the concept of descriptive representation, arguing that "if we restrict representing to the descriptive view…then we cannot account for the other, conflicting ways in which the concept is used, and we cannot explain how a governing executive represents," (91). The disconnect between descriptive representation and any

concept of action is notable, and important. Too much emphasis on achieving presence, without accounting for how presence is impacted, can be a major oversight in research. As Lublin and Wright (2013) point out, guaranteed descriptive representation institutions may create a situation where "minority members may obtain seats without being able to articulate their constituencies' political interests, a situation amounting to tokenism, not representation," (16).

The potential for tokenism is one that should be concerning for almost all instances of guaranteed descriptive representation institutions. In fact, Lublin (1999) notes that even in systems like the majority-minority districting system found in the United States, which many of the scholars earlier noted as one of the better systems for generating strong representation for minority communities, there is a tradeoff. The creation of special districts that concentrate African American voters has at the very least had the indirect effect of disconnecting African American political issues from the political agenda of the broader system (1999, 186). In other words, there is a tradeoff inherent in the institutional design, between improving descriptive representation through competitive means, and improving the ability of minority communities to have representatives that are effective advocates, able to both speak out in favor of, and actually achieve the policy goals of their communities.

Scholars are not ignorant of this issue. But many see it as a non-factor. Mansbridge, for instance, argues that any such tradeoff is worth it for the gains in deliberative quality and minority integration associated with descriptive representation (1999, 641). For Dovi, this potential tradeoff is much more likely to happen when institutions do not facilitate the selection of descriptive representatives with strong ties to the marginalized elements of the

community (2002, 731).[12] In more empirical work, Bird, despite recognizing that the nature of quota designs matters for women's representation, continues to measure the representation benefits of guaranteed descriptive representation institutions using simple descriptive representation counts (2014).

To some degree, the continued use of descriptive representation as a measure of representation in cross-national-empirical work makes sense. In studying the impact of various societal factors or political institutions on representation, there are serious limitations posed by other conceptualizations. This type of data is readily available, while data on other potential operationalizations of representation is difficult to find, if it is possible to find at all. This is not laziness on the part of the researchers. There is a real impediment to finding an alternative operationalization of representation that can easily move from case to case. Scholars cannot and should not be blamed for the fact that seminal work in the field makes use of this easy to find data. This is also true because the second answer to the original question is that, almost regardless of what conceptualization representation a researcher chooses to use in their study, almost all envision a role for descriptive representation. For many scholars, descriptive representation is seen as a necessary but not sufficient condition for the achievement of substantive representation (Phillips 1995, Dovi 2002). In some ways, this emphasis on descriptive representation can be seen as a reductionist approach focusing on the lowest common denominator of representation, the one thing that most theoretical conceptions agree upon.

[12] This is the reason Dovi puts so much emphasis on the selection of descriptive representatives.

In many ways, this emphasis on the lowest common denominator is similar to the comparative politics emphasis on procedural democracy that has emerged over the last two decades. While most researchers agree that democracy is more than just holding regular, free and fair elections, almost all agree that this is foundational to democracy. As a result, many scholars have advocated for a minimalist definition of democracy to serve as the foundation of large cross-national research projects in this field. This argument has been championed by several prominent scholars of democracy, including Alvarez et. al. (1996), and Golder (2005, 2013), who has maintained the Minimally Democratic States dataset that has become commonly used in the comparative democratic institutions literature.

Regardless of what motivates scholars to use a more minimalist definition of representation, or how common this type of parsimonious research emphasis is in the broader political science field, it is not the only approach that can be taken to understanding representation. In many ways, I will argue, over-emphasizing descriptive representation can and does lead researchers to miss important variation in the actual political influence of disadvantaged groups, and how this is impacted by institutional design. This is not a particularly new argument. Women's representation scholars have for much of the past decade argued that having just numbers, just presence, just voice is not necessarily linked the ability to affect politics and policy. This body of research stemmed, as Celis and Childs (2008) point out, from a critical reaction to critical mass theory, which holds that women's descriptive representation leads to beneficial substantive representation once a critical mass of the legislature is made up of women (420). The ensuing empirical debate concludes, they argue, that: "Any idea – or hope – that simply counting the number of women representatives

will tells us very much about the likelihood of the substantive representation of women no longer looks to be tenable" (2008, 420).

This argument is echoed in other studies, including in Waylen's (2008) investigation of the substantive representation of women in democratizing scenarios and Mackay's (2008) theoretical argument for different ways of understanding substantive representation of women outside of standard measures of 'acting for'.

There are strong linkages between the women's representation and minority representation literatures, and as such it is particularly interesting that scholars in the latter field have largely ignored these strong theoretical and empirical complaints about the link between descriptive and substantive representation. I think there is strong reason to believe that this situation is a result of the inability of researchers to identify an operationalization of substantive representation that can travel effectively across time, groups and institutional context.

Representation as Acting For

One potential alternative conceptualization is what Pitkin labels substantive representation (1967, 114). In this understanding, representation is tied to the idea of action. To be represented is to have someone acting on one's behalf, in either a trustee or agent-based conceptualization (115-118). These representatives are tasked with advocating and acting for the best interests of those who they represent.

There is a significant argument made in the literature on representation that substantive representation as conceived by Pitkin (1967) should be conceptualized with a process-oriented definition. By this argument, substantive representation is about voice and

acting for, rather than access and providing for. Scholars such as Phillips (1995), Mansbridge (1999), Iris Marion Young (2000), and Mala Htun (2004) argue forcefully that the benefit of descriptive representation, a politics of presence, is in the newly created ability of underprivileged representatives to introduce a voice of the oppressed into the political sphere.

By these and other related arguments, introducing underprivileged and under-represented groups into the policy making process will introduce new voices that should have an impact on the policy outputs of governments. There is an informal assumption in these works that, by increasing the voice of these communities in the policy-making process, there will be an eventual improvement in policy output of the state insofar as it aligns with the policy needs of marginalized communities (Wängnerud 2009). However, the emphasis in most of these theories is on the discursive or deliberative influence of increased representation of underprivileged groups, rather than outputs themselves.

This approach to understanding representation as speaking for has notable advantages in cross-national scholarship. Legislative and campaign speech is something that can be noted and measured across space and time with little troubling variation in the concept. Focus, for instance, on legislative speeches can be used to inform scholars about which actors are speaking up for those policies particularly associated with marginalized communities (see Saalfeld and Bischof 2012, Kroeber 2017). These studies can then try to identify causal explanations as to why certain legislators are behaving as they are.

Such an approach on the surface also appears to work particularly well for the study of the representation of small minority communities. Unlike for women, where the assumption of a monolithic preference structure is strongly problematic (Mackay 2008),

small minorities often have much more cohesive policy platforms. At the same time, conventional wisdom holds that such small communal groups have little hope of impacting broader policy debates (Reynolds 2005, Lublin and Wright 2013, Lublin 2014). Returning to the study of guaranteed descriptive representation institutions for a moment, measuring their efficacy by evaluating how they incentivize legislators to speak on behalf of their communities seems a strong way to get past the tokenism critique identified earlier.

While this focus on speech and speaking for may have a strong empirical case, however, it is still not a full or accurate conceptualization of representation, or even substantive representation as conceived by Pitkin. If, in a representative government "the governed must be capable of action and judgment, capable of initiating government activity," it is hard to see how an exclusive focus on speech captures this element (Pitkin 1967, 232). Indeed, in one of the studies above that utilizes speech as an operationalization of representation, it is found that minority legislators, while more likely to give speeches, are only more likely to vote in favor of minority-targeted legislation if it aligns with their electoral incentives (Saalfeld and Bischof 2012). Speech, even if it is perfectly in line with the goals of the representative, can be just as much an empty token as presence if there is no reasonable expectation that such speech will be translated into policy.

If anything, a strict focus on speech more closely resembles Pitkin's conceptualization of symbolic representation. This idea of representation allows for more action than descriptive representation, but the action does not have to be tied to outcomes in any way (1967, 103). Representatives are symbols insofar as they are clearly tied to the communities they are elected to represent; acts such as speech can serve as a means of generating those feelings of attachment between the leader and the community. But there is

no requirement for any sort of achievement; you can have symbolic representation but be entirely disconnected from political efficacy.

Representation as Incorporation

If we were to combine these various conceptions of representation, we could say that a minority community is represented when members of the community are elected to the legislative body, actively speak out on issues of importance to the community and are able to translate their advocacy to public policy. A well-functioning representative government is one where this linkage between presence, speech and action is present for the representatives of all groups in society. This linkage is similar to what Browning et al (1984) labeled as incorporation.

Incorporation, unlike conceptualizations of representation as either presence or voice, argues that these first two elements are the earliest, foundational steps of true political representation (Browning et al 1984, 240). The end goal for minority communities and their allies should be the creation of a system where minority representatives are permanent fixtures in governing coalitions. Full incorporation has three steps: the group must get elected; it must become part of a broader coalition; and that coalition must be dominant and able to effect policy change (241).

The incorporation model is built to help us understand how minority groups impact policies in urban settings, as this was the purpose of the original research program which it informed. I would argue that it may undervalue to a degree the importance of presence and voice in the political arena at the national level. Presence and voice at the national level can serve a purpose in building up a public tolerance for marginalized groups, even if those

elected can do little to provide policy for their constituents (Jensenius 2016). At the national level, notably in large, spread out countries, the presence of a minority legislator in the broader political arena may be the only exposure large swaths of the population have to that group, especially if the group is regionally concentrated. Presence and active speech can serve to help build public support for, or at least public acceptance of the legitimacy of minority policy claims. Given the proclivity of nationalist parties to see cooperation with minority parties as unacceptable, this acceptance building may be the key to the formation of the coalitions Browning et al see as so important for incorporation (Lublin 2014, 336).

And the focus these scholars put on coalitions and coalition building is important. It may be the critical weakness of representation scholarship that so little of it effectively deals with the fact that, for marginalized populations, representation is inherently relational. The group is underrepresented relative to some dominant community, be it gender or racial. To change the status quo must involve either political alliance with some subset of actors of the majority community, or an expansion or the community to include an increasingly larger share of the population. Only through such coalition building can marginalized communities really hope to build up momentum for policy change. Especially in the case of smaller communities, coalition building is essential.

If we are to evaluate states and their institutions, then, we must focus on a holistic approach to representation. Scholars should focus energy on the study of representation as presence and speech. These are important elements in the overall incorporation of minority interests into the broader body politic. But research must also center on how regimes facilitate the linkage between presence, voice and action. The creation of token

representatives should not be judged as successful without critically evaluating how the system itself contributes to their tokenization.

Representation and Communally Reserved Legislative Seats

In the study of communally reserved legislative seats, the main focus of this work, one element of the representative chain is more-or-less constant. This institutional arrangement guarantees a presence for minority politicians in the national-level political arena. Some groups may be over- or underrepresented, and this distinction may be a fertile ground for further research, but one cannot effectively study reserved seats through an evaluation of their impact on descriptive representation.

As such, cross-national comparison can begin by evaluating the impact of communal reservation systems on discourse. This could mimic Saalfeld and Bischof's focus on evaluating parliamentary speech of minority MPs by looking at formal parliamentary questions (2012). In places where formal parliamentary questions may not be available, other forms of parliamentary or campaign speech could suffice. Kroeber (2017) argues that comparisons can even be drawn by looking at things like committee membership, whereby minority MPs who participate in committees that explicitly deal with minority concerns are engaging in representation targeted towards their communities. Many of the individual case studies covered in Chapter 2 note the positive impacts on discourse of having minority legislators.

Where there is more room for continued research, however, is in the investigation of minority policy influence in states that use communally reserved seats. We know, for instance, that in majority-minority districting systems in the United States, a very similar

arrangement, there is a tradeoff between presence and voice, on one hand, and policy influence on the other. African-American communities in the South, to achieve a legislative presence, were forced to sacrifice the ability to truly influence policy debates (Lublin 1999). Part of the explanation for this rests with the fact that, by changing the nature of electoral competition, majority-minority districts changed the dynamics of coalition building, making it much harder for African-American communities and community leaders to build reciprocal coalitions with white Southerners.

No such study of the comparative impact of communal reservations exists. This is a hole in the literature I am seeking to fill. We simply do not know how communal reservations impact the ability of minority communities to pursue policy change. For instance, we know in general that districting decisions have large impacts on political competition, influencing both how many competitors can feasibly enter the space and what types of issues are politically relevant (Cox 1997). But to date there has been no investigation of this in relation to the use of communally reserved legislative seats. And we do not know how these seats impact coalition building, essential to the model of democratic incorporation Browning et al so strongly argue is the goal of minority communities.

In the next chapter, I will lay out a theory of communal reservations that argues that, while these seats provide descriptive representation, and in many cases create opportunities for political voice for marginalized communities, they create an institutional incentive that makes the realization of the incorporation model unlikely. The competitive incentives of the system are such that coalitions between marginalized and dominant groups are next to impossible to imagine. Without such alliances, the minority communities targeted with

reserved seats are unlikely to be able to exert the pressure necessary to influence policy debates except in the most specific of political contexts.

What we can learn from this, however, is not just about the limits of communal reservation systems. It is also the limits of descriptive representation as a political goal. If institutions must be used to guarantee descriptive representation, and they effectively stymie the realization of minority political and policy goals, one must begin to question whether descriptive representation should continue to be pursued without adequate understanding of the consequences.

Chapter 4 – The Structural Limitations of Reserved Seat Systems

In the previous chapter, I argued that representation, particularly for marginalized groups, must be about more than just presence. While presence is undeniably important, it is in-and-of itself insufficient. Democratic representation requires not just that one has a seat at the table where decisions are being made. It requires that minority voices are able to actively participate and have a meaningful chance at changing political outcomes. Representation, then, can be thought of as something of a ladder; presence, participation and efficacy are all necessary steps toward achieving full democratic representation.

This re-think of representation is a necessary element of any evaluation of communally reserved legislative seats. As I pointed out in Chapter 2, there is a mounting body of literature that for a variety of reasons, finds this institutional arrangement unsatisfactory as a tool for improving the participation, inclusion and representation of minority communities. There is a small but still significant number of positive findings show a limited representational benefit to reserved seats. Because the negative findings in regard to reserved seats are almost exclusively case studies, there is not a systematic rebuttal to the arguments about their descriptive representational benefits. The debate in the field is at something of an impasse. A reconceptualization of representation, which might allow one to tie the case studies together theoretically, is an important step in overcoming the impasse.

At this point, it is important to re-emphasize the scope of this study. As I established in Chapter 2, I am focused on what Andrew Reynolds described as reserved communal seats, with some slight modifications to the body of cases (2005, Table 1).[13] This arrangement

[13] For a breakdown of what these modifications are, refer to Chapter 2.

needs to be distinguished from de jure (or de facto) ethnic partitions of legislatures, such as those found in Lebanon and Bosnia. These fully partitioned systems should be expected to dramatically impact the nature of politics in a state, inserting ethnicity into every decision.[14] Communal reservation systems, by contrast, are very limited in scope, impacting usually less than 10% of all seats. It is reasonable to expect that, because of the more limited scope of this institution, it will have, at the very least, a different impact on politics than that of a fully partitioned system.

The argument I will advance in this chapter is that communal reservation systems, while guaranteeing descriptive representation, actually negatively impact the ability of minority community representatives to be effective politicians and policy-makers in the broader national context. Much as majority-minority districting in the United States has the unintended side-effect of further marginalizing African-American political issues (Lublin 1997), communal reservations isolate the political agenda of minority communities and effectively reserve competition over the minority issue space to the reserved district alone. Mainstream political actors are freed from any need to compete for minority voters or prioritize the policy concerns of minority communities that enjoy reservations. Minority community leaders, in turn, are incentivized to focus ever exceedingly on minority issues, narrowing the scope of their political platforms and increasing the likelihood of an ethnic outbidding scenario, where the parties competing over minority voters end up locked in a struggle over who has the most extremely ethnically centered policy program (Wilkinson 2000).

[14] This process is called the centripetal impact of political institutions, and is discussed in depth in Donald Horowitz' *Ethnic Groups in Conflict* (1985).

Key to this argument is the hypothesis that communal reservations bifurcate the national political issue space, separating and alienating minority issues from non-minority issues. When this occurs, the ability of mainstream political actors and minority community representatives to come to effective, politically acceptable policy bargaining outcomes is compromised. With a decreasing likelihood of positive bargaining outcomes, democratic representation as I have defined it is no longer achievable. This bifurcation of the national political issue space also explains why the obvious descriptive representational benefits of reserved seats are not translated into improvements in elite participation and efficacy, as so much of the literature assumes (Phillips 1995, Mansbridge 1999, Young 2000, Dovi 2003). The political incentives created by the institutional design itself are the problem, impinging on the natural relationship hypothesized to exist between descriptive and substantive representation.

I will begin this chapter with a brief re-introduction to communal reservation systems, followed by a discussion of the limitations of existing theories. I will then present what I believe is the core problem of reserved seats, the de facto separation of minority political preferences from the broader national political debate. Next, I will show how this is in fact a function of the institutional design, which creates both principal-agent and coalition bargaining problems that are problematic for the political integration of minority communities. Finally, I will highlight three observable implications of this theory that can be used to empirically evaluate its validity.

The Existing Literature and Its Limitations

While communal reservation systems have many components, there are five key elements that impact the nature of representation for the designated groups. The first is the decision about which groups are granted reserved seats. This institutional question is complex, and the rationale for inclusion of groups into reserved seats schemes is hardly systematic across cases. As such, I will not focus on this topic in the study.

The second element is the number of seats that will be assigned to a group (or groups). This institutional choice has obvious implications for descriptive representation. The number of seats can be used to systematically under- or over-represent groups, potentially creating representation gaps. Beyond this, however, the number of seats reserved for a group relative to the overall size of the legislature can have a significant impact on the ability of minority legislators to be efficacious in representing community interests. Reserving a single seat for a community in a legislature of 30 will lead to noticeably, and understandably, different outcomes than reserving a single seat in a legislature of 300. I will come back to these political implications more concretely later in the chapter.

The third element relates to districting choices that are made in regards to communal reservations. As Bird (2014) notes, there is widespread variation in the nature of districting choices in reservation systems. Many states create single, nationwide districts that pull minority voters from the entirety of the state and have them cast ballots in a non-geographic constituency. Others designate specific regional constituencies as specially reserved districts. The impact of districting choices on the representation of a community should

largely depend upon the characteristics of the group, namely the group's concentration, its social cohesiveness, and its relative size.

The final two elements are, arguably, the most important design features in terms of their impact on representation (Kroeber 2017). The first is the restrictiveness of the rules governing the electorate in the reserved constituencies. In systems where the electorate is limited to a certain, readily verifiable list of minority community members, substantive representation should be improved, as elected representatives have a vested electoral interest in advancing the interests of their constituents (Kroeber 2017, 201). The implication is that where the electorate is more open to self-identified community members or sympathetic voters, there is more electoral incentive to cater to broader interests.

The final element of institutional design that should have a significant impact on representation is the restrictiveness of rules around candidacy. Kroeber argues that where candidacy is restricted to members of the group, minority community members are more likely to feel a sense of inclusion in the broader democratic community and to be accepting of the state and its institutions (2017, 202). Inversely, it is implied that where candidates are not limited to members of the community, overall feelings of inclusion are lower.

Kroeber also establishes two potentially important interaction effects between candidacy restrictiveness and electorate restrictiveness in her work. First, where both are highly restrictive, we should expect substantive representation for minority communities to diminish (2017, 202). While minority community members are likely to monitor closely and outsider who is designated to represent their interests, a co-ethnic may be assumed to be intrinsically representing the groups interest, and face less active accountability measures

(2017, 211). Second, where both the electorate and candidacy are highly restricted, we should observe higher feelings of inclusion and acceptance of the system among minority community members. This is because "minority voters perceive the affirmative action more intensively" when they have a guaranteed representative that shares their minority background (2017, 202).

As perhaps the first in-depth investigation on how institutional variation in communal reservation design impacts representation, Kroeber's piece deserves strong praise. It represents a needed step forward in the study of communal reservation systems. I believe Kroeber's theoretical framework, however, has one minor and one major limitation. The minor limitation is the framework's (admitted) inattentiveness to how socio-demographic characteristics of the group are likely to impact the effectiveness of any communal reservation system. The major limitation is the frameworks exclusive focus on the internal dynamics of the representation of minority communities through their constituency, without any deeper investigation of how the nature of the institutional design interacts with the broader politics of the state. This major limitation is tied to Kroeber's more limited definition of positive representation, which is limited to representatives being present and an active voice, but with no focus on efficacy (2017, 205). While this decision is entirely justifiable from an empirical standpoint, due to the difficulty of operationalizing policy bargaining efficacy, it is overly limiting for a theoretical framework.

It is not a groundbreaking statement to say that the socio-demographic and social characteristics of a minority community are important in how impactful that group will be in the realm of politics and policy-bargaining. But often we tend to underestimate the impact these characteristics have on the outcomes of institutions. In reality, without this social

context, we cannot properly evaluate the independent impact of institutions at all. Social factors alone can explain when and why groups enjoy political leverage and representation. In understanding the impact of institutions on representation of minority communities, we must account for three factors: group cohesiveness, group concentration, and group size.

Cohesiveness accounts for the relative socio-economic sameness of the group. Groups that are cohesive should enjoy advantages in political and social organization, that allow the group to better organize in the pursuit of its political and policy aspirations. Conversely, groups that are lacking in social cohesion are generally those in which the overarching identity is not salient, or in which the members have a stronger tie to a lower or higher tier identity, rather than the group identity in question. A classic example of a group lacking cohesiveness would be the Roma.

Geographic concentration can be thought of in two ways. First, a group could be considered concentrated if it represents a relative majority or plurality in a given region of a state. Second, and perhaps more importantly, a group could be considered concentrated if a large proportion of its overall population lives in a given region of a state. Concentration matters because of its potential to independently impact the representation of a group. Groups like the Scots in Scotland or the Hungarians in Transylvania can achieve representation at least in part because their concentration guarantees them access to local political power and, in turn, increases the probability that they will provide representatives at the national level under nearly any electoral arrangement.

Unsurprisingly, group size is an incredibly important variable alone in accounting for the ability of a community to implement their policy agenda and achieve representation.

Groups that are relatively large are hard to ignore politically. Either the group is so large that it impacts the very nature of politics, with the major political fault line in society revolving around identity issues; or it is large enough that the major political actors in society cannot entirely ignore the group's interests, lest they lose out on a potential advantage to their competitors.

Again, these socio-demographic characteristics matter so much for our understanding of the relationship between institutions and representation because they alone can be a strong explanatory factor in whether a group manages to effectively advance its agenda. The more of these characteristics a group has, the higher the probability that the group is able to achieve its political goals regardless of the institutional arrangement. Consider a group that is concentrated, cohesive and relatively large: the Scots in the United Kingdom. The Scots are advantaged by a national electoral arrangement that over-represents the region in which they are concentrated, Scotland, in the House of Commons. At the same time, given the relatively cohesive nature of the Scottish population, the group's strong concentration and its relatively large size (just under 10% of the overall population), it is hard to imagine an electoral or institutional setting in a modern democracy where the group is heavily marginalized in the political arena.

Conversely, consider a group that lacks internal cohesiveness, is spread out across a state and is a relatively small share of the overall population. One example: the Roma. The Roma population is spread across numerous European states, and exists under many different institutional arrangements, but in more cases than not is small, internally divided and spread out. Consistently, Roma are among the most marginalized minority community in any state. The problem of meaningful representation has been persistent for the group across space and

time, and even in the face of strong institutional protections and guarantees of descriptive representation in a number of Eastern European states.

Kroeber's framework, our benchmark, does not account for these social factors, and as a result attributes too much representational benefit to the institutional design.[15] As much of her purpose in the piece is to highlight how communal reservations do improve the representation of minority communities in response to a series of negative research findings, this minor flaw in the theoretical framework is a problem.

More importantly, Kroeber's theoretical framework focuses far too heavily on a closed circuit relationship between minority voters and minority representatives. It is important for researchers to understand this relationship, and Kroeber's piece does a fine job of exploring how small variations in the institution can impact the behavior of elected legislators. But politics and representation do not occur in such a closed circuit. The ability of a legislator elected through a communally reserved constituency to effectively represent the interests of her community is contingent at least as much upon the political context in which she finds herself operating as the electoral incentives the institutional context provide.

The most obvious political context variable that is missing from Kroeber's analysis is the impact of communal minority parties, and how their presence may impact the representation of the community. As Zuber (2015) highlights quite convincingly, the most strongly positive benefits of communal reservations should be found when those elected through reservations are either members of a coinciding ethnic party or are formally

[15] Kroeber notes this in her empirical findings, where the variation explained by her models is notably small; however, she does not address these limitations in the theoretical framework.

independent from established parties of any type (2015, 395). For other types of ethnic parties (multi-ethnic or partially ethnic), the positive representational outcomes are limited, while when those elected in reserved constituencies are members of non-ethnic parties their ability and willingness to act in the interests of the minority community is entirely dependent upon the policy program of the national party. This framework largely matches the empirical findings in Lublin (2014) and Lublin and Wright (2013), where it is found that the positive representational impacts of reserved seats are almost entirely contingent on the election in those reserved constituencies of minority political parties.

The lack of attention to the role of minority parties in Kroeber's framework, like the lack of attention to socio-demographic characteristics, is particularly important because minority parties are not necessarily only found in states with reserved seats for minority communities. In Europe alone, major minority parties are elected in national parliaments without reservations in Finland, Slovakia, Italy, Bulgaria, Lithuania, and Albania, among others. If reservations are only effective if and when they lead to the election of minority parties, it indicates that something other than the electoral incentives highlighted by Kroeber may be at play.

Indeed, a close evaluation of many of the negative findings in relation to communal reservations and minority representation point not to the relationship between legislators and voters, but about the impact reservations have on the relationship between minority legislators and mainstream political actors. King and Marian conclude that minority legislators elected through reservations in Romania are effectively powerless, and that "Romanian minority representation is largely form without much substance, maintaining appearances especially for the sake of the international community while minimizing actual

impact," (2012, 584). In Taiwan, Templeman argues that only in very limited settings, where one of the major parties must have additional votes to secure power, do minority legislators have any influence, and even then promises made are often reneged on (2015, 20-21). Alarcon finds that in Colombia, reserved seats actually harm the ability of Afro-Colombians to improve their political position because they de-incentivize bargaining and alliance-forming behavior between Afro-Colombian elites and the two major parties in the state (2014, 20). This last finding is particularly interesting, as it implies that the very same electoral incentives that Kroeber and others credit with increasing the probability that legislators advocate for minority interests are in fact limiting the ability of minority legislators to effectively bargain with their mainstream peers.

By focusing solely on the closed-circuit relationship between minority voters and their designated representatives, Kroeber's framework is essentially blind to any impacts the institution has on the operation of politics in the broader state. For Kroeber and many others, this is not a major concern: representation is mostly about the relationship between voters and representatives, and less about the efficacy of those representatives. However, it still leaves us with no real understanding of the political and policy impacts of reserved seats. What is needed, then, is a theoretical framework that explains the limited effectiveness of minority legislators in effecting the political change which would benefit their constituents.

Communal Reservations and the Body Politic

The evidence from the studies I just highlighted points to one conclusion: somewhere in the process, the implementation of communally reserved legislative seats has marginalized many of the communities the institution was ostensibly designed to help. If we accept the idea

presented above, that communal reservations are not working as intended in providing meaningful opportunities for minority political engagement and representation, the question remains: why? Why are these institutions failing to provide minority communities with the opportunity to meaningfully engage with the political system?

I believe we can understand this failure as a function of the institutional design of communally reserved legislative seats, rather than a glitch or a problem with implementation. This is the case, I will argue, because reserving special constituencies for only (or mostly) minority voters, to be filled by only (or mostly) minority legislators, effectively sanctions off minority political concerns from the broader arena of political competition. Mainstream political actors, freed from the obligation to compete for the votes of minorities, have an incentive to disassociate from minority issues. This results in the creation of a separate issue dimension in the political system, over which only minority political actors compete, and which has little to no direct tie in to the politics of the broader nation state. An example will help to illustrate how this process works.

Imagine, if you will, that the full population of the state is contained in a cube. The cube contains not only the population, but the full collection of its preferences on social, economic and political issues, spread randomly throughout the residents of the cube. Now, imagine we are setting up an electoral system to represent the interests of the entire body politic, and we choose to create electoral districts. If we divide our cube into two, equally sized districts, we can assume, given the random distribution of preference structures throughout the cube, that the two districts will share a similar list of politically relevant topics, even if how voters preference different issues varies between the two districts. As we further and further divide the cube, each district will have a unique issue preference structure,

but the same topics should feature across districts, simply in different orders. Thus, while political competition between parties may focus on how to best order political priorities to align with local preferences, parties across the system are forced to compete over a relatively fixed political issue space, with defined and shared political issues.

Now imagine the same cube. You make the same choice, to create districts through which to channel representation. However, in addition to simply dividing up the cube, you identify all of the voters with a preference for a minority politics issue (for example, minority language education), and relocate them to a smaller, parallel cube. While the members of the minority may have preferences on all the other facets of political life that feature among the voters in the main cube, only those voters in the smaller cube have a preference for minority language education. Meanwhile, in the main cube there are no voters left with any preference for minority language education. The result of this should be that mainstream political parties, seeing no advantage in competing for minority voters, abandon any policies they may have championed in regards to minority language education.

Two questions about this approach need to be answered. The first whether there exists some agreed upon body of issues that are deemed fair game for political competition? This has been labeled the public agenda, and it has been a topic of political science research, particularly in the study of American politics, for many years. While scholars have disagreements about how to operationalize and measure the public agenda, there is widespread agreement on the idea that it exists. There is also generally widespread agreement that, for representation to occur, there needs to be relatively strong congruence between the public agenda and the political agenda in a state (Baumgartner and Jones 2004). In the American context, Baumgartner and Jones find strong evidence of a relationship between the

public agenda and the policy priorities of legislators (2004, 14). Congruence between public and political agendas is the dependent variable in a number of studies of the representativeness of various electoral system designs (Blais and Bodet 2006, Powell 2009, Golder and Stramski 2010). The presence of some generally agreed upon public agenda seems fairly consistent with the consensus of the field.

The second question that needs to be answered is whether this public agenda is impacted as I describe by the nature of districting. Here, I would turn back to Kroeber's piece. Kroeber, like many of the advocates of reserved seats, argues that these are positive tools for minority representation because, by separating out minority voters and clustering them in an electoral constituency, they create an undeniable and powerful electoral incentive for legislators elected through the reservation to cater to minority policy preferences (2017, 211). This implies, effectively, the exact same phenomenon I am identifying: that the concentration of minority voters changes the relevant political agenda of the legislators for which they vote. A necessary, and unaddressed corollary of this is that the removal of those voters from other districts dilutes the incentive for other legislators to prioritize the preferences of minority voters.

If we can accept, as I believe we can, that there exists a public agenda, and that the congruence between the public agenda and the political agenda for legislators is impacted by districting decisions, I believe we can firmly establish that in many, if not most cases reserved seats are going to be a political liability for minority communities. I will establish this using two traditional tools of political science: principal-agent theory and bargaining models. Using a principal-agent theoretic framework, I will show how reserved seats create a situation where only minority legislators elected through reserved constituencies are seen as

agents responsible for advancing minority policy concerns. At the same time, I will show how this principal-agent problem created by the institutional design stymies the bargaining efficacy of those very same minority legislators in political situations of elite negotiation.

The Principal-Agent Problem of Reserved Seats

The principal-agent conceptualization of democratic representation is perhaps the oldest and most influential in the study of democracy (Urbinati and Warren 2008). At its simplest, principal-agent theory holds that a principal (the body of electors in a given political constituency) elects an agent (an elected legislator) who serves as a representative for the interests of the principal in political negotiations. Positive representation is seen when the agent is a faithful representative of the interests of the principal.[16]

The principal in a democratic principal-agent relationship is established through political decisions about constituency construction (Urbinati and Warren 2008, 389). In the simplest terms, the operating parameters for an agent are in turn set by the public agenda of the citizens of that constituency, the principals. If agents are not responsive to the public agenda, in turn, electoral accountability comes in to play, and the constituency has an opportunity to vote out the previous representative in favor of a new, more responsive one.

Representation depends upon both the congruence of the political agenda of the principal and the agent, and the ability of the principal to hold the agent accountable through elections. Kroeber does a fine job theoretically noting the principal-agent relationship between minorities and their representatives. Most importantly, she identifies what is a

[16] What the interests of the principal are is open for debate. Traditional arguments about whether a representative is a trustee or a delegate of the principal are important to this debate, but too far afield from the present discussion to warrant attention here.

potentially paradoxical accountability problem within reserved constituencies: minority voters are less likely to hold co-ethnics accountable than outsiders. This is likely more important than she believes, as it implies that reserved seats may actually create even stronger disincentives for the provision of substantive representation.

One element of the principal-agent relationship that is underexplored in Kroeber is the potential created by reserved constituencies for ethnic outbidding, which can be destabilizing for democracy. Ethnic outbidding refers to the notion that the rise of ethnic parties leads to a rise in competition over ethnic issues that spirals into a sort of race to the bottom (Rabushka and Shepsle 1972). In particular, where competition involves more than one ethnic party competing over the same community, we should expect this sort of outbidding to be even more intense. Horowitz posits that the potential for spiraling ethnic claim-making in electoral competition is one of the major problems in institutional designs that segment the population and reify ethnic divisions within society (1985).

Some studies have begun to cast doubt upon the idea that ethnic outbidding is an inevitability of ethnic politics (Chandra 2005, Mitchell et. al. 2009, Zuber 2013). However, all of these studies agree that institutional design features are the leading cause of ethnic outbidding behavior. As Chandra argues, institutions that force ethnic parties into competition over a single issue dimension are the cause of ethnic outbidding, while institutions that incentivize minority candidates and parties to the center are more likely to produce democratic stability (2005, 245-46). I would argue that reserved seats create incentives for ethnic parties to de-prioritize centrist political issues. And this de-prioritization is a direct result of the nature of their principal.

Consider India, Chandra's example. The Indian reservation system is unique - while reservations exist on a geographic basis, the exact constituencies that are reserved rotate, and as Kroeber identifies, the reservation applies only to the candidates, not to the voters (Chandra 2005, Kroeber 2017). Because of this, candidates from the scheduled castes must compete for both scheduled caste and non-scheduled caste voters, lest they be outflanked by their competitors. In Chandra's approximation, this has helped lead to stability in India's segmented society, even if, as Jensenius notes, the actual representational benefits to the scheduled castes has been minimal (Jensenius 2017).

In contrast, consider the more standard example of a reserved seat system, where the district boundaries are fixed, and the large majority of the voters in the district are present either because of an assigned or a chosen identification with the group.[17] In this setting, voters are either selected because of their ascriptive characteristics into the electorate, or they self-select in to the electorate because of an affinity with the group. This community, in establishing its public agenda, is obviously going to prioritize issues of concern to the minority community as opposed to an agenda that more openly embraces the centrist position of the broader state. As the electorate moves minority issues up on the public agenda, there is a stronger incentive for candidates and elected legislators to also prioritize such issues in their campaigning and policy agenda. In order to compete, candidates and parties contesting

[17] This represents a slightly different conceptualization of the 'openness' of the electorate as established by Kroeber (2017). Kroeber does not draw a theoretical distinction between systems that are 'open' in that voters can choose to opt in to the reserved district, and those that simply include non-minority voters because they are geographically districted in. Because of this, states like India and Colombia are considered conceptually the same, though in Colombia to vote in the reserved Afro-Colombian district one has to opt-in.

the reserved seats have an incentive to continually re-prioritize minority issues, and the ethnic outbidding Chandra warns of becomes a reality (2005, 246).

While it still is not inevitable that ethnic outbidding behavior is going to occur, the electoral incentives generated by the institution increase the probability of this type of behavior. And it is important for us to recognize this, because these changes to the political agenda of minority legislators elected through reserved constituencies should have meaningful impacts on the ability of these legislators to function in the broader national political arena. If nothing more, legislators elected through reservations should have a political agenda that far more prominently features minority issues than their non-reservation peers. At the extremes, however, where ethnic outbidding behavior has taken hold of competition within the reserved districts, we should observe such a focus on minority issues that all other elements of the public agenda are minimized. This should be particularly true of states where minority voters can opt-out of voting in the reserved constituencies (states like Croatia or New Zealand), or where minority voters are granted two votes, one for the reserved constituency and one for the broader national constituency (Slovenia). In the former example, those minority voters who have a lower prioritization of minority issues can safely choose to exit the reserved district, knowing that the minority issue is guaranteed to be represented and that their vote in the mainstream constituency is more important for their more prioritized agenda issues. In the latter, the second vote should safely isolate the reserved constituency legislator from any need to compete over centrist issues, as voters are allowed to cast an entirely different vote in order to satisfy their non-minority political agenda preferences.

Another unexplored element of the principal-agent relationship between voters and representatives in communally reserved districts is the impact the reservations have on the general electorate and, in turn, the political agenda of their representatives. In a state, minority citizens exist in a broader body politic that is the citizenry. They interact with and share interests with the rest of the population, and serve as the principal to the agent that is the state. For a democracy to function effectively, as Chandra notes, there has to be some sense of a shared political agenda among the entirety of the population to guarantee stability (2005).

In states with reserved constituencies, minority voters are removed from this electorate artificially, and their contributions to the public agenda are removed with them. In the principal-agent relationship established above, this should have a profound impact on the political agenda of those actors competing for the votes of the mainstream electorate. With all voters who highly value policies that are targeted towards advancing minority interests removed from the electorate, there is now no longer any electoral incentive for mainstream political actors to even place minority interests on their political agenda. They face no potential electoral benefit: minority voters are no longer part of their principal.[18] They will face very limited electoral costs imposed by minority voters, as minority voters are unable to hold them accountable by voting against them. And to some degree they may face an electoral cost, depending upon the level of nationalism in the overall political arena. In states

[18] In some instances this does not entirely hold. In arrangements like those found in Croatia and New Zealand, because minority voters are able to move back and forth between the reserved and non-reserved lists, in theory they do make up a large chunk of the mainstream electorate. However, it should also be expected that those voters who most strongly preference minority interests will remain in the reserved districts, where the political actors are actually competing over their dominant agenda item. As such, the minority voters in the mainstream electorate are unlikely to punish mainstream political actors for their lack of a platform on minority issues.

where nationalism plays a strong role in the broader public agenda, publicly aligning one's party with minority interests may in fact harm the party's chances of attracting voters. In sum, while in some institutional setups there may be a very limited advantage to making minority issues a prominent part of a mainstream party's political agenda, in many cases the costs of such an inclusion will outweigh the benefits.

What is the result of this? Keep in mind that the parties and actors elected through the main electoral arena are going to be the dominant forces in politics in the state. Their agenda shapes the policies of the state. Communally reserving legislative seats changes the makeup of the national electorate in such a way that the issue priorities of minorities no longer play any part of the agenda of these mainstream political elites. If elected to govern, these mainstream actors have no endemic incentive to advance an agenda that fulfills the policy demands of minority voters because these voters are no longer part of the principal holding them accountable.

An endemic incentive is the key element of that statement. The mainstream parties in states with communal reservations have little incentive based upon their own voter base and electoral situation to advance minority interests. However, there are still legislators elected who have an incentive to advance minority interests: those elected in reserved seats. Minority interests could in theory be advanced by the inclusion of reserved constituency legislators in governing coalitions, where the participation of these minority representatives would be contingent upon the inclusion of minority issues in the governing agenda. We can explore the likelihood of this type of governing coalition inclusion using coalition bargaining models.

Bargaining, Coalition Formation and the Limits of Participation

Inclusion in governing coalitions is the ideal mode of how a minority legislator would advance the political agenda of their group. Coalition participation is one of the prime means of parties advancing their political agenda (Schmidt 1996). Particularly in multiparty systems with parliamentary institutions, which characterizes a large number of the states that utilize communally reserved legislative seats, practically the only means to influencing policy is to participate in governing coalitions. As I will show, however, the principal-agent type problem I introduced earlier has implications for the bargaining positions of both minority and mainstream legislators. The result is that the possibility of minority legislators, be they members of an ethnic party or independent representatives, consistently having the opportunity of exercising influence through coalition participation is minimized.

Before moving into a deeper discussion, it is important to make a note of how and why bargaining models will be applied in this section. Bargaining models have become more common in the political science literature in the last two decades, with one of the earliest applications coming with Baron and Ferejohn's 'Bargaining in Legislatures' (1989). Simple bargaining games have since that time given way to more and more complex models to deal with more and more difficult problems, from when states will fight wars to when coalitions will be formed by different groups of parties. Of particular interest are the studies that have been used to explain legislative bargaining and coalition formation through the use of bargaining games or other game theoretic models, such as Krehbiel (1992) and Laver and Shepsle (1996) . The specifics of these arguments are less important for the purposes of this theory than the fact that they serve as proof of concept – that scholars can and do model

policy bargaining and coalition bargaining in this way. In this project I will rely on very simple bargaining games, modeled upon the bargaining model used in Fearon (1995).

Now, let us first consider the bargaining position of the mainstream parties in the political system. Keep in mind, in the earlier section we established that, because minority voters have been separated out from the national electorate, mainstream political parties have effectively no incentive to have a political position on core minority issues. This implies that, at best, mainstream parties should have a status quo preference on the dominant minority issues.[19] This assumption, which I will call the *status quo assumption*, means that policy that would be seen as moving in a positive direction by minority communities is unlikely to emerge endogenously from a government featuring only mainstream political parties.[20] Again, this is a direct result of the electoral system design. Minority voters are no long in a position to hold accountable electorally the mainstream parties. As such, those mainstream parties should not be expected to support the political agenda of minority voters. This is especially true if and when policies that advance minority interests would involve redistribution (or perceived redistribution) of public goods away from a dominant towards a marginalized group.

Minority political actors, meanwhile, are likely to find themselves in a limited position to negotiate. As a result of the electoral incentives discussed before to focus increasingly on minority issues, minority parties elected through reserved constituencies

[19] I am intentionally vague on what minority issues are, so as to not limit the generalizability of the theory. Minority issues are defined by the community being represented; for the purposes of theory building it only matters that they are conceptually distinct from the public agenda of the broader state.

[20] It is important to make a distinction between endogenous and exogenous drivers a policy change. We know, for instance, that many of the positive moves in minority rights and representation seen in post-Communist Europe have been driven by pressures from the EU (Sasse 2008).

should have a notably high emphasis on the minority issue space, at the expense of significant preferences on other policy topics. I will call this the *single issue preference assumption*.[21] A second issue they face is that, while the relative importance of the small number of seats reserved for minority communities may change depending on political context, the number of reserved seats is effectively static. Minority legislators, in negotiating with other actors in the system, cannot hope to benefit from the potential failures of a negotiating partner. They gain no political advantage from refusing to participate in a coalition. They cannot possibly gain from the provision of public policy preferred by their constituents; and they cannot pick up seats at the expense of their opponents. As such, minority political actors elected in reserved constituencies should always have a strong preference to participate in governing coalitions, becoming the embodiment of what Muller and Strom (1999) identify as an office-seeking party. I will call this the *participation preferred assumption*.[22] Finally, it can be derived from the *single issue preference* assumption that ethnic minority parties will be unwilling to join political coalitions that include parties with a preference on minority issues that is reactionary. An unwillingness to engage in coalitions with certain types of political actors has long been recognized as a key constraint in the coalition bargaining literature. [23]In this instance, I use reactionary to indicate

[21] It is obviously an exaggeration to think that minority parties elected through reserved districts are truly single-issue parties. However, like single-issue parties in other settings, it is fair to assume that ethnic minority parties in this setting are likely to very strongly preference their dominant issue when negotiating in the political arena.

[22] While it is fair to note that, everything being equal all parties would prefer to be in government, it is important to note that I am suggesting there are at least some instances where small, non-ethnic minority parties might gain from refusing to participate in a coalition. Because of the nature of the electoral system in communally reserved systems, minority parties elected in reserved constituencies have no such hope for an advantage. The only positive outcomes for these minority parties come from participation in the governing coalition.

[23] See, for instance, Laver and Schofield (1990) and Strom et al (1994).

parties that are majority ethnic nationalist in nature, or that advocate for the rolling back of rights and protections already enjoyed by the minority group. I will call this the *issue indivisibility assumption*.[24] In either case, given we assume that parties elected through reservations are single-issue dominant, they should be unwilling to form a coalition with a group that has diametrically opposed positions on that issue.

Now that these assumptions are established, we can imagine the bargaining game. Coalition bargaining essentially occurs in two phases: the original bargain over coalition participation at time T, and a second bargaining period at T+1 after the policy platform of the governing coalition has begun to be implemented. In theory, there multiple bargaining points after T+1 until the governing coalition either collapses, or its term ends, but their dynamics should be the same as time T+1, and as such I will not address them here. This approach to coalition bargaining is fairly consistent with many of the seminal works in the field (Riker 1962, Baron and Ferejohn 1989).

At the time of original coalition bargaining, we start with a fundamental question: is a coalition necessary? If so, we enter into the game. The first movers in the game are the mainstream parties that have received the most votes in the election, and are thus the coalition formers. For the purposes of this game, I assume that generally coalition formers would prefer a minimum winning coalition, as Riker argues (1962).[25] As such, our

[24] Issue indivisibility refers to the concept that in a bargaining situation, certain items are simply indivisible, and cannot be bargained over. This indivisibility is a potential source of bargaining failure. Fearon (1995) argues that issue indivisibility is essentially a non-factor; however, more recent work has suggested that particularly in situations of ethnic conflict, issue indivisibility is a strong potential source of bargaining failure (Toft 2006).

[25] We know from many decades of work, notably by Strom (1990), that minimum and minimal winning coalitions are very rare, and that there are several instances where they might not even be desirable. In this instance, without such a minimal winning assumption, there is very little room for bargaining between minority parties elected through reservations and mainstream political parties. The chief incentive formateurs

mainstream parties should be attempting to form a governing coalition that features the fewest number of parties while still commanding a majority of seats.

One of the first things we can say about the coalition bargaining phase at time T is that our mainstream political parties should strongly prefer to form a coalition with essentially all other parties besides our ethnic minority party[26]. This is the case for a number of reasons.

First, remember that the *single issue preference assumption* means that our minority party will preference the realization of its minority policy space goals over all others. At the same time, the *status quo assumption* of our mainstream political actors firmly establishes that these parties have, at their most generous, a preference for maintaining the status quo in the minority policy space. In fact, as we mentioned before, there are many societal contexts in which even the maintenance of the status quo may be electorally de-incentivized for these parties. The *single issue preference assumption* means that bargaining between the ethnic minority party and the mainstream party is essentially a unidimensional policy bargain, with little to no possibility for side payoffs in other policy dimensions. The potential for electoral costs built in to the *status quo assumption* means that coming to an acceptable bargain over the unidimensional bargaining becomes increasingly unlikely. This is especially true if, as we

have to include minority parties elected through reserved seats is to get to a majority of seats in parliament. They cannot expect to syphon voters from these minority parties, nor can they expect to strengthen their own policy positions, as we assume the minority party has a single-issue preference.

[26] A key distinction to make here is the difference between ethnic minority and ethnic majority parties. While many studies consider all ethnic parties to be functionally similar, regardless of whether they represent the majority community or a minority community, this should not be true in the electoral arena. It should be easier for mainstream parties to form coalitions with majority nationalist parties, as softening positions on these issues appeals to a potentially much broader swath of society than softening a position on a minority issue.

posited earlier, the minority legislators elected through reserved constituencies are increasingly extreme.

To add to this difficulty, we can also note that taking on a minority party can artificially limit the number of potentially available coalition options. The *issue indivisibility assumption* tells us that minority parties should be unwilling to participate in coalitions with a party with a reactionary policy preference in the minority policy space. This limitation on the types of parties that can participate in any coalition that includes minority parties does not preclude the possibility of a minority party being targeted as a coalition partner. But it again limits the likelihood.

It must be noted that minority parties still have a strong preference for coalition participation, as established by the *participation preferred assumption*. And mainstream political party leaders still have a preference for a minimum winning coalition. For a minority party to be included, then, the situation must be such that the political cost for the mainstream party of including the minority party is outweighed by the costs of including other parties. This could be the result of a bargaining failure between the mainstream party and potential spoiler parties, or as a result of a minimum winning coalition only being possible with the minority party as a result of the specific outcomes of an election.[27] While these chances are diminished by the overall electoral system at play, and the incentives the

[27] For instance, one could imagine a situation where only three parties are elected: two major mainstream parties and a minority party elected through a reserved seat. The participation of the minority party is essentially guaranteed, as they enjoy a kingmaker position unless both major parties are willing to overcome their policy differences in order to form a grand coalition.

system creates, the potential for the formation of a coalition featuring a minority party elected through reserved constituencies still exists.

The presence of an ethnic minority party in a governing coalition is no guarantee that there will be implementation of policies that positively impact the minority community. In fact, I will argue that at time T+1, the leader of the governing coalition that includes a minority party elected through reserved constituencies has a strong incentive to de-prioritize the political agenda of the minority party. All governing coalitions have limited political capital, and the early stage of any government involves deciding how to utilize that political capital in pursuit of the realization of the coalition's political agenda. There are two main reasons to believe that, in this bargaining over the policy agenda of the governing coalition, minority issues will be particularly lowly prioritized.

First, we need to return to the *status quo assumption* for mainstream parties. The dominant partner in any governing coalition is going to be a mainstream party that has a status quo preference in the minority issue space. It faces no potential benefit from prioritizing minority issues in its governing agenda. In fact, it faces potential electoral losses to parties that may outflank it in societies with party systems that are hyper-nationalized. The incentives are there, then, for the mainstream party to attempt to renege on promises made to minority party leaders in time T, or at the very least to de-prioritize positive policy movement on issues of importance to those minority party leaders. Mainstream party leaders have an incentive to renege on their promises as far back toward the status quo as they can safely go before their minority party partners will leave the coalition.

At the same time, minority party leaders have little incentive, politically or electorally, to punish this reneging behavior on the part of their mainstream party counterparts. Remember, the basis of the *participation preferred assumption* is that minority political actors elected through reserved seats can only gain politically through participation in governing coalitions. Failure to participate all but guarantees no positive movement on the policy preferences of their constituents, and they do not stand to gain by any potential failure of the alternative governing coalition because their electoral constituency is both fixed and entirely different from the constituency of all other political parties. At the same time, minority party leaders must account for the potential that any coalition that does not include them may include a political actor that has a reactionary policy position on minority issues, the very same types of actors they would be unwilling to form a coalition with at time T. When deciding how to respond to the reneging behavior of their coalition partners, minority political actors must account for both of these factors. In the end, minority political actors should be unlikely to defect from a governing coalition as long as the coalition does not move in a reactionary direction from the status quo in the minority issues policy space.

Three Derived Hypotheses

The theory posited above does not lend itself particularly well to direct testing. However, from the broad theoretical discussion above we can derive three empirically testable hypotheses that I can use to evaluate the theory in a comparative context.

The first hypothesis, what I will call the **turnout hypothesis,** rests on the discussion earlier of the incentives for ethnic parties competing in reserved constituencies to engage in ethnic outbidding. Minority voters, like their peers throughout a state, have complex public

policy priorities. Many of them will have a strong preference for the pursuit of more centrist political issues. They will maintain these preferences, even in the face of the increasingly ethnicized political competition in their reserved districts. In the face of this ethnicization, minority voters with more centrist preferences have two options. In systems that allow voters to choose whether to vote in the reserved district or in the broader political arena, these voters should have a strong incentive to leave the reserved constituency in favor of casting a vote in the national political arena that is more reflective of their public policy preferences. In those states where minority voters are unable to choose where they vote and are forced into the reserved district, more moderate minority voters are likely to abstain as the electoral arena becomes more extremely ethnicized. The result of this is that ***we should expect voter turnout in communally reserved districts to be systematically lower than the turnout in non-reserved electoral constituencies.***

The second hypothesis relates to the possibility of coalition participation for minority parties elected in reserved constituencies. This I will call the **coalition participation hypothesis**.

The coalition participation potential of any small party is directly, positively impacted by the party's size. However, for minority parties elected through reserved constituencies, the combination of the increasing focus of minority parties on minority political concerns, and the status quo preference of mainstream parties over those same concerns, reduces the potential for a successful coalition bargain. Mainstream political actors, in fact, should preference almost every other potential coalition arrangement. The result of all of this is that **we should expect minority political parties to be less likely to participate in governing coalitions compared to both other small parties and other small ethnic parties that are**

not elected through reserved constituencies. Again, and in particular for this hypothesis, it is important to note that this is a strictly probabilistic argument. The possibility for minority parties to participate in governing coalition is still present, it is simply diminished.

Finally, there is the hypothesis related to the realization of the policy preferences of minority political parties elected through reserved constituencies in the rare instances where they participate in governing coalitions. I will call this the **reneging hypothesis.** Mainstream parties that are the major powers behind governing coalitions have an incentive to renege on promises made to their communal minority partners. The political cost is minimal, and the electoral and political costs of following through on their promises may in fact be significant, depending upon the social context. Meanwhile, communal minority party political leaders have little incentive to back out of their coalition agreement. To do so would be to sacrifice their only access to policy making, even if their advances are only nominal. It would also not lead to any meaningful electoral or political gains, as communal minority parties have no possibility of poaching voters from mainstream parties and are unable to garner more legislative power in terms of raw seats than the hard cap of the reservation. As such, **we should expect mainstream political actors to renege on their coalition formation promises to their communal minority parties in favor of the status quo**.

Conclusion

The theoretical framework I outline above should be more-or-less applicable to all instances of communal reservations found around the globe today. Regardless of social or political context, we should generally expect communal reservation systems to limit the positive agenda-setting power of minority communities. As long as positive agenda-setting and the

ability to effect political change on the broader society is a meaningful part of political representation, communal reservation systems should be expected to have a negative net impact on representation. In the following two chapters, I will provide empirical evidence to support this argument.

In Chapter 5, I present an in-depth case study of the use of communal reservations in Croatia. For reasons I will discuss, Croatia represents something of a critical case for my theory. Yet, elite interviews and contextual evidence largely confirm the plausibility of the theory outlined in this chapter. In fact, there is a stunning amount of consensus among minority political elites and community leaders that the reserved seats system in place in Croatia is broken. My theory largely predicts the sources of these minority leaders' frustrations, and also accurately predicts the very large discrepancy between minority voter turnout and broader national turnout in the state. This casts doubt on the claims of Kroeber (2017) and others that reserved seats arrangements improve the overall feelings of inclusion among minority voters.

In Chapter 6, I present a series of quantitative analyses of various elements of my theory. A cross-national investigation of turnout rates in reserved districts in Croatia, New Zealand, Slovenia and Taiwan shows how, across time and space turnout in reserved districts is systematically lower than it is in non-reserved constituencies. Then, I present a test of the coalition participation hypothesis, and show how in the broader European context, minority parties elected through reserved seats face a larger hurdle than any of their peers in gaining inclusion in governing coalitions.

Chapter 5 – The Impact of Communal Reservations in Croatia

In the previous chapter I laid out a theory of communally reserved legislative seats. In general, I argue the institutional design is not conducive to providing adequate representation for the minority communities that are provided reserved seats. In fact, I contend that it actually hinders the ability of minority representatives to get into governing coalitions, impact policy-making and generally benefit their communities. It provides the targeted communities with no more than a presence in a legislature.

It is particularly difficult to directly test such a hypothesis, derived as it is from somewhat formal expectations of behavior. However, there are three observable implications of the hypothesis that can be tested. First, the **turnout hypothesis** suggests that turnout in reserved seat elections should be generally lower than the turnout in non-reserved districts, as the stakes are sufficiently low in reserved seat elections as to make voting a less enticing option for potential voters. Second, the **coalition participation hypothesis** posits that we should observe low counts of minority representative participation in formal governing coalitions, as the institutional structure creates disincentives for a reasonable coalition bargain to be found between minority community representatives and mainstream political parties. Finally, the **reneging hypothesis** suggests that, in the rare instances when minority legislators elected from communally reserved seats are included in governments, they should have very little ability to hold accountable their governing partners, who have a structural incentive to not uphold their promises to their minority legislator collaborators.

It is warranted to be somewhat skeptical of the claims I am making with this theory and its observable implications. Received wisdom remains that descriptive representation,

and the institutions that lead to it, are generally of benefit to society. Decades of work has posited these benefits and shown, in related circumstances to communal reservations, that there are benefits to descriptive representation. Policy-makers and champions of minority rights around the world continue to believe that descriptive representation should be part-and-parcel of discussions about institutional design.

In instances like these, further scrutiny of the theory's foundations can be a useful way to solidify its plausibility. Eckstein (1991) suggests what he calls a plausibility probe in these circumstances: a case study, designed to provide a first level test of a new theory, but also to dig deeper into the causal mechanisms. While case studies remain a somewhat controversial methodology, there is general agreement that they are most helpful in situations like Eckstein imagines, as a theory building tool or as a halfway step between theory construction and full-fledged theory-testing.

For the plausibility probe in this study, I have chosen to investigate the use of communal reservations in Croatia. For reasons I will elaborate upon shortly, Croatia presents a good case for such a first-cut test, as it represents what Gerring (2009) identifies as a typical case. In this instance, Croatia possesses something akin to the modal value on a number of key institutional and societal variables that may influence the efficacy of communal reservations. As a result, Croatia provides a good base for both investigating the plausibility of my theory and its derived hypotheses, and at least some reason to believe that the theory can be applied across several settings.

This chapter will proceed as follows. In the first section, I will briefly discuss the use of case studies in theory building in political science, with particular emphasis on their use in

a bridging role as plausibility probes. In the next section, I will provide an introduction to Croatia as a case, explaining some of its political and social history and how that relates to its present communal reservation system. In the succeeding sections, I will present evidence in support of the causal mechanism I propose in the previous chapter, as well as each of the three observable implications of my theory: the turnout hypothesis, the coalition participation hypothesis and the reneging hypothesis. I will conclude with some brief thoughts about the limitations of this case study, and how it should inform future work.

Case Studies and Plausibility Probes in Political Science

Case study research is not new to political science. It has historically formed the nucleus of comparative politics research, with many of the core theories of the field coming from such case study research. These theories are still incredibly influential on the discipline as a whole.

The case study approach I will utilize in this chapter has been known by a few different labels. As was mentioned earlier, Eckstein (2000) calls the approach a plausibility probe, designed to tease out the link between proposed causal mechanisms and observable implications as well as providing a first-cut test of a new theory. For Eckstein, single case studies are among the most valuable methodological tools, in part because they are useful halfway steps between theory-building and full-scale, costly theory-testing. Lijphart (1971) describes this approach to case-study research as the theory-confirming approach, and while he places less value on it than Eckstein, he still sees it as one of the four theoretically justifiable ways to use case study research.

The use of single case studies, however, has increasingly come in to question in political science. As King, Keohane and Verba (1994) point out, single case studies are

limited. The single case study cannot be effectively used for generalization, and they argue it should never be used in a theory-testing role. This is a result of three key flaws in single case studies: the inability to rule out alternative explanations; the difficulty of determining any potential measurement errors; and the essentially deterministic nature of any conclusion.

For two reasons, I am unconcerned with King, Keohane and Verba's (1994) cautions against single case research. First, this study in its entirety uses an approach described by Sidney Tarrow (2004) as triangulation. The single case study in this chapter is embedded in a broader work that will, in subsequent chapters, involve a detailed cross-national analysis of the observable implications of my theory. Such triangulation approaches, it can be argued, provide a better platform for social science research, as they allow researchers to not only confirm the generalizability of their findings through vigorous large-n scrutiny, but also ensure the internal validity of their causal mechanisms.

Second, as I demonstrated in Chapter 2, this project is embedded in a larger body of case-studies focused on understanding the impact of communally reserved legislative seats. King, Keohane and Verba (1994) acknowledge that single case studies, when done as part of such a broader research program, take on the essential characteristics and value of a multi-case study. In this chapter I will detail closely the links between my findings and those of other researchers who have done case-studies of different states. Doing so will, I believe, highlight to a strong degree why I believe my theory is generally applicable to a wide swath of the states that utilize communal reservations.

All that being said, a case-study is only as useful as the methods that it utilizes. In this case study I rely heavily on semi-structured elite interviews, conducted over a nine-month

period, and supplement those interviews with corroborating evidence from electoral archives, mainstream and social media sources, and inter-governmental and non-governmental organization reports. The emphasis on elite interviews is in part a function of the nature of the causal mechanism I identified in Chapter 4. The separate issue dimension I argue is created through the formation of communally reserved legislative seats is largely an elite-level phenomenon, that is observed most heavily in its impact on elite bargaining and political campaigning. The mass-oriented impacts, mostly related to the effects of reserved seats on turnout, will be addressed in Chapter 6.

Semi-structured interviews were the chosen method because they allow me to give my respondents more freedom in what they discuss. Given that this case study is in part concerned with identifying the links between proposed causal mechanisms and proposed observable implications, allowing interviewees the freedom to take the conversation down different paths than I intend is an important element. In essence, it provides the opportunity for interview subjects to falsify this proposed linkage and provide new material for potential theory-building. In conducting my interviews, I followed the best practices discussed by Leech (2002). In particular, because I was often interviewing leaders of communities that have been targeted for harassment and abuse, all interview respondents were provided the opportunity to maintain anonymity. All declined this option.

Croatia: A typical case of reserved seats

Croatia might not jump out to the average specialist in comparative politics as a strong candidate for a case study on the use of communally reserved legislative seats. India is the most famous example of a state with communal reservations, and there is a plethora of

studies on the subject (notably work by Jensenius (2016) and Pande (2003)). New Zealand is another state that has utilized reservations, since before the turn of the 20th century, to provide legislative representation for the Maori community. For different reasons, however, neither state is a perfect case for a plausibility probe.

New Zealand, while having used reservations for many years, is not a great case for theory testing in this instance, due to the large size of the Maori community. The Maori in New Zealand make up almost 15% of the population of the country, making them a significant voice in everyday social and political life (Stats NZ 2015). By contrast, the majority of groups provided with reserved seats in other contexts make up less than 5% of the population of their home state (Reynolds 2005). Considering this study's overall focus on political dynamics and representation, the New Zealand case is atypical and probably is not the most useful for understanding whether the hypotheses put forth in Chapter 4 are plausible.

Within the Indian case there are two potential pitfalls. The first is that the majority of reserved seats are held for the scheduled castes which, like in New Zealand, represent approximately 15% of the population. This makes generalization to other situations with much smaller groups difficult. The second issue is that the Indian reservation system is entirely unique. The system relies on reserving a specific number of India's local constituency seats for a member of the scheduled castes; the particular constituency that is reserved rotates on a semi-regular basis (Jensenius 2017). Nothing akin to the Indian reservation system exists in other states that utilize communal reservations. As such confirming the plausibility of my theory's hypotheses for the Indian case is not a helpful

endeavor in justifying the application of the theory to the full population of cases identified in Chapter 2.

By contrast, Croatia offers relative advantages. First, the state has reservations for different types of groups: three seats are reserved for the Serbian minority, which makes up about 5% of the state's population, while five other seats are individually reserved for different groups that represent less than 1% of the population each. This reservation system offers advantages for theory-testing: it allows implicit comparisons between groups within the case, which allows me to at least account for the impact group size might have on efficacy, a consistent concern in studies of minority representation.

The second advantage Croatia has as a case is that it has a fairly standard institutional design for reserved constituencies. The reservation system in Croatia is overall fairly small, which is the norm across the universe of cases (Reynolds 2005). It is also a single vote system: minority voters must choose to vote either in a reserved constituency or in a non-reserved constituency. In other words, they get a single vote. Again, this is the standard institutional construction, and should be comparable to states that use geographic reservations (such as Taiwan or Panama) (Kroeber 2017). Finally, candidacy is semi-limited, and candidates must be nominated by a body recognized by the state as representing the ethnic community for which the seat is reserved. This semi-restricted candidacy arrangement is the modal arrangement found in other cases of reserved constituencies (Kroeber 2017).

Croatia enjoys a third advantage unrelated to institutional or social structure. Many of the states that have implemented communal reservations are post-communist (Bird 2014), and a significant number of them are post-Yugoslav states. Given the shared recent historical

background of these states, it stands to reason that if my theory and its hypotheses are plausible in the context of Croatia, they are more likely to be plausible in the other post-communist and post-Yugoslav states that utilize communal reservations. Obviously this is not a replacement for further testing, but it is a fair justification for case selection.

Croatia: A short historical and political primer

The region that is today Croatia, like much of the rest of the Balkans, has a long history of ethnic, religious and linguistic diversity. The earliest census figures, from around 1900, portray a region with a clearly dominant group, the Croats, but significant numbers of Serbs, German, Hungarians, and Italians (Eberhardt 2003). Censuses carried out by the newly formed Yugoslavia in 1921 and 1931 highlight the presence of notable Slovene and Czech communities (Eberhardt 2003). The end of the Second World War and the rise of the communist Yugoslavia, led by Josip Broz Tito, coincided with large declines in the overall populations of Germans, Italians and Hungarians in the region. These groups, especially the Danube Swabians who lived in Croatia's eastern regions, were often seen as collaborators with the Axis powers that had occupied the country (Paikert 1963). The economic and social integration promoted by the Communist regime led to the immigration of new populations from Yugoslavia's other constituent republics throughout the period from 1948-1991. The last notable change to Croatia's population structure came amidst the conflict that wracked the state during the collapse of Yugoslavia. The conflict displaced hundreds of thousands and, as the census figures from 2001 and 2011 paint plainly, altered significantly the demographic makeup of the state (Croatian Bureau of Statistics 2011, Table 3). By 2001, nearly two-thirds of Croatia's ethnic Serbian minority had left the country, and Croatia had

become an overwhelmingly Croatian state, with 90% of the population self-identifying as Croatian in the most recent census in 2011.

Figure 5.1: Population Share of Ethnic Groups in Croatia, 1900-2011

	1900	1921	1931	1948	1953	1971	1981	1991	2001	2011
Croats	69	69	70	79	80	79	75	78	90	90
Serbs	18.6	17	17	14	15	14	12	12	4.5	4.4
Germans	4.5	2.9	2.6		.3	.06	.05	.06	.07	.07
Hungarians	3.5	2.4	1.8	1.4	1.2	.8	.6	.5	.4	.3
Italians	2.2	6.1	6.1	2	.9	.4	.3	.4	.4	.4
Slovenes		.9	1	1	1.1	.7	.6	.5	.3	.3
Czechs		1.2	1		.7	.4	.3	.3	.2	.2
Albanians					.02	.1	.1	.3	.3	.4
Muslims/ Bosniaks						.4	.5	.9	.5	.7

Sources: Croatian Bureau of Statistics Census 2011, Table 3: Population by Ethnicity, 1971-2011 Censuses; Eberhardt 2003, pg. 343, Tables 6.21, 6.37, 6.38; Paikert 1967, pg. 290.

This history of ethnic diversity is a baked-in element of Croatia's political life. Valenta and Ramet (2016) note that ethnic differences have shaped societal boundary-making throughout the post-Yugoslav area. Croatia is no exception. Political discourse in Croatia is still heavily impacted by the legacy of the independence conflict of the 1990s, and nationalist rhetoric continues to be an important talking point of day-to-day politics. Rarely does a week go by where a conflict with Serbia, or a dispute with the remaining Serbian population does not appear in the press.

Evidence of the continued impact of Croatia's ethnic diversity is perhaps best displayed in the state's early diplomatic history: within two years of independence Croatia had signed agreements with both Italy and Hungary establishing rights and privileges for the Italian and Hungarian communities in Croatia, while a similar agreement came with Serbia in

2004. Additionally, the leaders of the state placed importance on establishing formal legal protections for the state's national minorities. The 1992 Constitutional Law on Human Rights and Freedoms and the Right and Ethnic and National Minorities, while seen as a pre-requisite for international recognition of Croatia's independence, was also at least in part an expansion of the minority protections negotiated by Croatia with its neighbors (Kuntic 2003). This law established autonomy for groups in localities in which they were a majority, among other provisions; its implementation was effectively limited by Croatia's loss of much of the Serb-dominated territory that would have qualified for local autonomy early in the war.

Croatia's current law on minority rights goes even farther, and on paper compares favorably to any minority rights regime in post-Communist Europe. The Constitutional Act on the Rights of National Minorities was partly the result of European Union pressures to bolster Croatia's human rights record as part of the accession process (Kuntic 2003). The law has three main elements: special local and regional rights for areas where minorities represent a significant community (5 and 15%, respectively); the establishment of the State Council for National Minorities, a special consultative body for general minority issues at the national level; and formal, national-level legislative reservations for minority communities of a certain size. While this last element will be the focus of this case study, it is important to recognize that Croatian state elites see the formal political reservations as embedded in a broader system of minority rights and protections.

The Constitutional Act on the Rights of National Minorities mentions no groups by name in its framework for the assignment of reserved seats at the state-level. Instead, it establishes a variable number of seats for national minorities (no less than 5, no more than 8), to be allotted based upon a group's share of the overall population. Groups that make up

more than 1.5% of the population are guaranteed at least one, but no more than three seats (Article 19, Section 3), while minority communities that individually make up less than 1.5% of the total population are collectively guaranteed no less than four seats (Article 19, Section 4). In practice, the top-level reservation is limited to the Serbian community, while all other minority communities are factored into the lower level reservation scheme.

The actual breakdown of which groups are provided with seats is delineated in the Act on Election of Representatives to the Croatian Parliament. Article 16 guarantees three seats for the Serbian community; one seat for the Hungarian community; one seat for the Italian community; one seat to be shared by the Czech and Slovak communities; one seat to be shared by the Austrian, Bulgarian, German, Polish, Roma, Ruthenian, Russian, Turkish, Ukrainian, Vallachian and Jewish communities; and one seat to be shared by the Albanian, Bosnian, Montenegrin, Macedonian and Slovenian communities. In the shared seats, the runner-up in the electoral contest is deemed to be the elected representative's deputy, to take up the representative's position should they no longer be able to carry out their duties.

A Note on Research Methodology

For my elite interviews in Croatia, I had two target groups. The first group consisted of leaders of the various minority communities. I targeted current and former minority legislators, former candidates for reserved seats, as well as national and local leaders of these communities. I was able to conduct interviews with one current minority legislator, one former legislator, and a total of twelve community leaders at a lower level. These included representatives from nine different communities, as well as officials from the State Council for National Minorities. The breadth of communities covered, and the presence of both those

in- and outside of national government should provide a multitude of angles on the efficacy of Croatia's reservation system[28].

The second group I targeted included leaders of mainstream political parties in Croatia, a summary table of which can be found in Figure 5.2. Here, I was far less successful. Leaders of Croatia's two largest parties, the Croatian Democratic Union (hereafter the HDZ) and the Social Democratic Party (hereafter SDP) were seemingly unwilling to speak with me, despite more than half-a-dozen in person visits to the party offices and numerous emails and phone calls. Leaders of smaller national parties were nearly as reticent, though I was able to secure an interview with a regional party leader of the Croatian People's Party-Liberal Democrats (hereafter the HNS), a small but longstanding group in the Croatian parliament. To supplement this, I also conducted an interview with Janko Bekic, a Zagreb-based researcher on the intersection of ethnicity, religion and politics.

The lack of interviews from mainstream party leadership is disconcerting for this study, but perhaps more disconcerting is the unwillingness of the major parties in Croatia to even discuss minority communities and voters at all. According to my sources, however, this is not entirely surprising. Juraj Buksa, the regional leader of the HNS, was entirely unsurprised by this unwillingness to discuss the issue. In his words, the parties "just don't think about minority communities," (interview, June 2016). Bekic, the researcher, largely agreed with this sentiment. In his view, minority community representatives are simply targets for potential vote-buying, and little other thought is given to them (interview, June 2016).

[28] All interview subjects are listed, with basic information on their affiliations, in Appendix 1.

Figure 5.2: Notable Parties in Croatian Politics

Party Family	**Notable Parties**
Social Democratic	Social Democratic Party (SDP)
Liberal	Croatian People's Party – Liberal Democrats (HNS), Croatian Social Liberal Party (HSLS)
Christian Democratic	Croatian Democratic Union (HDZ)
Populist Parties	Zivi Zid (ZZ), MOST
Radical Right Parties	Croatian Party of Right (HSP), Croatian Democratic Assembly of Slavonia and Baranja (HDSSB)
Agrarian	Croatian Peasants' Party (HSS)
Single Issue	Croatian Party of Pensioners (HSU)
Regional and Minority	Istrian Democratic Assembly (IDS), Independent Democratic Serb Party (SDSS)

Source: Sedo (2010)

What this lack of interviews does mean, however, is that this study relies heavily on the viewpoints of the various minority community leaders interviewed. I will supplement where possible with observational evidence that provides information on the thought processes and behavior of mainstream parties. This is only a partial substitute, however. The issue will be particularly notable in the evidence provided in relation to the reneging hypothesis, and it does mean the end-product must be carefully contextualized.

I present the results of this investigation in the next section. I first provide an overview evidence in support of the overall argument, before moving into indications in

support of the three observable implications: the turnout hypothesis, the coalition participation hypothesis and the reneging hypothesis.

The Isolation of Minority Issues in the Political Agenda

In Chapter 4, I argue that communally reserved legislative seats effectively partition off minority issues from the broader public and political agenda. The reservation system creates incentives for minority representatives to double down on minority issues; for mainstream parties to wipe their hands of the same issues; and for mainstream parties to essentially tokenize representatives elected in the reserved constituencies. The result should be a society where minority issues are effectively ignored in the state-level policy agenda and where the role of minority legislators is constantly questioned and undermined.

Evidence of this appeared quickly during my fieldwork. On the 17th of November 2015, Darinko Kosor, the head of a small center-right party aligned with the HDZ and the official spokesperson for the HDZ-led coalition, posted a Facebook update that called into question the political independence of minority legislators. An election held just the week before had ended in a virtual tie, with the HDZ and SDP-led coalitions requiring the support of outside partners to govern. Rumors abounded that the minority legislators, who controlled eight seats in total, were leaning towards supporting the SDP due to concerns over the nationalist rhetoric of the HDZ leader Tomislav Karamarko. Kosor's statement on Facebook claimed that national minority legislators had an obligation to support whichever coalition managed to secure the most seats, regardless of the political leanings of said coalition (Kosor, 2015). In effect, Kosor was arguing that minority legislators' political concerns were in some way lesser than those of politicians not elected through reservations. Attached at the end was

what was widely interpreted as a threat: if minority legislators didn't behave in the way he was describing, it would threaten the social fabric of Croatia and strain ethnic relations. The statement, though attacked by some press institutions and many minority community leaders, was never effectively challenged by Kosor's coalition.

For many of the minority community leaders I spoke with, Kosor's statement was simply a reflection of the reality of political life for minorities in Croatia. By-and-large these community leaders told me that the SDP and HDZ alike view minority legislators as easily bought off, in both the legal and less-than-legal sense. According to Nikola Mak, a former legislator and leader of the German community, informal trades of voting support for particularistic benefits were the norm (interview, June 2016). He noted that there was a "general agreement" that minority legislators were there, not as full participants, but in order to get something for their community (interview, June 2016). Sead Berberovic, a leader of the Bosniak community and former member of the State Council on National Minorities, described such vote buying behavior as the norm. Berberovic believes that this vote buying behavior is linked to the general lack of efficacy displayed by minority legislators (interview, October 2015).

Vote buying and vote trading are not necessarily bad things. Either can be an effective tool for communities with limited power to get a least something out of the political process. The problem is many community leaders felt as if minority legislators were being bought off in more opaque ways. Esad Collaku, a leader of the national Albanian community, fears that outright bribery is not uncommon (interview, October 2015). A leader of the Hungarian community in Zagreb, Peter Sekerles, notes that there is a general lack of

transparency in how minority community funds are allotted and spent, which creates an opportunity for corruption (interview, October 2015).

Others contested that the Kosor statement did not reflect the actual workings of the Croatian parliament, where they argue minority members are treated entirely equally. Furio Radin, the long-time representative of the Italian community in parliament, believes that statements like Kosor's, while somewhat common, are political gambits (interview, November 2015). In office, Radin pointed out that in more than twenty years he had never faced difficulty speaking out on behalf of his community or on any other issue that he felt was important. The President of the State Council on National Minorities since its creation in 2002, Aleksandar Tolnauer, was unconcerned by the Kosor statement, viewing it as just a symptom of a political system riddled with uncertainty after an inconclusive election (interview, November 2015).

Whether they believe the Kosor statement is broadly reflective of mainstream parties' feelings on the role of national minority legislators or not, there is widespread agreement that minority legislators have very little influence on the overall trajectory of the national political agenda. In fact, in all sixteen of my interviews not one subject spoke highly of the current system with regards to it empowering minority legislators to impact the political process. An aide to Serbian political leader Milorad Pupovac, Sasha Milosevic describes the reservation system as having no positive policy benefits for the Serbian community, which has the largest number of reservations (interview, October 2015). Instead, he describes them as a "last standing point" that provide little more than an opportunity for minority communities to get early information on what major parties will be pursuing in the near future. Though less cynical, even Furio Radin, a general defender of the current reservation system and its

societal benefits, admits that in terms of policy-making impact, minority legislators are often limited (interview, November 2015).

One of the interesting elements here is how closely these statements resemble the conclusions of researchers studying communal reservation systems in other countries. In studying Afro-Colombian reservations in Colombia, Alarcon (2014) notes that the reservation system "hampers their [the Afro-Colombian community] overall integration into the national political system," (20). Because minority candidates run in reserved districts, they have little incentive to forge alliances with mainstream actors; likewise, mainstream actors have little incentive to attempt to woo the eventual winners. The result, in Colombia, is continued marginalization of Afro-Colombian issues, which remain the domain almost exclusively of those legislators elected through communal reservations. Similarly, in Taiwan, Templeman (2018) portrays a political system where mainstream parties rarely advance Aboriginal issues. Instead, Aboriginal issues are the domain of those legislators elected through reserved seats. In order to advance these issues, Aboriginal legislators must find themselves in a pivotal position, where leverage can be applied to one of the major parties; even then, many of the promises made by the mainstream parties are reneged upon, a point to which I will return (20).

One group of minorities is particularly disadvantaged under the current institutional arrangement. Minorities that share seats with other communities, in effect, have no representation in the parliamentary arena. As Bruno Beljak, a leader of the small Austrian community in Croatia put it, issues of minority communities that do not have direct representation are often minimized, if they are politicized at all (interview, October 2015). The relationship between the Austrian community and their erstwhile representative, Veljko

Kajtazi, "is just on paper…We don't have any practical use of Mr. Kajtazi," (interview, October 2015). Beljak noted that this is because Kajtazi's core constituency, the Roma community, faces very different challenges than the Austrian community. Likewise, Agata Klinar Medakovic, a local Slovenian community leader in Zagreb, noted that she could not think of a situation where the representative elected in the seat reserved for Yugoslav minorities, Nedzad Hodzic, had been working to advance an issue particular to the Slovene community. Hodzic is a member of the Bosniak community.

All told, there seems to be consensus among those I spoke with that the system of communal reservations in Croatia has done little, if anything, to advance minority interests in Croatia. Minority community leaders expressed concerns that minority legislators are seen as inferior lawmakers with limited mandates, and that minority issues are actively ignored by mainstream political parties. In 2012, the ten-year anniversary of the Constitutional Law on the Rights of National Minorities, the Serbian Democratic Forum (a Serbian minority non-governmental organization) issued a statement claiming that the 2002 law had done nothing more than strengthen minority elites and their projects, often at the expense of the real, material problems faced by minority communities ("Ustavni zakon ojačao manjinske elite…" Dec. 12, 2012). This statement, coming from a community that enjoys the largest number of reserved seats, would be shocking enough, but it also came right after a period where the SDSS, the Serbian party in parliament, had just enjoyed a long period in government as a formal coalition partner.

Even those community leaders who endorse the system acknowledge the flaws. Tolnauer, Mak and Radin, the interviewees who have held positions in the central government, at least expressed some support of the current system, commenting that they felt

free to speak their mind and advocate for the issues of their communities. But even these defenders of the system all made note of the relatively limited impact they were able to have on legislative outputs, as well as the general lack of interest in minority policy preferences among mainstream political parties and leaders. In fact, these advocates mostly defended the system from a negative framework: its removal or reform would, they believe, only lead to worse outcomes, even if the outcomes under the current system are unsatisfactory. As such, it is better to evaluate the program from the perspective of what has not been allowed to happen, rather than by what has been achieved. This, at least in my mind, remains a relatively negative assessment of the institution as it relates to the ability of minority communities to achieve representation.

What I have just presented is evidence from elite interviews, public statements from politicians and reports from minority community organizations that communal reservations in Croatia have a net negative impact on minority representation. I have shown that my interview participants feel as if, rather than facilitating integration of minority issues into the broader national political agenda, reservations in fact provide cover for mainstream political parties and state leaders to effectively ignore minority issues. In addition to the perceptions of minority community leaders, we can also evaluate the three hypotheses from the previous chapter: the **turnout hypothesis**, the **coalition participation hypothesis**, and the **reneging hypothesis**. If my theory is correct, and the presence of communal reservations creates a separate issue space for minority issues, as the evidence above suggests, we should be able to observe generally lower turnout rates in reserved constituencies and among minority voters; we should see low participation rates in political coalitions among minority legislators; and we should observe that even when minority legislators or parties are involved in coalitions,

the eventual coalition leader should renege on many of the promises made to minority legislators. I will address the turnout hypothesis first.

The Turnout Problem in Croatia's Reserved Districts

As predicted, Croatia faces a major turnout gap between its reserved constituencies and the national districts. Table 2 presents turnout figures for the last four elections in the reserved districts compared to the national average. Only once did the turnout in a reserved district nearly meet the national average: in 2016, turnout in the Hungarian reserved district was roughly half a percentage point lower. The striking part of this table is the very low turnout levels observed in many districts. The Serbian district never gets higher than 15% turnout. After peaking at just shy of 43% in 2007, turnout in the Italian district drops to just 20% by 2016. Turnout in the district reserved for post-Yugoslav minorities is never higher than 25%. Across the board, the picture is bleak.

Figure 5.3: Turnout Across Various Croatian Electoral Constituencies

	2016	2015	2011	2007
National Average	52.6	60.8	54.3	59.5
Istria	51.7	60.8	61.8	62.3
Serbian	14.1	14.7	12.7	13.6
Italian	20.4	23.8	31.6	42.8
Hungarian	52.2	49.1	49.6	45.0
Czech/Slovak	23.5	33.1	48.6	42.6
Yugoslav	18.2	17.8	23.8	21.3
'Others'	26.1	33.3	35.2	28.6

Sources: DRŽAVNO IZBORNO POVJERENSTVO REPUBLIKE HRVATSKE (www.izbori.hr/ws/index.html)

In speaking with my informants, it was clear that the low turnout in reserved districts is a well-known problem. Low turnout rates were frequently, independently brought up in my

interviews by minority community leaders as a problem of the current political situation for minorities in Croatia. There were several explanations that appeared among my interviewees to explain the low turnout in reserved districts.

The first explanation is that community leaders of minorities that do not have a dedicated seat frequently brought up the perceived futility of voting in a reserved district. Renata Trischler, a local leader of the German community, noted that in shared constituencies voting tends to simply end up a reflection of census disparities (interview, June 2016). As such, members of smaller communities who have very little chance of electing a member of their community have very little incentive to vote in reserved districts. While there seems to be some consensus that this explains the low turnout in the two districts shared by multiple minorities, it does not have any impact on the single-minority districts, which also face turnout problems.

Another possible explanation that was advanced many times was that large numbers of minorities simply do not have strong preferences on minority issues, if they have any at all. It is entirely possible, as Bruno Beljak of the Austrian community notes, that these members of minority communities are not turning out in the reserved districts because they are choosing to vote in the mainstream districts (interview, October 2015). However, this cannot be the explanation for low turnout in the reserved constituencies. Once voters choose to leave the reserved district, they are removed from the rolls of that district. If these voters were choosing to vote in the mainstream districts, it should not have a strong impact on the turnout of the reserved district. If anything, by removing voters who are less interested in purely ethnic minority issues, we might expect turnout to increase in the reserved districts, as those remaining are ostensibly more interested in minority political issues. As Table 3 below

indicates, however, there is not strong evidence that increasingly large proportions of the minority communities have abandoned the reserved districts. In fact, between 2015 and 2016 in every district there was an increase in the number of registered voters, and in several of the districts at least 50% of the population designated population is registered in this district[29]. The only exception is the seat reserved for post-Yugoslav minorities, where only around 40% of the overall population is registered to vote in the reserved district.

Figure 5.4: Population Totals for Communities and Registered Voters in Reserved District

	2011 Census Population	2011 Registered Voters	2015 Registered Voters	2016 Registered Voters
Serbians	186633	183992	129632	138508
Italians	17807	10005	10309	11439
Hungarians	14048	9731	9103	9896
Czechs/Slovaks	14353	6927	6452	6761
Post-Yugoslavs	68164	26312	26317	29505
Other Minorities	27605	13163	14088	14762

Sources: DRŽAVNO IZBORNO POVJERENSTVO REPUBLIKE HRVATSKE (www.izbori.hr/ws/index.html)

A more sensible hypothesis came from Sasha Milosevic, the Serbian community leader and affiliate of the Independent Democratic Serb Party (SDSS). Milosevic suggested that a significant proportion of the Serbian population is more concerned about general political issues, like unemployment, economic growth or pension reform, and are not outright ethnic partisans (interview, October 2015). The problem for these voters is that, when surveying the Croatian political landscape, there is not a natural landing place for them if

[29] This is probably an underestimate. The census does not provide the age breakdown for minority communities. If minority communities are structured similarly to the rest of the population, roughly 25% of the population is under age 18 and thus ineligible to vote. If this is the case, registration rates in the reserved districts are even higher than I propose here.

they want different representation. As Milosevic noted, neither of the two major parties in Croatia have developed positions in regards to the Serbian minority. When we met, it was just weeks before the 2015 election. The leader of the HDZ, Tomislav Karamarko, was widely seen as a Croatian nationalist – an unappealing choice for Serbs looking for a new voting option. But the SDP, Milosevic believed, was making no real attempt to potentially woo Serb voters. In his view, the only mention of the Serbian minority or its related political and policy interests was a brief note that the SDP was committed to working with all ethnic groups to improve the country (interview, October 2015). This is an important point to note, as it indicates that the low turnout among the Serbian community is tied in part to the lack of a palatable political alternative with concrete positions on minority issues. This absence is predicted by my theory.

While Milosevic's general point seems well suited to explaining low turnout among Serbs in Croatia, there is reason to doubt its generalizability to the rest of the country's minorities. For the Italian community, for instance, there seems to be a strong alternative: the Istrian Democratic Assembly, a regionalist party in Istria that has in the past formed a parliamentary group with Furio Radin, the long-time representative of the Italian community. Radin noted to me in our discussion in the aftermath of the 2015 election campaign, that many of his supporters had approached him and informed them that they would not be voting for him in the upcoming (interview, November 2015). This was not because they no longer supported him. As he described it, these voters were making a strategic decision: in the face of an unsatisfactory political outcome (the election of the HDZ), his supporters would rather change their registration so as to vote in the national election and impact the national winner. It should be noted, however, that there is not much evidence for Radin's statement

concerning his own group. As Table 3 shows, there was no big drop in the number of registered voters in the Italian district between 2011 and 2015.

One element of Radin's anecdote does strike me as a compelling explanation for low turnout in his district, however. In describing the voters who ostensibly changed their registration in the run-up to the 2015 election, Radin noted these voters expressed confidence in his re-election, with or without their support (interview, November 2015). This is likely, as Radin has not faced a serious electoral challenge this millennium, winning over 65% of the vote in every election and running unopposed in the 2011 election. There is a sense of certainty about Radin's election that is also notable in the Serbian reserved district. Milosevic, the Serbian community leader, also brought up the lack of competitiveness in the reserved seat elections. In his view, this lack of competition is unhealthy for the Serbian community. From an outside perspective, however, it is understandable. As Milosevic notes, the vast majority of the work the SDSS engages in revolves around addressing discrimination claims, advocating for rebuilding efforts in the former conflict zones and pressuring the state to recognize the right of return of wartime refugees (interview, October 2015). Among the Serb community, these are not polarizing political topics. Instead, they are the foundation of the community's claims against the state.

Where real political divisions have manifested in the reserved districts, we have seen generally higher turnout numbers. For instance, in the Czech district competition between the more conservative Zdenka Cuhnil and the more liberal Vladimir Bilek in the 2007 and 2011 elections coincided with turnout numbers between 40-50% in the district. When Cuhnil declined to run in 2015 and the competition became an intra-community one between the

nominee of the Czech community Bilek, and the nominee of the Slovak community Ivan Komak in 2015 and 2016, there was a corresponding large decrease in turnout.

The Hungarian community is one of the big outliers in the turnout story. While turnout is not necessarily up to the national average, it is much closer than that seen in the other reserved districts. Former political candidate Peter Sekerles believes that the competitiveness of the Hungarian district, which sees regular, tight competition between competing political parties[30], drives this high turnout (interview, October 2015). This competition he believes helps to bridge a disconnect that he sees emerging between the representatives of minorities at the national level and everyday voters. Sekerles was not the only person I spoke with to mention this growing disconnect, but he was the only one who linked it to the turnout problem facing reserved districts.

The turnout hypothesis runs counter to most theories of descriptive representation, which argue that there are both normative and political benefits to descriptive representation. These researchers argue that increasing the presence of minorities in key political bodies, like legislatures, will lead to both better policy and better integration. The evidence from Croatia suggests that the positive integration benefits proposed do not actually exist. However, it could be possible that some of the aspects of Croatia's electoral system design are obscuring minority turnout, making it appear lower than it should.

In Croatia's reserved seats system, the electorate is open. All members of the minority community have the option to opt-in, or to opt-out, at regular intervals. This means

[30] The Hungarian district is regularly contested by two competing parties that are vehicles for two long-standing political rivals. They do not compete in elections for any other seats at the national level, and once elected to parliament are formally treated as independents. To some degree, these seats reflect differences in Hungarian opinion over close affiliation with activist Hungarian prime minister Victor Orban.

that at any given time, a significant proportion of the minority population may not be registered to vote in the reserved constituency. Figure 5.4 provides evidence that this is likely true: while 75% of the census population of Serbs is registered to vote in a reserved district, only 47% of Czechs and Slovaks are registered to vote in the reserved district. These do not represent overwhelming numbers, but it is significant enough that if there are notable differences in turnout between those minority voters who are registered in the reserved constituencies versus the national constituencies, it could obscure our understanding of turnout.

As an operationalization of integration and/or participation, turnout has not been discussed in the literature to date on communal reservations. In general, scholars have relied on measures of integration that draw on survey data related to satisfaction with democracy among the minority community (Kroeber 2017) or acceptance of political participation of minority communities among members of the majority (Jensenius 2016, Chauchard 2014). Turnout is, however, a measure of political participation that has been linked to general feelings of efficacy and integration (Karp and Banducci 2008). If reserved seats systems are expected to increase feelings of efficacy, we should also expect there to be positive impacts on turnout.

Because voters in Croatia have the right to vote outside of their reserved district, it is possible that low turnout in reserved districts is not entirely predictive of low satisfaction and political integration among minority voters (Kroeber 2017). If large proportions of the minority community are voting outside of the reserved district, it could be that these community members have greater feelings of integration than those registered in the reserved district.

Ideally, I would test this with individual level data, and look at turnout differences between individuals the reserved districts and outside of them. Unfortunately, at this point in time there is no existing data available to address such a question. Given the very small nature of some of these groups, it seems unlikely that a survey could ever gather enough respondents to effectively answer the question regardless. Instead, I have opted to utilize municipality-level turnout rates.

There are 556 municipalities in Croatia, ranging in size from just a few hundred to nearly a million in the capital, Zagreb. The State Election Commission of the Republic of Croatia aggregates electoral returns at the municipality level[31] (State Election Commission n.d.). Similarly, the Croatian Bureau of Statistics aggregates several social statistics, including minority populations and socio-economic indicators, at the municipality level (Croatian Bureau of Statistics Census 2011). By merging data from these sources, we can compare turnout in municipalities with varying social characteristics. Most importantly, we can see if there are turnout differences between municipalities with high numbers of minorities as opposed to municipalities with low numbers of minorities.

The demographic realities of Croatia, however, pose something of a problem for this kind of analytical approach. Most of Croatia's minority communities are very small and very concentrated, living overwhelmingly in a handful of municipalities in a single province. This makes comparing high and low minority population municipalities difficult. However, we can use this approach to study the Serbian population. The Serbian community makes up at

[31] Those voters who vote in the reserved districts are not included in these turnout numbers.

least 2.5% of the population in 175 municipalities[32], which provides more than enough data to look at variations in turnout across high- and low-Serbian municipalities.

I utilize a regression analysis to investigate the relationship minority population share and turnout. For my dependent variable, I rely on the turnout figures provided by the State Election Commission. My key independent variable is the share of a municipality's population that was Serbian in the last official census, conducted in 2011.[33] To account for other social factors that have been tied to turnout, I also control for the share of the population that is retired, that has a post-secondary degree, and that is engaged in the agricultural economy (Blais 2006, Geys 2006). The literature suggests retirees and degree holders should be more likely to vote, while those living in more rural areas should be less likely. I also account for the overall size of the municipality, to account for any differences between urban and more rural areas. Control variables are all pulled from the 2011 census figures. I present the results of the regression analysis in Figure 5.5

[32] For the regression analysis I carry out, the result is robust to various cut-off points. There are some changes to the size of the substantive effect, but no notable impact to statistical significance.

[33] While there is reason to believe that the number of Serbians as a proportion of the population has actually declined since the 2011 census, there is no more recent data available.

Figure 5.5: Turnout Regression Analysis

	2016 Turnout %
(Intercept)	0.389***
	(.026)
Serbs	-0.084***
	(.018)
Retirees	0.409***
	(.076)
Post-secondary Degree	0.159*
	(.090)
Agriculture	.066
	(.070)
Size	.0000
	(.00000)
N	175
R^2	.221
Adjusted R^2	.198

The results of the regression analysis suggest that Serbian voters, even outside of the reserved districts, are at a lower rate than non-Serbian voters. Substantively, every 10 percentage point increase in Serbian population share translates to a 0.84 percentage point decrease in overall turnout. This is a quite substantial number. As there are numerous Serbian majority municipalities, we can expect that these municipalities are going to have very notably lower turnout rates, upwards of seven to eight percentage point decreases relative to Croatian-majority municipalities. The control variables come back largely as expected, however neither measure of urbanity (share of the population engaged in agriculture and overall population size) has any significant impact.

Overall, the turnout story in Croatia's reserved districts is an interesting one. Many of the proposed theories around why turnout is so low in these districts do not hold up to scrutiny. The two explanations that hold the most promise both relate to political competition. It is notable that turnout in the reserved districts seems to be highest where political competition is the greatest. It also seems likely that in the districts where competition is relatively low, such as the Serbian district, those voters who would like to vote for a more mainstream party because of the lack of intra-ethnic competition have little alternative. Even outside of the reserved districts, municipalities with high Serbian populations have substantively lower turnout than those with small Serbian populations. Mainstream parties seem to have little interest in competing for these voters, despite their status as a relatively large bloc. This is a good segue to thinking about the second hypothesis, the coalition participation hypothesis.

Minority Representatives and Political Coalitions

In general, in parliamentary regimes like Croatia, it is understood that in order to have real political influence, parties must be able to enter into coalitions. This importance of coalitions in the policymaking process is partly the reason David Lublin (2014) puts such emphasis on how electoral regimes influence the creation of minority parties. Without parties, it becomes increasingly difficult for minority legislators to enter coalitions and advance their interests.

In terms of formal coalition participation, Croatia's minority legislators and parties have been notably absent. Since 2003, only once, from 2007-2011, has a minority party or legislator been included in government. In 2007, the SDSS was included in the governing coalition of HDZ leader Ivo Sanader. The choice to include the SDSS was an interesting one,

given the nationalist history of the HDZ, but I will come back to this in the next section. Outside of this single example, minority parties and legislators have been excluded from governments. Given the small number of elections and government formation periods available for analysis in Croatia, it is hard to say for certain whether this constitutes a pattern or simple happenstance.

After speaking with my sources in Croatia, however, it seems likely that this lack of inclusion is a feature of the political situation in Croatia. When asked about the lack of minority legislators in governing coalitions, former parliamentarian Nikola Mak noted that, outside of "hidden coalitions," minority legislators simply are not targeted for formal coalition roles (interview, June 2016)[34]. Instead, Mak pointed out that minority legislators are often approached for their vote on individual issues, while they are asked to support the government in something akin to a confidence and supply agreement.

According to researcher Janko Bekic, minority representatives are generally seen as a last resort in coalition building; to include them is to face the potential for backlash from nationalists and the possibility of losing voters (interview, June 2016). This thought was echoed many times when I asked about the potential for minorities to participate in governments. Even the SDSS, which functions as a modestly sized political block in the parliament and has participated in coalitions in the past, is unlikely to participate in coalitions again, according to Milosevic (interview, October 2015). In his words, a majority of the

[34] "Hidden coalitions" refers to agreements made behind closed doors between the governing party and legislators, often of questionable legality, that promise more particularistic rewards for voting support. Throughout my interviews, examples of this type of behavior were regularly brought up when discussing minority legislators and their legislative behavior.

political elites and the broader public are still, “if not hostile, then not friendly,” which seriously hinders the possibility of a Serbian group participating in most coalitions.

One potential explanation for this lack of participation falls squarely at the feet of mainstream parties. As Esad Collaku, an Albanian community leader points out, there are very few points of common interest between mainstream national parties and representatives of minority communities (interview, October 2015). As I have mentioned several times, major parties just seem disinterested in targeting minority voters. One striking example of this is in their approach to nominating candidates. Croatia’s electoral law allows these parties to nominate a candidate in the reserved districts. Nothing bars formal participation, and when elections are regularly decided by 3-5 seats, it would seem no seat should be taken for granted.

Despite this, in the previous four elections, of the 198 candidates formally nominated in the minority districts, mainstream parties nominated only 9 candidates; of those 9, only two were nominated by either the HDZ or the SDP. Only a single major party nominated candidate won election, when Vladimir Bilek was nominated by the Kukuriku coalition in the Czech district. However, in 2015 Bilek again ran as an independent, rather than as a nominee of the SDP or the HNS, the two major players in the Kukuriku coalition.

This lack of targeting is somewhat troubling but was unsurprising to those with whom I discussed it. Fear of embarrassment was regularly brought up as one reason why the large parties avoid running in these districts. Losing to an independent candidate in the reserved districts is entirely possible, which Bekic and Radin both believe would be a terrible embarrassment for the more mainstream parties. To avoid this embarrassment mainstream

parties would have to coopt the more popular independent candidates like Radin. To date, however, this has not really happened.

The mainstream parties in Croatia are not solely responsible for minority representatives' absence from coalition governments, however. Many of my interviewees expressed serious discomfort with the possibility of minority legislators serving as kingmakers and making or breaking governments. This was particularly relevant during the period of my interviews, as the 2015 election resulted in a nearly hung parliament, and it was widely believed that minority legislators would be the ones to determine which party would govern. As Bruno Beljak put it, being in a position to serve as a kingmaker threatens to cast the reservation system, and the minorities it is designed to empower, in a negative light (interview, October 2015). Going one-step further, Aleksandar Tolnauer described the situation as flatly dangerous, threatening to destabilize the entire system of reservations. Tolnauer's fears would prove to be prescient. In early 2018 a referendum initiative collected enough signatures to be placed on the ballot which would restrict minority legislators from voting in government formation scenarios or on budgetary issues. While such a reform seems unlikely to pass constitutional muster, it highlights that Tolnauer's fears are well founded.

Even if legislators do not have fears about participating in coalitions or affiliating with parties, they may see no benefit. Furio Radin is a case in point. Radin has close ties with multiple left-of-center parties in the Croatian political system. He has at times been part of the parliamentary group of the IDS. Yet he has never accepted a formal affiliation with any of these groups. He seems to prefer the freedom of operating as a relatively independent parliamentarian. As he points out, maintaining independence allows him the opportunity cooperate with parties as the situation dictates, which allows him to better serve the interests

of his constituents (interview, November 2015). Radin exercised this flexibility in 2017, when he decided to provide support to the wavering government of Andrej Plenkovic and the HDZ. Supporting the government in this case prevented a third election in three years, which Radin, along with other minority leaders such as Milorad Pupovac of the SDSS, view as a negative for the country.

While technically supporting the government as of Summer 2018, the minority legislators in Croatia are not members of the governing coalition. To get a grasp on how mainstream parties and minority legislators work when formally working together, I have to evaluate the only coalition that included a minority party: the HDZ government from 2007-2011.

Information without the Possibility for Action: The SDSS in Government

One of the advantages of using Croatia as a case study is that it has actually had a period of government that included minority candidates formally and in cabinet positions. Of all of the states that utilize reserved seats that I identified earlier, only in Croatia has this ever happened. If I want to understand the dynamics of the reneging hypothesis, Croatia represents the only reasonable opportunity to do so.

In 2007, after four years of supporting the minority government of Ivo Sanader and the HDZ in a confidence and supply arrangement, the SDSS was formally brought into the governing coalition. The three seats possessed by the Serbian party, and the ability of the SDSS to mobilize other minority legislators, were necessary for the creation of a governing majority, which Sanader and his party were keenly looking for after the previous minority-status government.

There was another benefit to the HDZ of including the Serbian party. By this point, Croatia was in the midst of its European Union accession process. One of the sticking points throughout the negotiation process was human rights and minority rights concerns, especially related to the Serbian community and its members who remained displaced after the conflict of the 1990s. The negotiating framework for Croatia's accession specifically mentions that the state will need to make advancements in minority rights and integration to complete the process (Negotiating Framework, 2005).

Many of my sources pointed out it was seen as an important symbol of the Croatian government's commitment to improvement in these issue areas to include the SDSS formally in the coalition. Nikola Mak, who had supported Sanader's first cabinet, noted that the inclusion of the SDSS in the coalition and the assignment of a cabinet position to the party was "a signal of political goodwill," (interview, June 2016). The popular consensus was well summed by Juraj Buksa, the head of the HNS in Rijeka, who claimed that Sanader was doing what was necessary in including the SDSS. Were it up to the HDZ, and had they faced no external pressure, he believed firmly that they would not have included the SDSS (interview, June 2016).

This was not unknown to the Serbian political leaders. The formal coalition with the SDSS had little to do with the desires of the HDZ, according to Sasha Milosevic (interview, November 2015). Instead, unity with the Serbs was for "external purposes," a show of reconciliation and engagement for a broader European audience.

In such a situation, most theories of cabinet formation and coalition operation would hold that the SDSS would enjoy strong leverage. Without them, the governing majority

collapses, and the HDZ would be forced to either seek a new coalition partner or, more likely, hold a new election. To add to that leverage, the situation with the European Union was such that including the party representing Serbian issues was seen as a way to credibly signal to EU negotiators that the Croatian state took seriously their concerns about minority rights.

At first, it seemed like the SDSS might in fact extract what wanted from the arrangement. The SDSS was awarded a Vice Premiership, responsible for regional development, return and resettlement. These represented the major issues for the SDSS at the time. The position was filled by Slobodan Uzelac, a respected Serbian community leader, though notably not one of the highest ranking members of the party. This period was noted by Milosevic as "inspiring and optimistic," one of high hopes for the future (interview, November 2015).

As time went by, however, it quickly became apparent that the SDSS' seat at the table did not equate to having a voice in the decision-making process. In fact, quite the opposite. Milosevic notes that in concrete terms, very little was accomplished during the Serbian party's tenure in government. He noted, with notably little animus, that the government of Ivo Sanader broke many promises to the SDSS, but that in this way the Sanader government simply behaved like other, previous and subsequent governments. In response, more than once Vice Premier Uzelac threatened to resign and effectively end the coalition agreement and the government.

The government never fell, however, and despite Uzelac attempting to resign in the wake of Croatia's recognition of Kosovo in 2008 (Sanader refused to accept the resignation

and it was eventually withdrawn), both he and the SDSS maintained their positions. The commitment of the Serbian community to this coalition agreement was such that the agreement survived the political demise of Sanader himself. In 2009, Sanader resigned/was removed from office as a result of an ongoing corruption charge, which would eventually result in a lengthy prison sentence for the former Prime Minister. He was replaced by Jadranka Kosor, who managed quite successfully to keep the coalition intact and avoid new elections until the end of the legislative term.

When the governing coalition finally did end after the HDZ lost the 2011 election, the verdict on the SDSS' tenure was not a good one. In 2010, a research article on the return and resettlement of wartime refugees noted that, despite some improvements in the legal regime, there were still major hurdles to refugee resettlement (Djuric 2010). Uzelac himself seemed disappointed, stating in an interview on the eve of the turnover of government that the government "worked out many things advantageously, but less than what we were obliged to and less than we could," (Crncec 2011). The wording of this statement seems to strongly imply that the coalition government had agreed to do more to deal with the SDSS' core issues than was actually accomplished, which is in line with Milosevic' statement.

Why were the SDSS and Uzelac so committed to maintaining their coalition agreement in the face of this inability or unwillingness of the HDZ to live up to their end of the bargain? There are two factors at play. The first was the general commitment of the SDSS to the European project. The Serbian community, along with Croatia's other minoriy communities, saw strong benefits to European Union membership. The European Union provides an opportunity for minorities to take claims to a higher entitty and, as Roma

community leader Mohammed Zahirovic notes, potentially to serve as an external balance against internally anti-minority preferences.

External pressures, however, cannot alone be the explanation. As the example of the recognition of Kosovo established, external pressures can have both a positive and negative impact on coalition stability. While undeniably important and impactful, external pressures can only have a secondary impact in understanding why the SDSS stuck around.

Instead, it is important to note that, according to Milosevic there was a benefit to coalition participation that went beyond having positive or negative agenda influence. In his eyes, the chief benefit of participating in the coalition was informational (interview, November 2015). Even if the SDSS was frozen out of the actual decision-making process, they could not be isolated from it. This provided the party leadership with crucial, early information about government policies that were going to impact the Serbian community. Such early information was used to prepare legal challenges, community responses, and calls to external bodies for intervention. For Milosevic, this informational advantage was enough to justify continued participation in the coalition.

At the end of the day, the situation for the SDSS in Croatia from 2007-2011 could be described as a missed opportunity. By most normal metrics, a party that did not achieve many of their political goals while in office would be deemed a failure. In this situation, it is easy to talk oneself into believing that the coalition was not a failure, to take Milosevic at his word and to see it as a benefit. Furio Radin summarizes this point of view well: it is accurate that policy promises are frequently broken; but even less would be achieved without the reserved seats.

Conclusion

To view the 2007-2011 period of government as a success, simply because the minority communities involved got some slight benefit is, I believe, shortsighted. Such an evaluation is an implicit acceptance of the fact that minority parties and representatives should have lower expectations of how their government will treat them than parties representing the majority.

More than that, what I have attempted to show in this chapter is how the various weaknesses of the reservation system in Croatia are interrelated, and stem from the reservation system itself. Voter turnout in reserved districts is notably low. One of the most credible explanations for this from my sources is that voters are apathetic about minority political issues, but feel as if mainstream parties do not target them. When evaluating political competition, this seems to be an accurate assessment. Mainstream parties for the most part do not even bother to compete in the reserved districts, let alone maintain significant party platforms in regard to minority issues.

It goes beyond that, however. Not only are mainstream parties in Croatia not competing for minority voters, they are marginalizing those who do. Minority parties are systematically characterized as low priority coalition partners, by researchers, minority community leaders and leaders of other small parties. And as I have just shown, even when, to some degree by happenstance a minority party elected through reserved districts found itself included in government, it found it next to impossible to hold its coalition partner accountable. In fact, the SDSS was willing to continue to support the coalition, even as its

senior leaders found it to be unsatisfactory in the realm of policy, largely because it was still more advantageous to be in the coalition that outside of it.

A single-case study cannot effectively be used to test a theory in isolation, but the evidence provided here I believe does suggest that the reserved seats system in Croatia may be contributing to poor political and representational outcomes for many of the state's minority communities. In the next chapter, I will present two quantitative analyses, of the turnout hypothesis and the coalition formation hypothesis, to attempt to prove the generalizability of my theory to other cases.

Chapter 6: Comparative Evidence of the Negative Impacts of Reservations

In the previous chapter, I presented evidence from field work in Croatia pointing to the plausibility of the idea that communally reserved legislative seats have a negative impact on the representation of the targeted minority communities. This case-study combined elite interviews with qualitative analysis of election trends and elite communications.

The goal of this case study was to establish the plausibility of my overall theory, which has four elements: the separate issue space assumption; the turnout hypothesis; the government participation hypothesis; and the reneging hypothesis. I argue in Chapter 4 that communally reserved legislative seats have a negative impact on the political representation of minority communities because they create, de facto, a separate space of political competition over minority issues. This space is the domain of minority parties and legislators, who are seen as the sole political actors responsible for and to minority communities. The creation of reserved seats, then, effectively ghettoizes minority issues, absolving mainstream political actors of any responsibility to attempt to compete over these minority voters and issues spaces.

Now, such a separate issue space is quite difficult to analyze. It is not easily observed and quantified. However, there should be three more easily observed implications of this mechanism. First, as I predict in the **turnout hypothesis**, we should expect turnout in reserved districts to be systematically lower than the broader national average. Political interest should be expected to be lower for communities that feel as if their issues are not part of the broader political agenda.

Second, as I forecast with the **government participation hypothesis**, we should observe a lower rate of governing coalition participation among parties and legislators elected through reservations. The political implications of the separation of minority issues from the national political agenda mean that negotiation between minority representatives and mainstream political actors is increasingly difficult. Mainstream parties face very little benefit to including representatives of minorities with reserved seats, and potentially high costs from nationalistic voters. As such, minority parties should be very low priority coalition partners.

Finally, with the **reneging hypothesis**, I argue that in the rare instances where minority representatives elected in reserved constituencies *are* included in governing coalitions, they are not going to be able to effectively advance their political agenda. Again, mainstream parties have little incentive to prioritize these issues, and they are not electorally beneficial. At the same time, they have strong incentives to use limited political capital on issues that play better to their electoral base. In normal circumstances, we would expect a small party to defect from the coalition under such conditions, but parties elected through reservations cannot credibly commit to this course of action. This is because, as the only representative of the minority issue space, the best outcome for a replacement in the governing coalition is a party with a status quo preference on minority issues; the worst is a reactionary party. Rather than risk this, it is more advantageous for a minority party to remain in the coalition than to defect.

I investigated each of these claims in the Croatian context. In speaking to political and social elites in Croatia, it seems clear that minority issues are not seen as important for the political aspirations of the major national parties in the system. Neither the two largest,

the HDZ or the SDP, nor the several smaller parties competing nationally have solid policy platforms targeted a minority voters. The spokesman for the main right-wing coalition, Darinko Kosor, outwardly spoke of the fact that minority legislators have a separate mandate, and should self-segregate themselves to only dealing with minority issues. While the evidence is not iron clad, it exists in sufficient amounts to at least point to the plausibility of the separate issues space assumption.

At the same time, there is evidence from Croatia in support of each of the observable hypotheses. For the **turnout hypothesis**, it is clear that turnout in the reserved districts in Croatia has been systematically much lower than the nationwide average. Only one reserved district, the Hungarian district, even approaches normal turnout levels. Importantly, it does not seem to be the case that minority voters who choose to vote outside of the reserved districts vote at a rate equal to majority voters. In evaluating turnout rates in the national electoral districts in high and low Serbian population municipalities, I find that the share of the overall population that is of Serbian ethnicity has a negative and substantial impact on turnout.

In regards to the **government participation hypothesis**, the best evidence comes from elite interviews. Not only were most of my informants adamant that minority parties are at a disadvantage in participating in governing coalitions, but several were in fact concerned about the possibility of minority legislators elected through reserved districts actively participating in this way. This may partly explain the relatively limited amount of participation of minority representatives in governing coalitions: since 2003 only once was a party elected through a reserved district formally included in a coalition.

Finally, there is rather strong evidence for the **reneging hypothesis**. The one example of a party elected in a reserved district participating in government came in 2007, when the Serbian party (SDSS) was awarded a vice premiership by Ivo Sanader, the leader of the right wing HDZ. This partnership was quite rocky. On numerous occasions the SDSS threatened to quit the coalition, and by the admission of their own party leaders they were unable to accomplish many of their goals while in the coalition.

All told, the evidence from Croatia points to the plausibility of my general theory of the inefficacy of communally reserved legislative seats as a representational tool. However, as a case study we cannot reliably generalize from these findings. The theory may be plausible, but more evidence is needed to show its broad applicability.

In this chapter, I will provide this evidence. I will look further into two of the observable implications of my theory, the turnout hypothesis and the government participation hypothesis. In the first section, I will present evidence from turnout in reserved districts in three additional states: Taiwan, New Zealand and Slovenia. These three states, though they have different constellations of institutions, all have the same turnout outcome: reserved district turnout is lower than the national average. In the next section, I focus on a cross-national test of the coalition participation hypothesis. Utilizing data from the ParlGov project, I test whether being a minority party elected through reserved districts impacts the likelihood of a party participating formally in a governing coalition. I find evidence that it does in fact have a negative impact, even when comparing parties elected through reservations to other small parties and other ethnic parties.

Cross-national Patterns in Turnout

Table 6.4 refers to the turnout patterns found in the Croatian reserved districts. Turnout in Croatia's reserved districts is notoriously low compared to the national turnout level. In fact, only for one community, the Hungarian community, does it ever reasonably approximate the turnout level found nationally: in 2016 the turnout in the Hungarian reserved district was just a half a percentage point lower. For the other reserved districts, however, turnout is regularly half the rate found nationally, if not far lower.

Low turnout rates have long been associated with poorly performing democratic institutions. Katz (1997) and Powell (2000), in highly influential works on representative democracy, put adequate turnout as essential features of the system type. While, as Rosema (2007) correctly identifies, low turnout does not have to necessarily equate with poorly performing democracy, in an instance where turnout is low among a specific, already minority voice in the political system, it is hard to argue that low turnout as a result of legislative reservations could be perceived as a good thing.

Figure 6.1: Turnout in Communally Reserved Districts in Croatia

	2016	2015	2011	2007
National	52.6	60.8	54.3	59.5
Istria	51.7	60.8	61.8	62.3
Serbian	14.1	14.7	12.7	13.6
Italian	20.4	23.8	31.6	42.8
Hungarian	52.2	49.1	49.6	45.0
Czech/Slovak	23.5	33.1	48.6	42.6
Yugoslav	18.2	17.8	23.8	21.3
'Others'	26.1	33.3	35.2	28.6

Source: ARHIVA DRŽAVNO IZBORNO POVJERENSTVO REPUBLIKE HRVATSKE (https://www.izbori.hr/arhiva-izbora/index.html)

It is possible, however, that turnout among minorities in Croatia could be an outlier, tied to the specific context. Low turnout among Serbs, for instance, could be a legacy of the civil war that pitted the ethnic Serb community against the Croatian state just over 20 years ago. As my interviews from Chapter 5 establish, the wounds of that particular conflict are still felt daily for many Serbs. This could have a strong impact on feelings of efficacy and integration among Serbs and be related to the low turnout among the community members.

The other communities represent such small shares of the population that this could be impacting their propensity to vote. It was clear from my interviews, particularly among the communities that have their own seat or are the dominant group in their shared seat, that there is communal pressure to be registered in the reserved constituency. This communal pressure to be registered in the districts is as much about justifying their continued existence as about any sort of competitiveness: if a significant share of the minority population is registered in the district, it can be seen as a signal of support for the institution, even if they choose not to vote. In my discussions with community leaders, there seemed to be almost a feeling of resignation that turnout in these districts would be low.

Finally, it could be something about the nature of Croatia and its history that is causing low turnout among the minority communities. As Sasha Milosevic, the leader of the Serbian community with whom I spoke, brought up, the legacy of communist Yugoslavia, up until the 1980s, was felt by many minority communities as a positive one, tied to strong protections (interview, October 2015). The loss of that feeling of attachment could be depressing turnout among those communities that were particularly benefitted under that system, the people of the constituent republics of the former Yugoslavia. The new state, meanwhile, guarantees protections to groups who were, in the past, not nearly as well

protected. These groups (Italians, Hungarians, Czechs, Roma) could feel a greater sense of attachment to the new state, and this could partly explain why turnout in municipalities where these groups are voting outside of the reserved district tends to be higher than for municipalities with high concentrations of Serbs.

The only way to firmly establish whether the outcome of low turnout is a function of the institutional design, or a flaw specific to Croatia, is to investigate turnout in other reserved seat systems. Reserved seat turnout is not particularly well documented. In searching for reserved seat turnout figures, I noted that the data was regularly not reported alongside the results and turnout figures for the rest of the state, or results were reported without firm figures.[35] I was able to locate turnout figures for reserved constituencies in three additional states: Taiwan, New Zealand and Slovenia.

These three states, despite being something of a convenience sample, are a relatively strong body of comparison given what we have learned about Croatia. Taiwan, with its closed electorate and its closed candidacy rules (Kroeber 2017), represents a system where minority voters are forced onto minority electoral rolls. Given this lack of choice, we should expect voter turnout in Taiwan to be lower in the reserved districts. New Zealand has a system nearly identical to the one found in Croatia, with one major difference: the Maori community is quite large, at nearly 16% of the population, and would be a major societal force even without reserved districts. We might expect this to have a positive impact, increasing the likelihood for high turnout in the reserved Maori districts. Finally, Slovenia represents one of the most relaxed reservation systems in existence. Members of the Italian

[35] In particular, turnout figures in Samoa, Panama and Colombia could be found for individual elections, but not consistently over time. Turnout figures for other states could not be located.

and Hungarian communities actually get two votes; they vote separately for a representative of their community and for a party competing in the single nationwide general electoral district. Given this, there is no incentive for these voters to cast a strategic vote at all: there is no opportunity cost associate with casting a vote in the reserved district. As such, we would expect there to be little to no turnout difference between the reserved districts and the national districts.

I start with the Taiwanese case. Table 6.5 presents the turnout in reserved seats, compared to national seats, for every Taiwanese election since 1995 as reported by the Central Election Commission. The Taiwanese system reserves seats for two different minority communities, the Lowland Aborigines and the Highland Aborigines. Despite some differences between the groups, however, the pattern is the same: turnout is far lower in the reserved constituencies than in the broader national election.

Figure 6.2: Turnout in Taiwan

	National Turnout	Lowland Aborigines	Highland Aborigines
2016	66.58	51.72	57.66
2012	74.72	58.68	65.09
2008	58.72	42.88	51.55
2004	59.35	44.21	53.00
2001	66.31	53.58	61.77
1998	68.31	51.42	59.41
1995	67.81	53.01	62.29

Source: Central Election Commission, Election Results, Legislator Elections (https://www.cec.gov.tw/english/cms/le)

Part of what makes this pattern interesting is that it persists through electoral system changes. Starting with the 2008 election, Taiwan began to make use of a mixed-member majoritarian electoral system (Stockton 2010). This had far ranging impacts on politics in Taiwan. Yet it has had very little impact on turnout among minorities, despite the fact that

elections in the reserved constituencies retained the same single non-transferrable vote system.

In Taiwan, then, the turnout hypothesis holds. Turnout is consistently lower than the national average in both reserved constituency types, going back over 20 years. Again, however, the highly restrictive system Taiwan utilizes may be artificially diminishing turnout. Voters do not have the option to abandon the reserved constituency rolls, as they do in Croatia and New Zealand, and they are also forced to travel to special polling places in specific localities to cast their votes (Templeman 2015).

In New Zealand, there is reason to believe that turnout should be higher. Firstly, the electoral context in New Zealand is important to take into account. The state uses at a mixed-member proportional electoral system[36], and the reserved constituency vote applies only to the single-member district vote a voter casts. Maori voters, then, are not forced to make quite as harsh a choice as Croatian voters in regards to how heavily they preference minority issues. At the same time, this also provides added incentive for mainstream parties to compete on minority issues, as Maori voters can strategically engage in ticket-splitting behavior. And given the size of the Maori community, if they were to vote in a bloc they would be a decisive force in the electoral system.

Despite all of this, Table 6.2 establishes concretely that turnout in the Maori reserved districts in New Zealand has been consistently lower than the national turnout figure in every election since 1996. 1996 was the first election held using the new MMP electoral rules.

[36] While we may expect their to be differences in spoilage between the PR and SMD tiers of the system, there is no theoretical reason to believe that Maori voters would engage in spoilage at a greater rate than their non-Maori peers.

Over that time period, turnout in the Maori districts never closes to within 10 percentage points of the national turnout rate. Now, it should be noted that turnout in the Maori districts is not low in an absolute sense: turnout figures in the mid 60 percent range would be considered normal in many developed democracies. But compared to the overall turnout in New Zealand these numbers are quite low.

Figure 6.3: Turnout in New Zealand

	National Turnout	Maori District Turnout
2017	80.83	66.71
2014	78.96	65.08
2011	75.53	58.23
2008	80.88	62.41
2005	82.01	67.07
2002	78.50	57.57
1999	85.73	70.65
1996	88.95	77.62

Source: Electoral Commission of New Zealand, Election Results (https://www.electionresults.govt.nz/)

This represents another fairly strong confirmation of the **turnout hypothesis**. Despite several features of the system that would lead us to expect turnout figures closer to the national rate, Maori district turnout figures are just as consistently below the national rate as the rates in Croatia.

The final country to investigate, Slovenia, represents something of a least-likely case. Because minority voters get two votes, there should be no disincentive to vote in the reserved district. It may still be the case that mainstream parties do not compete over minority issues; given the very small size of the Hungarian and Italian minorities this seems likely. Altogether, though, we should expect to see similar turnout rates between the reserved and the national districts given the very low cost of voting in the reserved district.

Figure 6.4: Turnout in Slovenia

	National Turnout	Italian Turnout	Hungarian Turnout
2014	51.73	31.00	39.00
2011	65.6	42.48	50.75
2008	63.1	48.81	53.33
2004	60.65	53.33	54.74

Source: State Election Commission of Slovenia, Election Archive (http://www.dvk-rs.si/index.php/si/arhiv-drzavni-zbor-rs)

Again, however, turnout in the reserved districts is systematically lower in the reserved districts. Table 6.7 reports the turnout results in each of the last 4 electoral contests in Slovenia. Quickly apparent is the fact that turnout in both of the reserved districts is not only lower than the national average, but that the gap is widening. In 2004 the gap is just 6-7%, but by 2014 it is 20% for the Italian reserved district and nearly 12% for the Hungarian district.

The evidence from all three cases supports the generalizability of **the turnout hypothesis.** Turnout in reserved districts is systematically lower than it is in national electoral districts, and in many cases it is disconcertingly lower. Given that these institutions are ostensibly designed to improve the representation of minority communities, and that turnout and participation are seen as bedrocks of representative democracy, this is a particularly negative outcome.

In Chapter 3 I argue that, though feelings of integration and efficacy are important elements of representation, as important or more is the ability of minority communities to actually impact policy and politics. The turnout hypothesis deals with the former. In the next section, I test the generalizability of the **coalition participation hypothesis**. If participation, as measured by turnout, is low; and minority parties and representatives elected through reserved seats are also systematically less likely to participate in coalitions, as I hypothesize;

it seems fair to question whether the reserved seat system is in fact harming the representation of minority communities.

Minority Party Participation in Governing Coalitions

The final observable hypothesis of my theory is the **coalition participation hypothesis**. As a reminder, the hypothesis here is that minority parties elected through reserved constituencies should be less likely to participate in governing coalitions than other types of parties. There are supply and demand side reasons for this lack of participation. On the whole, it should be both more difficult to justify inviting a minority party elected through reserved seats into a coalition, and it should be also be more difficult for minority parties elected through reserved districts to come to a coalition agreement with mainstream parties, as they are not effective targets for the side payments that are often the bread and butter of coalition formation.

To test coalition participation, I make use of data provided by the ParlGov project. The ParlGov database collects observations of formal cabinet formation in European democracies at the party level (Döring and Manow 2018). This dataset required some slight modifications. Most importantly, I had to adjust the data on parties and representatives elected through reserved districts. In the base dataset, any legislators for a state that are elected through a reservation are all aggregated into a single group and treated as bloc. This is a problem, as there is no reason to believe these formally independent legislators will negotiate like a formal party. As such, I separate these collections out into their component parts, independent legislators.

The observations in the dataset run from the year 2000 to 2017. I choose to exclude earlier years because several key cases, including Slovenia and Croatia, would drop from the

data in those years. In total, there are observations in the dataset from 29 European countries. Belgium and Switzerland are excluded from the dataset because of the heavily ethnicized nature of party politics in these states.

My main dependent variable is a binomial variable, which takes 1 as a value when the party in question is part of the current governing coalition. My chief independent variable is a binomial variable indicating whether a party is elected through a formal reservation mechanism. Reserved district elections occur in Romania, Croatia, and Slovenia in the dataset. Over the years covered by this dataset, no members elected under the reservation systems in these three countries were elected as members of a mainstream party, so all instances are ethnic parties.I also use a binomial variable to account for whether a party is an ethnic party, using best practices established by Chandra (2011).

To test the coalition participation hypothesis, I estimate two models. Given that the key dependent variable, coalition participation, is dichotomous, I first estimate a logistic regression. The data structure fits the assumptions necessary for logistic regression, though there may be minor concerns related to country-specific effects and multicollinearity. To account for the former, I ran the logistic regression with country-fixed effects, which had no notable impact on the results. Multicollinearity remains slightly higher than would be ideal but is at a generally accepted level. In order to make the interpretation of the result somewhat easier for readers, I also estimate an ordinary least squares regression.

One of the most commonly used variables to predict coalitions is the congruence between ideologies of potential coalition partners. This features in many of the most prominent coalition formation theories (Laver and Schofield 1990, Budge 1993, Laver and

Shepsle 1996). However, there is an empirical and a theoretical problem that make accounting for ideology difficult in this scenario. First, empirically, none of the parties or independent legislators elected through reservations have any policy positions in the established datasets. Perhaps more importantly, theoretically it seems questionable to compare ethnic parties and non-ethnic parties based upon their position on a left-right spectrum. Ethnic issues are not easily mapped onto the traditional left-right spectrum, and in the case of those parties and candidates elected through reservations I argue explicitly that the ethnic issue space is a separate, stand alone dimension of politics. As a result of both of these issues, I do not account for the ideological position in my models.

In my models, I utilize four control variables. Warwick (1996) argues that size, in particular, has regularly featured in discussions of coalition bargaining, especially in minimum and minimal winning coalition theories (Riker 1962). Size can have impacts on not just who gets to be the formateur, but also on who is the ideal partner. I account for size with a simple proportional measure that accounts for what proportion of the overall seats a party holds. Additionally, I account for if the cabinet formation scenario features a new prime minister. We might expect a new cabinet formation situation under the same prime minister to feature different dynamics than a cabinet formation situation under a new prime minister. I thus account for this without any specific expectation for the direction of its effect. I also account for if there has been a new election. Because of the nature of the ParlGov data, many cabinet formation periods are actually cabinet shuffles, that only some of the time include the addition or removal of parties. Again, we would expect there to be different dynamics between situations after a new election, that might bring in formal investiture rules (Warwick 1996), and situations of a reshuffle, which may be far less strictly governed. Finally, I

include a binomial variable to account for whether a state is post-communist, as coalition formation in post-communist societies has been noted to be different than models based on the OECD experience would predict (Grzymala-Busse 2001).

First, I believe it is important to establish whether there are differences in coalition participation rates for ethnic parties more generally. Parties elected through reservations are in fact a subset of ethnic parties, and a small subset of ethnic parties at that. On way to get a better grasp of the dynamics of such small subsets is to conduct separate standalone analyses of the smaller population and compare it to a fuller, baseline model. That is particularly important in this case, as there is very little direct discussion the coalition formation literature on the coalition participation rates for ethnic minority parties. To my knowledge, the results I present in Figure 6.5 below represent one of the first attempts to cross-nationally account for differences in coalition participation between ethnic and non-ethnic parties.

Both the logistic and OLS model show a significant and negative impact on coalition participation likelihood for ethnic minority parties. Turning to the OLS model, we can say that the expected coalition participation value for an ethnic party is almost .16 units lower than for non-ethnic parties. This sixteen percentage point decrease is notable and rather large. Unsurprisingly, seat share also has a major influence: parties that control a smaller share of the overall seats also seem to be less likely to have participated in cabinet governance. Post-communist status has a significant and positive effect, but the other control variables are insignificant in the model.

Figure 6.5: Ethnic Party Participation in Coalitions

	Logistic Model	OLS Model
(Intercept)	-1.548***	
	(0.124)	
Ethnic	-1.613***	-0.158***
	(0.212)	(.023)
Post-Communist	0.237**	0.039**
	(0.108)	(0.018)
Seat Share	5.448***	1.191***
	(0.402)	(.070)
New Prime Minister	0.131	0.021
	(0.106)	(0.017)
New Election	-0.129	-0.021
	(0.124)	(0.018)
N	2229	2229
R^2		0.185
Adjusted R^2		0.183
McFadden's R^2	0.167	

If ethnic parties as a whole are different than non-ethnic parties, the next question must be whether ethnic parties elected through reserved constituencies are different than those elected through normal means. To test this, I subset the data to look at coalition participation rates only among those parties I have identified as having an ethnic basis[37]. I then include the dummy variable indicating if a party was elected through a reserved constituency. The results are presented in Figure 6.6.

[37] Another potential means of testing this would be to include both the ethnic and reserved seats variables and run the model with both included. The results of such an approach mirror the results presented in Figure 6.6.

Figure 6.6: Coalition Participation Rates of Ethnic Parties and Reserved Seats Parties

	Logistic Model	OLS Model
(Intercept)	-2.453***	0.056**
	(0.474)	(0.023)
Reserved Seat	-3.133***	-0.153***
	(.744)	(0.039)
Post-Communist	1.174**	0.113***
	(.570)	(0.039)
Seat Share	9.776**	1.733***
	(4.405)	(0.373)
New Prime Minister	-0.531	-0.020
	(0.457)	(0.019)
New Election	-0.355	-0.014
	(0.452)	(0.020)
N	523	523
R^2		.178
Adjusted R^2		.170
McFadden's R^2	.268	

The table above points to the fact that election through reserved constituency is negatively associated with likelihood of participating formally in a governing cabinet, even when the reference category is other ethnic minority parties. The negative and significant coefficient found in the logistic model confirms this element of the coalition participation hypothesis. The OLS model, in the right column, gives us an idea of the scope, which is once again substantively rather large. Not only are ethnic parties less likely to participate in coalitions (as shown in Table 6.5), but those ethnic parties elected in reserved districts are even less likely to participate.

Finally, given the superb importance of seat share in the baseline models, we might consider the idea that seat share is driving the results and interacting with both the

reservations and ethnic party variables. Parties elected through reservations are universally very small. This interaction, between seat share and reservations, may be driving much of the differentiation we are seeing in Figure 6.6. To address this, I return to the original data and subset the data again, limiting the analysis to only parties that received less than 10% of the overall seats in the most recent election.[38] I then run the same analysis as before, but run separate analyses, one set with the ethnic party variable as the independent variable, and one set with reserved constituency as the independent variable.

Figure 6.7

	Logistic Models		OLS Models	
(Intercept)				
Ethnic	-1.413		-0.122***	
	(0.249)		(.024)	
Reserved District		-3.160***		-0.178***
		(0.603)		(0.031)
Post-Communist	0.173	0.366**	0.026	0.065***
	(0.152)	(0.152)	(0.020)	(0.023)
Seat Share	14.566***	13.464***	2.390***	2.278***
	(2.545)	(2.459)	(0.364)	(0.360)
New Prime Minister	0.219	0.197	0.029	0.027
	(0.148)	(0.148)	(0.019)	(0.019)
New Election	-0.336**	-0.376**	-0.044**	-0.051**
	(0.148)	(0.147)	(0.019)	(0.019)
N	1478	1478	1478	1478
R^2			.091	.096
Adjusted R^2			.088	.093
McFadden's R^2	.108	.126		

[38] This cutoff point follows relatively standard conventions on drawing distinctions between large and small parties. The findings I will present are robust to modifications to this cutoff point.

Figure 6.7 presents the results of these analyses. The first thing to note is that both ethnic parties, and those parties elected through reserved districts, continue to have negative and significant coefficients in the logistic models. This confirms the earlier findings and puts to rest concerns about interaction effects coming into play and influencing the results. Even when limiting the analysis to only small parties, ethnic parties and parties elected through reserved districts seem to face hurdles greater than other parties in getting into coalitions. And, again, the scope is not insignificant, as the OLS models indicate.

The sum of these results is fairly strong confirmation for the **coalition participation hypothesis**. Regardless of how you cut the data to account for potential interaction effects, ethnic parties and parties elected through reserved constituencies are less likely to participate in governing coalitions. The scope of this finding is also worth noting, as the difference between small parties and ethnic and reserved constituency parties is substantial. Finally, as Tables 6.9 and 6.10 show, the result is not simply a function of the fact that ethnic parties are less likely to get into coalition governments. Looking only at ethnic parties, there is a notable distinction between coalition participation rates of those parties elected in reserved constituencies and other parties.

Concluding Thoughts

In this chapter, I have tried to show the generalizability of my general theory on the negative impacts of communal reservations. To do so, I have had three objectives.

First, I focused on establishing the cross-national reality of low turnout that the **turnout hypothesis** predicts to exist. In four countries, with varying institutional structures, as well as differing political and social contexts, turnout in reserved constituencies is

systematically lower than the national turnout rate. This persists across systems with very low incentive to choose not to vote in the reserved district. In fact, turnout in Slovenia and New Zealand, where voters get two votes and face no strategic choices about where to vote, is just as systematically lower than the national average as what we observe in Croatia and Taiwan, where voters are faced with some strategic choices.

Next, in the immediately preceding section I sought to establish the generalizability of the coalition participation hypothesis. This was not firmly corroborated in the Croatian case, as there was an instance of government participation for the Serbian party in Croatia from 2007-2011. However, as the ParlGov data shows, this is one of the only instances of a minority party elected through a reserved district formally participating in a governing cabinet. The models presented in Tables 6.8 through 6.10 establish that parties elected through reservations are significantly less likely to participate in governing coalitions, and that this impact is relatively substantial. Even when compared to other ethnic parties, or other small parties, parties elected through a reserved district seem to face large hurdles that lead to very low rates of participation.

The results of these analyses, in sum, provide strong corroboratory evidence for the negative impacts of communal reservations I hypothesis in Chapter 4. Minority voters do not turn up to vote in their reserved constituencies, and there is no strong evidence that they are consistently showing up at a higher rate when they have the option to vote in the national electoral districts. When their parties and representatives get to the legislature, they are almost always excluded from formal, official participation in governing coalitions. It is possible that many of these small parties have unofficial agreements with governing

coalitions, but even if this was the case, informal agreements, by their very nature, do not offer consistent political or policy influence for parties.

In the next, and final chapter, I will conclude with some brief thoughts about the implications of my theory, as well as how states might go about mitigating some of the negative impacts associated with reserved constituencies.

Chapter 7 - Conclusion: Presence, Impotence – Hope?

Over the last six chapters, I have been attempting to answer two questions. First, are communally reserved legislative seats an effective tool for states seeking to provide better representational opportunities for their minority communities? The sum of the evidence I have provided here suggests no. Communal reservation systems provide descriptive representation. That much cannot be denied. But they seem particularly poorly suited to converting descriptive representation into any sort of political or policy influence for the community.

Second, are there limits to the benefits of descriptive representation? We know from several studies that descriptive representation can provide benefits (Banducci et. al. 2004, Kroeber 2017). However, many studies stop with discussion of how institutions provide opportunities for descriptive representation, assuming that there will be a natural progression from descriptive to substantive representation (Phillips 1995, Mansbridge 1999). What I have shown in the course of this study is that this assumption is problematic. Communal reservations, which are designed to guarantee descriptive representation, appear to hinder the realization of minority communities' ability to bargain with mainstream political actors to earn policy concessions. They do seemingly present benefits, as we can discern from the deep fear among minority community leaders in Croatia that the reservations will one day be removed. But in terms of policy-influence, guaranteeing descriptive representation in this form seems to involve trading presence for policy.

Each chapter, in fact, provides an important element of the overall argument, and as such I think it will be useful to review each before discussing the implications of this research project and potential avenues for future research.

The Chapters Summarized

In Chapter 2, I argue that when attempting to evaluate guaranteed descriptive representation systems, we must be careful in case selection. Several scholars advocate for comparing all guaranteed descriptive representation systems, oft-termed ethnic quota systems, using similar frameworks (Reynolds 2005, Bird 2014). I believe this approach is flawed. Comparing systems that fully partition the entirety of the political system into separate ethnic camps, to systems that reserve a very small section of the political system, is comparing apples and oranges. The former systems are power-sharing arrangements, similar to the consociational systems found in several deeply divided societies (Andeweg 2000). The latter lack almost all of the other guarantees of access found in consociational systems, which means the impacts of the system on politics should be very different.

Once I have established the world of cases that make use of the more limited communally reserved legislative seats systems, a pattern quickly emerges. The vast majority of the work conducted on reservation systems has been single-case study in nature (see King and Marian 2012, Summersby 2009, and Templeman 2015 for examples). Despite this, the results across the case studies are strikingly similar. Scholars note in almost every case that reservation systems are not meeting existing expectations, failing to provide adequate representation for the minority communities targeted. While several studies attempt to develop comparative theories of the impact of communal reservations (Lublin 2014, Zuber

2015, Kroeber 2017), these theories generally fall short of providing an adequate explanation for why so many of the systems have been judged as failures. The goal of my project, then, is to develop a broadly applicable theory that explains the case-study pattern.

Before developing that theory, however, in Chapter 3 I provide a brief overview of the literature on representation as it pertains to marginalized communities. In part, I engage with this literature to show how an excessive focus on theorizing descriptive representation has led to an under-theorizing of the relationship between this conceptualization and more action-framed conceptualizations. Descriptive representation is undeniably linked to many positive benefits, from feelings of efficacy and democratic acceptance (Banducci et. al. 2004) to increased willingness of legislators to speak out on minority issues (Saalfeld and Bischof 2012). But the result of these studies has been a strong advocacy for descriptive representation, from both scholars and policy-makers. This has not come attached with a critical evaluation of the multiple layers of representation, and how they are tied to each other.

The incorporation framework proposed by Browning and his colleagues (1984) provides, I believe, a better way of conceptualizing representation. Noting that presence is rarely enough, they argue that we should conceptualization representation as a tiered outcome. Presence is a first step, to be followed by voice, with the ultimate goal for these communities being eventual incorporation into governing coalitions, where they can impact the policy-making process consistently. I utilize this conceptualization of representation to help better understand with my own theory why communal reservation systems are generally seen as so ineffective.

In Chapter 4, I focus on developing my theory of how communal reservations impact the representation of minority communities. I argue that earlier studies (Zuber 2015, Kroeber 2017) provide a useful starting point, but ultimately fail to triangulate with the broader case-study pieces in part because they fail to account for how the broader political context of a society is impacted by the institution. I posit that reservations, while guaranteeing the presence of a representative that will descriptively represent minority communities, unintentionally bifurcate the body politic. They create an artificial division between mainstream political issues, which are seen as legitimate for nationwide political competition, and minority issues, which exists in an entirely separate and parallel issue space. These issue spaces, because of the division of the electorate, do not overlap: mainstream political actors have no incentive to compete for minority voters, while minority parties and candidates structurally are barred from such competition.

The result of this bifurcation is notable. I argue that this system not only abrogates mainstream parties of any obligation to take up minority policy concerns, but also creates disincentives for these mainstream parties to even consider forming political coalitions with their minority peers. The theory I propose is difficult to test on its own, but there are three observable implications of the theory that should be more notable, particularly for cross-national comparison. The first, **the turnout hypothesis**, notes that turnout in reserved districts should be lower than the in general electorate, as the lack of competition for minority voters should negatively impact feelings of efficacy and interest. The second, **the coalition participation hypothesis**, posits that minority parties elected through reserved districts should be notably less likely to participate in governing coalitions than other parties, as the reserved constituencies negatively impact the bargaining position of these parties.

Finally**, the reneging hypothesis** postulates that in those instances where minority parties elected through reservations do get into coalitions, mainstream parties have a strong incentive to renege on promises made to their minority party compatriots, who they can safely assume will not leave the coalition unless the government advances policies that negatively impact the status quo on minority issues.

In order to test the plausibility of this theory, I conducted a case-study of Croatia. Croatia is a good case for such a plausibility probe because it is a fairly typical case, with a constellation of institutions and socio-demographic characteristics that means it closely mirrors other cases. I combined elite interviews, electoral analysis and media analysis in this case study. My interviews with elites largely confirmed the idea that the reservation system has segregated minority issues from the broader political agenda. There was widespread agreement that issues of importance to Croatia's minority communities were seen as the exclusive representational domain of the representatives elected through the reserved constituencies. Yet, there was also widespread agreement that these legislators face many hurdles in formal government participation. Perhaps most importantly, there was strong evidence found to support the reneging hypothesis. The SDSS, the main party representing the Serb community, participated in the governing coalition from 2007-2011. By their own admission, almost all of the promises made to them by their governing partners went either unfulfilled or only partially fulfilled.

There is strong evidence from the Croatian case in favor of the turnout hypothesis. Turnout in Croatia's reserved districts is generally far lower than in the national-level districts. There is some reason to believe, given quirks in Croatia's reservation system that allow minority voters the option to forego their reserved district vote in favor of a national

vote, that focusing on just turnout in the reserved district might obscure overall turnout numbers. An analysis of municipality level turnout in Croatia, however, shows that turnout among minority voters that choose to vote in the national districts is also very likely lower than turnout of the Croatian community.

In Chapter 6, I extend my analysis to look at cross-national evidence of the observable implications I identify in Chapter 4. First, I focus on the turnout hypothesis. I show that turnout in reserved districts across four states – roughly a quarter of the population of democratic states that utilize reservations – is consistently lower than turnout in non-reserved districts. This pattern persists in states with highly restrained electoral arrangements that create stronger incentives for low minority turnout (Taiwan) and states with essentially no cost associated with casting a vote in the reserved district (Slovenia). This, I argue, provides strong support for the generalizability of my theory.

In the second analysis, I focus on testing the coalition participation hypothesis. Using data from the ParlGov project on European cabinet formation opportunities, I estimate a number of models that show that parties elected through reserved districts are less likely to participate in governing coalitions than every other type of party, even after I control for party size. Ethnic parties participate at a lower rate than other parties, but ethnic parties elected through reservations participate at an even lower rate. Even if we limit the comparison cases to only those parties that received less than 10% of the vote, in order to account for potential interaction effects, the result holds. These models provide strong evidence for the generalizability of the coalition participation hypothesis: minority parties and legislators elected through reserved constituencies have an exceedingly small likelihood of participating in coalitions as compared to other parties. What is striking about this finding

is the revelation that characteristics of the group and group size do not seem to matter; it is only the election through a reserved constituency that seems to have some impact.

Implications and Directions for Future Research

This research project has implications in two domains: the study and design of communal reservation systems; and the study of descriptive representation and minority representation. I will deal with each in turn.

The theory I propose, and test here makes one fundamental assumption that all future work on communal reservation systems should adopt: we cannot assume that guaranteeing political presence will lead to political and policy influence for minority communities. No matter what the benefits of descriptive representation may be in the realms of feelings of integration or opportunities for public speech, if the system does not provide adequate opportunity for minority communities to be efficacious policy-influencers, these positive benefits are at best tenuous. In developing comparative theories of how communal reservation systems impact representation, we must consider this action element. This is especially important given how consistently case-study evidence points to the lack of policy-making efficacy associated with reserved districts.

Much of the theory I develop is built upon the large body of literature that has evolved on questions of electoral systems, party systems and government formation. Interestingly, despite the fact that communal reservation systems are inherently a feature of electoral system design, very little of the key findings of this literature are integrated into the existing work on communal reservations. This should change going forward. Scholars of communal reservations could learn much from developing a better understanding of how

districting decisions, electoral formulae and other institutional arrangements impact politics. By understanding these institutional impacts, we can develop better theories of the consequences of communal reservation systems.

And a focus on institutional choices is going to be important going forward. Much more work is left to be done on how institutional variations, such as the restrictiveness of the electorate, or limits on candidacy, impact the outcomes associated with communal reservations. In many ways, the work of Zuber (2015) and Kroeber (2017) sets a strong example of how we can investigate such institutional variations and theorize about their impacts. Given the large amounts of institutional variation, even among the relatively small population of cases I establish in Chapter 2, there is a significant amount of research still to be done. One of the major limitations of this study is that I never fully address what effective alternatives to communal reservations are, or how they would operate. More in-depth work comparing the effectiveness of different institutional arrangements designed to provide descriptive representation, along the lines of the work of Lublin (2014), would be highly relevant and timely.

If there is one major implication of this study for communal reservations, however, it is that scholars and policy-makers must change their priors with regards to the institution. We should no longer simply assume that communal reservation systems are a net positive. I have shown here that the institutional design features tradeoffs, that might render it less than useful in certain scenarios. For scholars, this should change the onus of research, from explaining what particular characteristics of a system impede the realization of representation for minority communities, to a focus on explaining what contextual factors improve minority representation. In other word, scholars should take it as a given that reservation systems do

not guarantee and improvement to representation beyond description. Where scholars observe representational outcomes associated with reserved seats systems that go beyond presence, they should give careful attention to how these positive representational benefits are achieved. This will help scholars going forward better identify the limiting elements of reservation systems, and perhaps suggest alterations or alternatives that

Policy-makers, on the other hand, should be very careful in further advocating for communal reservation systems as a tool for conflict amelioration. In the past, in states as diverse as Macedonia and Palestine, reservation systems were proposed as a sort of pseudo power-sharing arrangement. If the goal of policy-makers is to prevent societal conflict that revolves around identity, my research indicates that communal reservations are a poor choice of institutional arrangement. In post-conflict settings, there are likely to be much more serious policy differences between majority and minority communities than in some of the societies that currently use reservations. The structural barriers to policy realization I identify as a core element of communal reservation systems are likely to exacerbate ethnically-based grievances. Even in states without a history of severe ethnic conflict, reservation systems have the potential to generate new societal conflicts by preventing minority parties from having influence in the broader political system. In severally divided states, power-sharing arrangements should be much more likely to be successful in preventing the outbreak of future conflict. In less divided societies, states hoping to improve representation for their minority communities would likely be better served by embracing consensus-style democratic institutions and very open electoral system arrangements (Lijphart 1999).

This is a good point to transition into what this study implies about minority representation more broadly. Communal reservation systems are a form of guaranteed

descriptive representation institution. The assumption made by those who support the institutional design is that descriptive representation has strong benefits, that are tied solely to the presence of minority legislators. My findings suggest that presence alone is not the only thing that matters. How legislators are chosen is at least as important, if not more so. Scholarship on descriptive representation has strongly embraced the idea that almost any descriptive representative should be acceptable. But this advocacy should be tempered. Descriptive representation can and should be a normative goal for scholars and policy-makers, but we must be cognizant of how institutions shape the nature of representation. Institutional arrangements have the potential to create token representatives, little more than symbols for their community that lack an ability to act. This is not representation, as almost anyone conceives of it.

There is also reason to believe that we may be overestimating the positive impacts of descriptive representation. A large body of research exists that suggests that there are psychological benefits that accrue from descriptive representation (Banducci et. al. 2004, Chauchard 2014, Jensenius 2016, Kroeber 2017). These studies chiefly argue that feelings of democratic acceptance and democratic efficacy improve for communities that have reservations. In Chapters 5 and 6, however, I provide evidence that turnout for minority communities with guarantees of descriptive representation are consistently lower than turnout of the national community. Turnout is often seen as a function of the citizenry's feelings of political efficacy. Turnout is also of chief importance in exercising political and policy influence, a core element of representation. At this point in time, very few studies focus on how descriptive representation impacts turnout, but it seems as if turnout should be much more heavily featured in this research. If feelings of efficacy increase, but turnout remains

low, it implies that there may be some disconnect between our measures of efficacy and actions that are typically indicative of efficacy. This connection deserves further investigation.

Finally, this project should also spur further research on ethnic parties and minority representation. Several recent studies of minority representation have focused on the positive impact minority parties have on the representation of minority communities (Lublin and Wright 2013, Lublin 2014, Zuber 2015). However, in Chapter 6 I find evidence that minority parties of all types are less likely to participate in governing coalitions. If the incorporation conception of representation is to be embraced, this lack of participation among minority parties should be concerning (Browning et. al. 1984). Again, presence in-and-of itself is not enough to provide representation for marginalized communities. They must be provided the opportunity to influence policy-making. Going forward, work should be done that further investigates coalition participation rates for ethnic minority parties and, if it finds that these rates are different for ethnic parties and non-ethnic parties, serious work must be done to identify a causal mechanism to explain the divergence.

Overall, the results of this study do not paint a rosy picture of minority representation. But that should not necessarily discourage researchers or policy-makers. Institutional design is a tricky endeavor. Understanding what does not work is important for eventually coming to designs that do work. This study, then, should be seen as a building block upon which further research can be done that identifies institutions that do provide adequate minority representation.

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