Summaries of Country Case Study Manuscripts

International Conference on Ethnic Inequality and Public Sector Governance
Riga, Latvia

March 2004

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Ethnic Inequality and Public Sector Governance

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Belgium

1. The background
Belgium is a divided country. A linguistic borderline between French and Dutch divide runs from west to east. Of course this is not enough to explain the fact that the language groups have engaged into a long lasting conflict. The main reason for that is the fact that in 1830 – when Belgium was created as a new state – the language of the people involved in politics was French. With a small majority of the population not speaking French but Dutch, this would gradually make the use of language a major political issue.
Yet we need to say immediately that the conflict never became violent. It has been at the origin of many fierce debates, of governmental instability and of a major financial crisis (politicians being concerned with this ethnic conflict rather than with a sound financial policy). In the long run however, the conflict between the two language groups was to a certain extent pacified. This was done by using the logic and technique of conflict management that had become fairly familiar to the Belgian political elites: consociational democracy. It is a technique of conflict avoidance. Conflict is avoided by granting a large degree of autonomy to the groups in conflict, and by obliging them to move together or not move at all for all matters that remain common.
During the nineteenth century, thus during the early days of Belgium, a mainly urban and middle-class based group of intellectuals went on promoting this use of Dutch, tried to preserve the Dutch culture and actually started to claim the right to use that language in public life and in administrative matters. The newly born ‘Flemish movement’ defended a non-homogeneous view of Belgium. It stated that Belgium was bilingual, and that the use of the second language should at least be allowed and respected. It asked for some individual language rights for the population of the north.
While the tension was building up during the nineteenth century, one issue within the language problem became very visible and very salient: the role and position of Brussels. The capital city of Belgium is situated close to the language border, but clearly north of it. As a city of government and administration, and as a city close to the francophone world it had already slightly been frenchified before the creation of Belgium. The choice of Brussels as Belgium’s capital city would only increase the process. By the turn of the century the majority of its population spoke French. This was due to immigration from the south and to the rapid frenchification of the immigrants from the north, who needed French to function in the public administration and who wanted of course their children to be educated in the language of upward social mobility. Not only did Brussels become a francophone ‘enclave’ in the Dutch-speaking part of Belgium, it also gradually grew and expanded, just like any other (capital) city. This expansion meant of course the expansion of the francophone enclave in Flanders. The pieces of a very difficult puzzle were being put on the Belgian table.
The central logic of the solution – that will be found in a very gradual way – is the territorialization of the issue. Of course territory was part of the problem from the very beginning, but the Belgian elitist perception of the problem was not territorial. Once language laws are introduced, they would follow a territorial logic. The way to boost Dutch as a full and equal second language, without introducing Dutch as a new language in the south, was the division of the country in three linguistic regions: a Dutch-speaking north, a French-speaking south and the bilingual area of the capital city. Language laws passed in 1921 and in 1932 were clearly territorial, although they kept the possibility open for the language border to move, according to the languages effectively spoken at the local level. This was measured
by organizing a language census every decade. The consequence of this was the further gradual loss of Flemish municipalities to the bilingual area of Brussels or straight to the francophone region. In 1963 the borderline would be finally constitutionally fixed (see the map below).

*Figure 1: Map of Belgium with the borderline between the Dutch-speaking north (Flanders) and the French-speaking south (Wallonia).*

During the 1960s the Belgian political parties all fell apart as a result of the tensions on the use of language. The consequence of this change is the total absence now, and since 1978, of Belgian political parties, of parties defending the centre against the regionalist pulls. All parties are regional, and did not even keep a federal structure of co-operation. The split of the parties and the subsequent creation of two units of the new parties have ended the life of the Belgian party system. First came the language problem, then its territorialization, and then the adaptation of the political parties to the linguistic-regional divide. Each step reinforces the regional pluralism and makes it more difficult to contain.

One can say that there is no real political centre in Belgian politics. Federal politics are conducted by regional parties, which also play a role at the regional level. There is no central public forum for political debates. There are two unilingual debates. Federal policy-making involves dealing with the different sensitivities of the parties in both sides of the country. The media will report on details of their own side, and refer to the other side as the single Flemish or Francophone position. The solution at the federal level will involve and will be interpreted as an agreement between the parties of the two sides. And that is what we mean when we say that there is no centre: the centre is always where the other is. Federal politics looks very much like inter-regional politics and are obviously conducted or opposed by regional parties.

2. The solution: a federal state

The relations between the two language groups in Belgium and the guarantees for presence and protection of linguistic minorities, have been built into a set of new state institutions that have been put into place since 1970. The new Belgian state is a federal state, which means that the territorial logic prevails. Each part of the territory is defined in linguistic terms, i.e. each part has a language that is the official language for public affairs and for education. There are however exceptions to the territorial logic. One major exception is the division of the countries into language communities, with both major communities being present (i.e.
offering their services like education) on the (bilingual) territory of the Brussels region. This logic is shown in the little maps below.

**Figure 2: Regions and Communities in the federal Belgium**

2.1. The federal institutions

**The Parliament**

The federal House of Representatives is divided into two language groups, reflecting the region where MPs have been elected. For reforms of the state institutions a two-thirds majority is needed and a majority in each language group. When ¾ of a language groups feels that a bill might go against its interests, the proposal is sent to the federal government that needs to find a solution. Every MP can always use his or her language. All meetings have simultaneous translation. All written material is produced in both languages. Laws are published in both languages.

The Senate is composed of a fixed number of Senators per language group: 40 are directly elected (25 / 15), 10 are co-opted (6 / 4) and 21 come from the Community parliaments (10 / 10 / 1 German speaker). For the functioning of the Senate the same rules as for the House are being used.

**The Government**

The Belgian federal government has 15 ministers. Each language group has 7 ministers. The Prime Minister is generally a Dutch-speaker. The rule for decision-making is consensus. All meetings have simultaneous translation and all documents are produced in both languages.

**The Administration**

Federal civil servants are divided into ‘language frames’ or language groups. The language of education defines the group of belonging. To be classified in the other group, a language exam has to be passed. The size of each group reflects more or less the number of cases treated by the different departments. For the higher level civil servants the numbers are fixed: 40% from each language group and 20% bilinguals (having passed the exam of the other language), divided into 10% native French-speakers and 10% native Dutch-speakers. The citizens can always communicate with the federal administration in the language of their choice.

2.2. The regions and communities
Since the regions and communities have been created in order to become (mostly) unilingual structures, there are very few devices for protection. Each region and community functions completely in its own language.

Only the Brussels region has received special rules, which are modelled on the federal rules. The Brussels parliament is divided into language groups, defined by the unilingual lists on which the MPs are elected. The number of seats for each language group is fixed: 17 Dutch-speakers and 72 French-speakers. All meetings have simultaneous translation and all documents are produced in both languages. Regional laws are published in both languages. Like in the federal parliament a language group can send a bill to the government if it feels threatened by it. Normal decision making in the Brussels parliament needs a 50% majority, but in some cases a majority of each language group is needed.

The Brussels government has five ministers. Two of them have to be Dutch-speakers. The regional prime minister is a Francophone. The rule for decision-making in the regional government is consensus.

The civil servants at the level of regions and communities all have to function in the language of the federated entity. For Brussels the logic of the federal administration is used. The civil servants are divided into language groups, the size of which is derived from the number of cases treated by the departments. All communications of the Brussels region to the population has to be provided in both languages and the citizens always have the right to speak to a civil servant knowing his or her language.

2.3. The local level

The use of language at the local level follows again the territorial logic. They function in one language only. There are however some exceptions to this general rule.

The first exception is once more the Brussels region. The region is officially bilingual, but 85% of the inhabitants are Francophones. At the local level this does create some tensions, because the top level of the administration and the civil servants having contact with the public have to be bilingual. It means that bilingualism is required for many jobs, even if the number of Dutch speakers is very low. Jobs reserved for bilinguals go furthermore very often to the (more bilingual) Dutch speakers. External communication to the population also has to be bilingual.

Another exception is the existence of a number of local municipalities with so-called ‘language facilities’. They are situated along the linguistic borderline and (the most important of them) in the area of the Flemish region just outside of the Brussels region. In these municipalities, which belong to the Dutch speaking area of the country, individual citizens can ask to communicate in French with the local authorities. If enough parents ask for it, primary education has to be offered in French in these municipalities. The facilities are however not for the civil servants at the local level. All of them have to be able to function in the language of the region. The top level and those having contact with the public have to be bilingual.

By being elected as a member of a local council, one is considered to know the language of the region. For the Mayor, the regional government can control the knowledge of the language of the region.

Conclusion

Belgium is a very divided country, where the use of language has been the object of major political conflicts. This conflict has been to a large degree pacified by reforming the unitary Belgian state in a federal state based on the languages spoken per territory. There are however exceptions to this territorial logic, when minority groups have to be protected. The Belgian federal state is therefore very ‘consociational’. It is full of devices obliging the two groups to
cooperate. They have to share the power. That leads to sometimes very high levels of frustration, but has also limited the salience of the issue of the use of language.
Introduction
This study traces the evolution of governance in post-war Bosnia-Herzegovina since 1995. As the institutional set-up and the mechanisms for including core groups has evolved over the past nine years since the end of the conflict, this study traces the development of the institutional set-up in relation to the state of interethnic relations in post-war Bosnia. It argues that Bosnia in recent years has experienced some of the most complicated constitutional arrangements, enforced by a strong international military and civilian presence and rejected by significant parts of the population. The arrangement did not succeed in resolving the fundamental dispute over self-determination, which stood at the core of the conflict, but transformed it from a military to an institutional (and sometimes extra-institutional) conflict. Bosnia has been the site of large scale experimenting with different tools to secure both joint governance as well as ethnically based autonomy. The former has been advanced more assertively in recent years, while the latter described reality best in the first post-war years. Coupled with the institutional design is the ambitious goal to facilitate the large-scale return of wartime refugees. The return of refugees is intimately intertwined with the enforcement of human rights standards and inclusive institutions which both represent returnees—especially when returning to areas where they do not belong to the dominant group—and which prevent employment discrimination against returnees.

The results of the elaborate and intensive international intervention are mixed: Cross-ethnic cooperation is more developed now than at the end of the war, around half of the refugees and IDP returned since the end of the war and all major political parties from all groups accept the existence of Bosnia as an independent state. On the other hand the country remains highly dependent on the international presence, institutions are complex and perform inadequately and politics remains deeply divided between communities.

Nature of the Cleavages
Bosnia is a deeply divided society. After a three and a half year war (1992-1995) which left over 200,000 Bosnians dead or missing, the country is divided territorially, politically, and socially. While national identity was present in the political and social life of Bosnia, the mobilization of nationalism prior to the war lead to an unprecedented degree of polarization and the near disintegration of the country. Having been part of Yugoslavia and without a modern history of independence before 1992, Bosnia is closely linked to neighboring Croatia and Serbia.

Bosniaks, Serbs, and Croats constitute the main groups in Bosnia. In addition to these three groups, a number of smaller communities (Roma, Montenegrins, Slovenes, Jews) exist. At the last census in 1991 92.4 percent belonged to either of the three groups, with an additional four percent having declared themselves as Yugoslavs, most of whom are from mixed marriages among the three groups or belong to either of the three communities, but rather identified with Yugoslavia than with their respective nation.

Religious and later national identity has mattered historically in Bosnia, but only resulted in substantial interethnic violence during World War Two. Under Austro-Hungarian rule (1878-
1918) and in the interwar Kingdom of Yugoslavia (1918-1941), political parties were mostly divided between Croats, Muslims and Serbs and interests of the communities on issues pertaining to political organization differed. After the mass murder during World War Two, primarily committed by the Ustaša regime of Croatia (who formally controlled) Bosnia, and Serb Četnik units the Communist Partisan movement emerged victorious due to the international context and its ability to recruit support from all communities on the promise of recreating Yugoslavia, although with greater care to equality of all communities. Socialist Yugoslavia (1945-1991), after abandoning centralist tendencies in the mid-1960s, carefully balanced the interests of the nations through a federal system of republics and provinces (esp. after 1971) and within multinational Bosnia. An ethnic key ensured representation of Croats, Serbs and Muslims (recognized as separate nation in 1968) in all party and state institutions. As the dominant League of Communists originally considered the ‘national question’ to be legacy of the past and consisted of a closely-knit elite, the careful representation of all nations was mostly out of care of keeping popular support rather than balancing different elite interests. However, during the 1980s the republics developed competing interests, which were increasingly framed in a national context—eventually filtering down to Bosnia in the late 1980s. The rise of nationalism in Serbia lead to the ascent to power of Slobodan Milošević who demanded greater centralization and opposed democratization. The nationalist platform of the Serbian government, concentrating on the Serb-Albanian dispute in Kosovo, also impacted interethnic relations in Bosnia. Bosnia held the first free elections in some 50 years in late 1990, together with the other republics. Following the increasing nationalism in Yugoslavia and the earlier historical pattern of exclusively mono-national parties, three national parties won the elections and formed a coalition. The coalition did not operate effectively as all three parties had contradicting views over the future status of Bosnia within Yugoslavia. Additionally, the Serb Democratic Party simultaneously pursued the creation of an ethnically homogenous region in Bosnia which would join Serbia. After the outbreak of the war in Croatia in 1991, Bosnia was increasingly drawn into conflict, breaking out in early 1992 after Bosnia’s declaration of independence. The Serb insurgents with the support of the Serbian government took control of large areas of the country. The Muslim-Croat alliance collapsed soon thereafter into a Croat land grab with the aim of seceding to Croatia. This conflict was resolved in early 1994, followed by a comprehensive peace accord in late 1995 negotiated at the US air force base in Dayton (Ohio) after a Croatian-Bosnian offensive and a NATO bombardment of Serb forces. 

The war was fought over control of territory and gave rise to the term ‘ethnic cleansing’, which entails the expulsion and/or murder of an ethnic group for the purpose of controlling (and justifying control over) territory. After the war, with the exception of a few regions (mostly cities under government control), most inhabitants of Bosnia lived in ethnically segregated areas where members of other groups where discriminated against and excluded from public life. Both the Serb Republic (Republika Srpska) and the Croat controlled areas continued to advocate separation from Bosnia and originally opposed the return of any refugees. 

**Institutional arrangements and policies**

Bosnia today features aspects of most institutional tools to manage deeply divided society. It has elements of power sharing at the state level and in both entities; it is Federation at the state level and within one entity, the Federation of Bosnia and Herzegovina; it has a regional autonomy (Brčko) and various mechanisms of equitable representation in both entities, especially in the civil service.
While drawing on pre-war legacies of multi-ethnic governance, such as the distribution of key offices by an ‘ethnic key’ the institutional set-up has mostly been the consequence of the territorial concentration of the three constituent people through the war and the international mediation to end the conflict. As the war in Bosnia had a self-determination dispute at its core, the state and its institutions remained contested even after the war. A large part of the Croat and Serb political elite sought secession or at least far-reaching self-government, while the Bosniak majority favoured the preservation of a unified state with minimal or no group-based territorial autonomy. Bosnia’s joint institutions were not effective in the first post-war years, while most governance took place in the territorially autonomous entities and/or cantons. Over the post-war period the central level of governance has been gaining additional competences through the assistance of the international community, that one can consider the institutional system to have evolved from a confederal to a federal arrangement, culminating in the creation of a joint ministry of defense early 2004.

Formally power sharing has existed at the state level between all three constituent people—i.e. Serbs, Bosniaks and Croats, who are equally the predominant nations of Bosnia—and in the Federation between Croats and Bosniaks. This system has been changed in 2002 when far-reaching constitutional amendments in both entities gave both entities features of power sharing. These constitutional changes were necessary after the Constitutional Court determined in 2000 that the entity constitutions discriminated against one or two of the constituent people. Although a compromise between the main political parties was nearly reached in March 2002, the ultimate changes came in the form of an imposition of the High Representative in April 2002. The changes did not only alter the symbolic expression of the mono- or bi-national nature of the entities, but also changed their institutional set-up. In the Federation parliament, government and the presidency now also include Serbs, while in the Serb Republic a new Council of People was established to ensure the rights of Croats, Bosniaks and Others in the legislature. Similarly, Croats and Bosniaks are now also to be included in the government and the presidency of the Serb Republic.

Both entities and that state-level governments require the creation of overarching coalitions, which include members from all three dominant nations. In the Federation, eight government ministers have to Bosniaks, five Croats and three Serbs. Additionally each minister has at least two deputies from the other two communities. Similarly in the Serb Republic, five ministers have to be Bosniaks and three Croats. At the state-level the formal quote is based on entities rather than ethnicity, prescribing that two thirds of the ministers have to be from the Federation and one third from the Republika Srpska.

In Bosnia and its entities, each community has the right to veto. In both entities a two third majority of the respective community’s deputies is required in the House of Peoples (Federation) and Council of Peoples (RS) to block legislation. At the state-level only one third from each entity can block a law in either of the two chambers of parliament. Additionally a majority of one of the three people can also veto legislation. Although the veto rights are limited to ‘vital interests’, defined as adequate representation in legislative, executive and judicial authorities, constitutional amendments, the organization of public authorities, issues of identity, equal rights, education, religion, language, the promotion of culture, tradition and cultural heritage, territorial organization, and public information system, these veto rights can be expanded by each of the three constituent people to any issue.

Proportional representation is also a cornerstone of the institutional arrangement at the state level where all three groups are sought to be represented proportionally. Similarly the in Federation Bosniaks and Croats have been proportionally represented.

While the constitutional amendments from April 2002 did not address proportionality in the administration, new laws on the civil service at all levels introduced the system of equitable representation. The level of equitable representation is based on the 1991 census which is
often a challenge considering limited returns to some parts of Bosnia. Earlier efforts to ensure equitable or proportional representation at the entity level existed previously only in the police, where international monitoring resulted in increasing numbers of policemen from non-dominant groups, especially after 1999/2000.

Similarly segmental autonomy is only granted at the state level and in the Federation. For the state-level, the entities constitute the locus of autonomy of the groups. Although the constitutional amendments in 2002 diminished the ethnic autonomy embodied by the entities, the entities remain by virtue of the population distribution primarily the autonomies of the different groups rather than ethnically neutral federal units. In the Federation, the 10 cantons, which are mostly mono-ethnic, constitute the segmental autonomy of Federation’s power sharing arrangement. In the Serb Republic no such territorial or non-territorial autonomy exists for Bosniaks and Croats. This has been prevented by the strong mono-national and centralist conception of the Serb Republic and consolidated by the long delays in refugee returns, which has meant that many non-Serbs in government and parliament actually represent citizens who do not live anymore in the Serb Republic.

The state-level fulfils on one side most adequately the institutional requirements of power sharing, but is also most limited in terms of the power located with it, as formally most powers are constitutionally delegated to the entities and informally much of the remaining powers are exercised by the High Representative. There has been, however, an overall strengthening of the central institutions.

This improvement notwithstanding, the power sharing system of Bosnia is flawed in a number of ways. Here we can distinguish three types of difficulties. The first ones are exogenous to the institutional arrangement. These problems pertain to (a) the political culture; (b) the experience of the war; (c) the conjunction of crime and political forces. The second set of difficulties are endemic to consociational arrangements in general, such the tendency to reinforce ethnic identities, the institutionalization of a confrontational pattern of inter-ethnic relations, and a bureaucratization of the state. Finally, a number of features are particular, yet not unique, to the Bosnian type of power-sharing, such as the aforementioned incomplete sovereignty of Bosnia, rigidity of the consociational institutions and the basis of key aspects of the institutional system on consequences of the war, including ‘ethnic-cleansing.’

For the fear of instability and difficulty of finding a consensus, no debate has been initiated on fundamental constitutional changes in Bosnia, which appear to be necessary to streamline the institutional set-up and make it self-sustainable. Most contributions have been one-sided by representative of one of the three nations without much hope for a consensual process of change. The international presence, both military and civilian, has much declined during the past years, but remains a constant presence in Bosnian political life. While arguably stabilizing in some respects, it frequently renders local processes of decision-making more difficult and has created dependencies on both international interventions in governance and security provision.
Ethnic Inequality and Public Sector Governance

Onalenna Doo Selolwane

Botswana

A: Ethnicity and Patterns of Inequalities in Botswana:

1. Ethnicity: Problem of Boundary Setting

Linguistic evidence suggests that at present, the people of Botswana can be generally grouped into at least 20 language groups. The SeTswana language is the most widely spoken, with at least 70% of the population identifying it as a mother tongue and another 20% using it as a second language [Andersson and Janson, 2000; Hasselbring 2000; Janson, 2000; Janson & Tsonope, 1991]. Among the minority languages, Kalanga is the most significant in terms of the proportion of people identifying with it as a mother tongue [approximately 11%] and as a second language. The Khoesan language group represents the oldest language group in the region, with greater diversity and depth than any other language groups. This language structure has led many analysts to conclude that Botswana has one dominant ethnicity covering some 80% to 90% of the population.

But this linguistic composition does not correlate with how the citizens define their own ethnic boundaries. For instance the Tswana speakers have historically identified themselves in relation primarily to their ethno-tribal group, and very often giving their language the same name as the name of their group. The name Setswana is thus of much more recent origin and is largely a product of linguistic studies. It has, however, grown with the post-independence nation building project, and has been closely associated with the highly centralized former tribal states of the Bangwato, Bakwena, Bangwaketse, Bakgatla, and Batawana as well as the smaller groups of Balete, Barolong and Batlokwa. But each of these polities comprised of people with different cultural and political origins. The name of the tribe was also the ethnic name of the ruling group, while the subject groups, both Tswana speakers and speakers of other languages, used different ethnic identities to distinguish themselves from the politically dominant groups. Table 2 illustrates the linguistic, tribal and ethnic categories. These self identifications are politically more meaningful for the citizens of Botswana than the categories imposed by linguists: thus suggesting more ethnic diversity than outsiders have actually acknowledged.

2. Ethnic Patterns in Parliament and Cabinet.

At independence, 15% of all parliamentary seats were occupied by Europeans from the colonial administration whose responsibility was to ensure both smooth transition to full sovereignty as well as institution building which had been minimal during the period of colonial administration. As the institution developed these Europeans were gradually withdrawn, leaving only those who took up citizenship and now make up less than 1% of parliament.

Four major ethnic groups stand out as the most significant and consistently well represented throughout the whole independence period. These are, in order of significance, the Bangwato, the Kalanga, the Bakwena and Bangwaketse. The Bangwato, Bakwena ad Bangwaletse are Tswana speaking and represent the largest of the former tribal states, while the Kalanga, represent the largest ethnic minority and the most vocal. Together these four groups account for 60% of parliament and 70% of cabinet. The Tswana speaking BaKgatla are also quite significantly represented in parliament, but their Cabinet position has fluctuated between zero and 6% over the eight parliaments.

Four other ethnic groups, the Bakgalagadi, Baralong, Batawana and Batlokwa have also consistently had parliamentary representation from independence. The last three are Tswana speakers, while the first speak a language whose status has been disputed by linguists as to whether it is a dialect of
Tswana or a language on its own. Several other ethnic groups, mostly those from former subject communities have also gradually come into parliament, and even occasionally into cabinet. This has meant that over the years parliament has become much more ethnic diverse than in the earlier period. Only the Khoe speaking San have still to make an appearance.

Significantly this structure of ethnic inequality has never been a political issue. Where there has been voluble protest has been with regards to representation in the House of Chiefs, a body that advises parliament on issues relating to customary law and processes. Ethnic minorities have complained that they are not equally represented in this institution where all the paramount chiefs of the Tswana speaking former states are automatic members, while the other ethnic communities outside these former tribal states must elect representatives on a rotational basis.

3. Ethnic Patterns in Political Party Support and electoral Behaviour

A myth that has been repeated over and over again by western political analysts is that Botswana’s electoral behaviour and party support can be predicted from the ethnic structure and demographics. This myth was most succinctly captured by Donald Horowitz (1992: 115) relying mainly on John Holm (1987) as a source, when he stated

“In Botswana, there is a dominant ethnic group, the Tswana, which comprises about 90% of the population. Opposition parties have support among two non-Tswana minorities and among a dissident Tswana subgroup fearful of others. In Tswana heartland, the ruling party commands about 90% of the vote, and support of two large Tswana subgroups is alone almost sufficient to gain a majority in parliamentary seats.

But judged from actual votes cast at district levels where ethnic communities are domiciled, electoral patterns show the following trends:-

- Support for the ruling party has historically drawn from a broad based ethnic mandate. Ruling party candidates have enjoyed significant support among the Bakalanga, Bakgalagadi, Babirwa and Batswapong, Bayei and other non-Tswana communities.
- From independence till the 1980s, that broad based support was exceptionally high across board, but began to decline significantly as the opposition began to make major inroads.
- Due to the electoral system in use the decline of the ruling party is not reflected as dramatically in the actual seats as it is by the actual votes. Thus for instance in 1965, 1979 and 1989, the ruling party won 90% of the seats with 80%, 75% and 65% respectively of the actual votes cast. In the 1994 and 1999 elections, the ruling party’s support dropped even further down to 55% votes, but in terms of parliamentary seats this reflected a drop to just 78% and 83% for the respective years.
  - In 1989, the ruling party won 70% of voter confidence across all rural districts, with the highest confidence (81%) shown in the Central District, the former tribal territory of the Tswana speaking Bangwato. The lowest confidence level (48%) was in the Kalanga speaking district of the North East. The formal tribal states of the BaKgatla and Batawana (ie Kgatleng and North West respectively) also showed lower than average support for the ruling party at just 55%. Most notably, the Southern District, comprising mainly of the former tribal state of the Bangwaketse had a robust 61% voter confidence in the ruling party following the death of the former paramount Chief of the Ngwaketse.
  - Ten years and two general elections later rural support for the ruling party had dropped to below 60% due to declines across all rural districts. And the districts showing the lowest confidence in the ruling party were now Kgatleng (42%) and Southern (49%), while those with the highest confidence were Central (69%) and Kweneng (61%). The other five rural districts showed the BDP averaging below 55% and being competitively challenged by the opposition.

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The main opposition, Botswana National Front, was particularly competitive in the Ghanzi, Kgalagadi, Kgalagadi, Kweneng, Southern and South East districts at between 30% and 40% of the votes. Ghanzi and Kgalagadi are ethnic homes of the Bakgalagadi, and a number of Khoesan communities, while Kgalagadi, Kweneng and South East are largely Tswana speaking. In the North West and North East Districts, BNF support, following its split, did not even amount to the status of main opposition. Other parties provided the main challenge to the BDP, including the BNF’s own splinter, the BCP.

- Overall, trends in rural voter support for Botswana’s main parties suggest much more ethnic heterogeneity than has been acknowledged by western analysts. And when urban votes are taken into account, it becomes clear that the notion of the opposition as representing any particular ethnic groups is demonstrably unfounded. Here where 20% of the national population is located, opposition support has since 1984 risen to more than 55% of the votes. This is where the votes have yielded the largest number of parliamentary seats for the main opposition in the past two general elections.

4. Ethnic patterns in Judiciary and Public sector Bureaucracy

Unlike parliament and cabinet whose membership relies on the popular vote, the judiciary and the public service bureaucracy rely on meritorious appointments. So the ethnic structures here have drawn much debate in recent times about inequalities. In both institutions, the programme of localization of senior posts formerly held by expatriates, had tended to favour the Bakalanga disproportionately to any other group.

At independence in 1966 80% of all senior posts in the public sector were held by white expatriates, some of who were former colonial administrators. A number were also employed through development aid to assist in building new institutions of governance which included diplomatic missions and internal administration. Localization was relatively slow because of partly because of the minimal educational opportunities that had existed for citizens during colonial times and partly because of the skeletal colonial administration that had characterized indirect rule.

With the expansion of bursaries for secondary and tertiary education in the run up to independence, those tribal communities that invested in primary schools in their areas, and the families that had invested in the education of their children to take advantage of existing schools, were the ones best positioned to take advantage of the colonial bursaries. The Kalanga were particularly advantaged here, and this saw the youth from this ethnic group among the first crop of graduates of 1967 and 68 who were to localize white positions and stay there till the late 1980s if they chose to retire early or to the present.

Over the post-independence period this has meant that as the share of expatriate positions declined from 80% in 1966 to 41% in 1972 to less than 1% in 2003, ethnic Kalanga took up to 30% of the localized posts. Except for the ethnic Khoesan, all other groups have variously come to be represented in the top echelons. But localization has tended very much to reflect historical inequalities with regards to access to education and training. The extension of education opportunities through acceleration of bursaries to all levels of academic achievement has thus led to the broadening of the ethnic structure in the public sector.

B: Managing Inequalities: Institutional Arrangements and Public Policies

More than most other African countries, Botswana started off at independence severely hampered by a skeletal structure of public governance institutions, limited skilled and professional human resources, and extreme poverty. It was ranked among the bottom poorest countries in the world.
Botswana also had eight autonomous ethno-tribal polities existing side by side with various small ethno polities whose jurisdiction sometimes extended to one or two village settlements. Although most people spoke the same language, they had separate identities and belonged to different polities. The challenge of governance at independence was a) how to mold these fragmented groups into one nation, and their various tribal constitutions into one unitary constitution, and b) how to transform a poverty stricken territory into an economically viable sovereign state.

Public Governance and State Building in the Early Years

Botswana’s independence constitution was an outcome of successful negotiations between the departing British colonial administration and a highly fragmented local elite made up of white settlers, powerful tribal leaders, and an emergent group of educated locals strewn across ethnic and tribal polities. The tribal leaders, who had enjoyed some considerable autonomy under indirect and parallel rule, wanted the hand over of power to be transferred to them as a college of hereditary rulers with limited accommodation for those without that traditional authority. The white settlers were interested in the territory being incorporated into South Africa where they could enjoy the continued privileges of institutionalized racism. The educated elites favoured a constitution based on non-racialism and governance by popular mandate.

Seretse Khama who combined the representative qualities of tribal leader, educated elite and husband to a white woman, was able to persuade a broad section of these fragmented local elites that they had a common destiny in building a nation state that would both protect the rights of individuals to private accumulation as well as stimulate economic growth that would alleviate poverty for the majority of rural and tribal communities. These interests coalesced into the Botswana Democratic Party. A minority of elites precipitated towards political parties that tended in rhetoric to espouse socialist principles and outright rejection of any accommodation of hereditary rulers.

The Botswana Democratic Party adopted a development strategy that deliberately sought to distribute public resources as evenly as possible across the regions in order to militate against the emergence of ethnic inequalities that could be politicized and divisive. In 1965 for instance educational bursaries for secondary school and tertiary education were greatly expanded in quantity and also extended to low passes in recognition of the uneven access to good schools by different ethnic communities during colonial times. Primary school fees were abolished while school building projects were accelerated in rural areas. An Accelerated Rural Development Policy was adopted to facilitate rapid infrastructural provision (roads, health facilities, schools, government buildings, postal services and banking facilities) across the districts. Also included, as resources improved were productive resource transfers in the form of grants to farmers for livestock and arable agriculture, as well as for small and medium income generating activities. And during calamities associated with Botswana’s periodic droughts, there were also drought relief programmes to help the rural communities cope.

Over time, this concrete transfer of public resources earned government the confidence of its citizens. That confidence has been demonstrated by the voters returning the same political party to power in eight successive general elections, thus ensuring its legitimacy and moral authority.

However, by the mid 1980s and following rapid and sustained growth which had transformed Botswana from the world’s poorest to a middle income economy, cracks began to appear in the state’s capacity to maintain a dominant economic role and generate economic diversification. There were widening gaps between development plans and public service delivery which led to slow employment generation, slow economic diversification and the stifling of new private sector initiatives.

Governance Reforms Since the Late 1980s

Against the background of general economic collapse in the continent, the rise of the IMF/World Bank structural adjustment programmes and changes in global geopolitics, a number of interest groups in Botswana began to challenge certain inequalities and imbalances in decision making and resource allocation.
The women’s movement, for instance, inspired by the United Nations programmes for the emancipation of women, took issue with embedded gender inequalities in public governance and resource distribution. The young educated elites, who had become a critical mass due to the liberal education programmes that had followed after independence, mobilized to lobby for legal reforms that would give women the same equality as men and thus facilitate equal political and economic participation. Meeting with resistance, they changed their social mobilization programmes to direct political mobilization to increase the number of women in the legislature. The core of this political mobilization strategy was a voter education programme whose objective was to sensitize women as majority voters to appreciate the link between the vote and the decisions that were made by those they gave the mandate to govern. It was also linked with direct demands to political parties to take practical measures to enhance women’s representation as well as security and welfare. This called attention to many serious anomalies in the conduct of politics within parties and across: suggesting that women’s political emancipation could not be achieved without major electoral reforms and democratization of the internal structures of parties.

The business community also agitated for a rolling back of the state to create more space for private economic actors. For although Botswana never suffered the adverse effects of economic failure and externally imposed structural adjustment programmes, it shared with many other African countries tendencies for state dominance in direct economic activity as well as regulative management. Unlike other countries, however, government had accumulated enormous resources through diamond exports, and had the unique problem of how to then distribute these resources to facilitate private sector growth. In the first two decades of independence, investment in infrastructural development had facilitated that transfer. But by the 1980s it became clear that the returns on such investment were low in terms of productive employment creation: thus the calls for policy reforms. Because of the recognition that generally economic policies had been sound enough to yield rapid overall growth sustained over two decades, the call was for creating allocative efficiencies that would move Botswana from a situation where government had considerable reserves while the private business sector was starved of capital.

Ethnic minorities also began to mobilize and agitate for legal and educational reforms which would recognize inequalities of groups and remove those aspects of law and cultural policies that privileged Tswana ethnicities in terms of language, representation of traditional institutions of leadership as well as land. The ethnic minorities challenged the liberal notions that conferment of individual rights and liberties conferred equality on citizens. They argued that those sections of the constitution that recognized the culture of the dominant Setswana speakers and elevated that to national status, in fact discriminated against other cultures and institutions, and therefore did not accord with notions of equal citizenship.

Significantly, all these pressures for reform have been articulated through established public institutions and processes. The ethnic minorities and women’s groups, for instance, have frequently had to seek relief through the courts when they could not get satisfactory response from the Executive. Similarly other groups such as the private media and trade unions have also turned to the courts when lobbying and other means of influencing decision making failed. This clearly attests to the fact that in Botswana people’s confidence in public governance and the capacity of Executive government to submit itself to the rule of law is substantial.

In response to mounting criticism and various courts cases where verdict had found in favour of those litigating against the state, government and other public institutions have embarked on major reforms. The most recent of these reforms include as follows:–

- Electoral reforms within political parties and government
  - Example 1: the political parties have introduced unrestricted competition for office within parties and by those seeking parliamentary and local government positions. Previously competition was tightly controlled by the party executives.
  - Example 2: Political parties have introduced limited terms of office
o Example 3: Government has introduced limited presidential terms
  o Example 4: An Independent Electoral Commission was established in 1997 and took over the responsibility of managing the 1999 general elections.

- Legal reforms to remove discrimination against women and enhance gender neutrality
- Legal reforms to make the Botswana constitution tribally neutral
- Administrative reforms (eg settlement policies) that would de-tribalise rural settlements and break the ties between particular ethnic groups and specific settlements. For instance the citizens of Botswana now have a right to seek land anywhere rather than in accordance with the historical tribal or ethnic domicile.
- Privatization and facilitation of smart partnerships.
  o Example 1: Citizen empowerment policy and Industrial development policy giving the private sector a key role.
  o Example 2: The creation and consolidation of various programmes to enhance private sector access to finance and credit, markets, information and technology. For instance the Local Enterprise Agency (LEA) is mandated to provide training and mentoring support to local enterprises and to coordinate the activities of Integrated Field Services, Small Business Agency and Enterprise Botswana. BEDIA and BDC are responsible for intensifying efforts to promote investment while the Local Economic Development Initiative programme has the responsibility of identifying and harnessing resources and opportunities needed for stimulating sustainable economic development at local level
- Institutional reorganization for purposes of streamlining public services and right-sizing government. Including the following:-
  o Decentralization and restructuring of ministries
  o Devolution of some responsibilities from government ministries to newly established autonomous authorities and boards such as the Public Enterprise Evaluation and Privatization Agency (PEEPA); the Public Procurement and Asset Disposal Board (PPADB), the Botswana Export Development and Investment Authority (BEDIA), the Botswana Tourism Board (BTB); the Civil Aviation Authority and the Local Enterprise Agency (LEA)].

Further, in response to criticisms concerning the tendencies for public leaders to be the first major beneficiaries of private sector development and citizen empowerment, other policy reform instruments have included legislation against corruption and the setting up of an independent Directorate on Corruption and Economic Crime.
E. Gyimah-Boadi and Richard Asante.

**Ghana**

**Introduction**

Ghana is made up of diverse socio-cultural groups. Different socio-economic conditions and inter-group relations in the pre-colonial era combined with differential exposure to and incorporation into the colonial order set the stage for ethno-regional inequalities and rivalries after independence. Post-independent regimes concerned about the cleavage of the inequality problems in Ghana have adopted various policies and programs to level the field of opportunities and to address the imbalance in both the economic and political fields. The policies range from the distribution of government-controlled resources, staffing of the public bureaucracy, key appointive positions in government and the public sector, distribution of symbolic goods, coupled with the centralization of political power.

However, four decades into independence, inequalities are still pervasive in Ghanaian society. For example, the Akan dominance of the political system has largely persisted from Nkrumah’s time to the present, notwithstanding the perception that the Jerry John Rawlings-PNDC regime had ushered in a new period of Ewe predominance, especially in politics and in the public sector since the late 1980s. Noteworthy, is the fact that Ghana has not experienced any major eruption of ethno-regional conflicts, and the relationships between the social classes, religious groups have remained relatively stable even under neo-liberal structural adjustment reforms in the 1980s. It is even more remarkable that the process of democratization in Ghana since the early 1990s has not been accompanied by or degenerated into violent conflict and instability.

This study departs from recent studies on ethnicity and inequalities and investigates the dynamic interplay of structures of ethnicity and inequalities, and design of the institutions of democratic politics and inclusive political practices and conventions, with special reference to the Ghanaian public sector. In this way, the study shows special sensitivity to the complex way ethnic cleavages and inequalities influence the governance of the public sector.

The study has three key hypotheses. The first hypothesis is that despite the fact that the Akan group constitutes the largest ethnic group in Ghana it is fragmented and cannot win competitive elections without appealing to the other major ethnic groups. A second hypothesis is that even though the Akan ethnic group dominates the Ghanaian public sector, post colonial administrations have shown considerable sensitivity to the need for a measure of representation in politics and the public sector for the other four largest ethnic groups. A third hypothesis is that, governance reforms and public policies in Ghana have tried to foster political inclusiveness and civic participation as a way to promote national unity. In short, we conclude that inequality and ethno-regional rivalry may cause tensions but they have not erupted in violent conflict largely because successive Ghanaian governments have adopted practices of symbolic distribution, representativeness and inclusion.

**Nature of Cleavages and Public Sector Inequality problems in Ghana.**

In Ghana, there are about ninety three ethnic groups in which the Akan group constitute about 49.1 percent of the population, and three other large groups Mole Dagbani, Ewe, Ga Adangbe, account for about (16.5) percent, Ewe (12.7) percent and (8) percent respectively. Cumulatively, the four groups constitute about 90 percent of the population. All the major ethnic groups in Ghana are fragmented and have their own internal rivalries since the colonial era. The largest fragmentation is among the Akan ethnicity which comprise about twenty sub-groups. Consequently, the Akan group hardly behaves as a coherent political unit. In fact, different sections of the Akan group tend to vote differently during elections. Fragmentation among the Akan group means that it cannot win competitive national elections without appealing to the other major ethnic groups in Ghana. Similarly, the other major ethnic groups who cumulatively constitute about half of the population are equally
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fragmented and have their own inter and intra rivalries, which prevents them from behaving as coherent group to counter Akans. Altogether, fragmentation among the various ethnic groups has encouraged cross-ethnic coalitions and thereby helped to foster crude but stable inter-ethnic relations in Ghana.

The major ethnic polarization in Ghana are the Ashanti and Ewe divide, rural-urban divide, north-south divide, and overall dominance of the Akan group in the public sector since independence. The Ashanti-Ewe rivalry which dates back in the mid 1960 has persisted into Ghana’s 4th Republic, with Ashanti-Ewe exceptionalism in voting behavior. The north-south divide also assumes religious and material dimensions. While Christians who constitute about 69% of the population and are predominantly Akan are found largely in the southern sections, that is wealthy and more developed, Muslims who constitute 16 percent are found mainly in the Northern half that is poor and disadvantaged, and lags behind the South in most social and economic indicators.

While there is no formal requirement to factor ethno-regionalism into public sector recruitment, successive governments concerned about the cleavage of the inequality problems have been sensitive to ethno-regional imbalance and in practice adopted something of an ethnic mixing formulae, giving representation to all the major ethnic groups in cabinet and to some extent other key public sector institutions. This has helped to make governance institutions and public policies supportive of political inclusiveness, civic participation and national unity. It has also helped to mute Akan dominance of the Ghanaian public sector.

The study shows that even though the Akan group has dominated the public sector since independence, there is sufficient representation of the other three major ethnic groupings in Ghana, (exception is the Busia government) where Ewes were completely left out in cabinet in 1969 and 1971 respectively. Similarly, Ruling Council of military governments notably, the National Liberation Council (NLC) (1966-69), National Redemption Council (NRC) and Supreme Military Council (SMC) (1972-78) as well as the Provisional National Defence Council (PNDC) (1983-92) all maintained a fair balance on their Ruling Councils. But it appears that Ewes were somehow over-represented in the PNDC by the late 1980s. Although, the Volta region, home region of Jerry John Rawlings, and Chairman of the PNDC constituted about 10 percent of the Ghanaian population in 1984, Ewes formed 23 percent, 29 percent, 21 percent, 21 percent and 18.5 percent respectively of the PNDC membership in 1986, 1987, 1988, 1989, and 1990 respectively.

In short, ethnic and regional origins of leadership, especially as reflected on the presidential tickets of parties contesting in the various elections has tended to influence the pattern of voting elections since the 1950s. This in turn has tended to influence the regional performance of the parties in those elections, and to a degree, the ethno-regional representation in the ensuing government under both parliamentary and presidential systems.

Public Service: Since ministerial postings and membership of ruling councils do not give a full picture of ethnic and regional representation of government broadly defined, the study compared the ethnic background of the top hierarchy of some key public sector institutions under the Rawlings-NDC and Kufuor-NPP administrations. The institutions reviewed are the security sector including the Ghana Armed Forces and Customs Excise and Preventive Service CEPS; the public and civil services including the Judiciary, Ministry of Education and Ministry of Health; and key parastatals such as the Social Security and National Insurance Trust (SSNIT) and Tema Oil Refinery (TOR).

The Ghana Armed Forces (GAF): A comparative analysis of the ethnic background of the top hierarchy of the Ghana (GAF) between the New Patriotic Party (NPP) and the National Democratic Congress (NDC) administrations confirms a fair balance of representation for the country’s major ethnic groupings (Akan, Ewe, Ga and Mole Dagbon). There have been seven Service Commanders of the Ghana Armed Forces in the NPP and NDC administrations. Under each administration, three have been three Akans, two Ewes, one Ga and one Northerner.
The Customs, Excise and Preventive Service (CEPS): Ethnic composition of the top hierarchy of the Customs Excise and Preventive Service (CEPS) has not changed much under the NPP from what it was under the NDC administration. Apart from the Mole Dagbani, and to some extent Ewes, under the NDC administration, the other three major ethnic groupings (Akan, Ewe and Ga-Adangbe) are represented under both administrations.

Ministry of Education: There has been a degree of ethnic mix in the Ministry of Education under both administrations. All major ethnic groupings (Akan, Ewe, Mole Dagbani, Ga Adangbe) are represented in the top hierarchy under both administrations.

Ministry of Health: Ethnic composition of the top hierarchy of the Ministry of Health (MOH) has not changed much under the NPP from what it was under the NDC administration. All the major ethnic groupings (Akan, Ewe, Mole Dagbani and Ga-Adangbe) are represented.

Social Security and National Insurance Trust (SSNIT): The composition of the top management of SSNIT remains the same. There has been a fair degree of ethnic mix among the four major ethnic groupings (Akan, Ewe, Mole Dagbani and Ga-Adangbe) in Ghana. Currently, eight top officials who constitute the Executive, three are Akans, three Ewes, two Gas, while during the NDC administration two were Akans, three ewes and three Gas. Three ethnic groups dominate namely Akan, Ewe and Ga.

Overall, out of the thirty-six Executives and Departmental Heads of (SSNIT), the NPP administration has twenty-one Akans, five Ewes, and ten Gas while the NDC administration had twenty Akans, five Ewes and eleven Gas. Ethnic representation in the top hierarchy of Social Security and National Insurance Trust (SSNIT) has remained almost the same under the NPP as the NDC administration, though.

Tema Oil Refinery (TOR): There had been three Akans and one Ewe in the top hierarchy of TOR under the NDC administration. Current Interim Management Committee is made up of two Akans and a Northerner.

National Executives of Political Parties: A review of the ethnic background of members of the National Executive of both the NPP and NDC by 2003 shows they are fairly representative of the major ethnic groups in the country. Four out of the seven elected National Executive Members of the NPP are Akans, one is from the Volta, two are Ga, and are two from the Northern Region. Similarly, fourteen of the thirty-four National Executive members of the NDC are Akans, six Ewes, five Ga and nine Northerners. (Data on the other smaller political parties was not available at the time of writing this report, as they were yet to elect their national executives.)

The preceding review suggests that successive Ghanaian governments, with few exceptions, have made conscious efforts to be sensitive to ethno-regional factors in the composition of their governments and in making appointment to the public sector, parastatals, and other key institutions.

Public perceptions of the ethnic and regional factors in public service appointments: The normative position on public service appointments may hold that public service appointments in Ghana are principally merit-based. But there is a strong belief that party affiliation, ethnicity and region of origin are highly influential and possibly the most influential factors in public service appointments, though Ghanaians evince a strong sense of nationhood at the same time. These perceptions were strongly confirmed by interviews with about 60 elite Ghanaians in the civil services, security sector, academia, and NGOs. Most respondents appear to strongly believe that meritocratic principles such as experience and technical capacity should be the most important factors to apply to the appointment of people to the public sector. However, the there is a wide divergence between the ideal and perceptions of how public appointments are made. Many respondents, especially Akans, Ewes, Ga-Adangbes in a descending order do not seem to find appointments meritocratic.

The foregoing suggests that even though politicians have been quite sensitive to ethno-regional issues and tried to achieve balance in representation in government and the public service, ethno-regionalism operates largely at the latent level in Ghanaian politics, competing political parties will find
themselves unable to resist playing the ‘sectarian card’. This, in turn, fosters ethno-regional voting patterns and drives political appointments to follow ethno-regional lines.

PART TWO
Institutional Reforms

The main cleavage and inequality problems are strongly reflected in the constitutional designs as well as legal and administrative frameworks regulating political parties, elections, and local administration in post-colonial Ghana. Institutional arrangements and public policies under successive governments are the main factors accounting for the relative success with which Ghana has been able to contain ethno-regional inequalities and rivalries. Electoral rules, decentralization programs, affirmative action and other social policies, and public service recruitment and political appointments under parliamentary and presidential constitutions and under military and civilian administrations have sought to address or at least have been sensitive to the problems of inequality and cleavage in Ghanaian society.

Electoral rules for the management of cleavages and inequalities in the Public Sector

While the 1960 Constitution imposed restrictions on freedom of association, party formation and elections as a way addressing the ethnic tensions and conflicts that emerged in the period immediately before and after independence, subsequent constitutions, 1969, 1979 and especially 1992 provide far reaching provisions aimed at curbing ethnic-based electoral politics, checking ethnic polarization and promoting national integration. Outright prohibitions against the formation of ethno-regionally based parties, together with the cross ethnic coalition arithmetic of vote getting in Ghanaian elections, have helped to inhibit the formation of ethno-regional parties and encouraged previously ethnically/regionally-based parties to repackage their programs and transform themselves into national parties. Many respondents appear to be comfortable with the degree of ethnic and regional representativeness produced by Ghana’s majoritarian winner-takes-all election formula, which promotes political inclusiveness.

Presidential Versus Parliamentary Systems of Government

As a result of the shortcomings in both the 1960 and 1969 constitutions that prepared the ground for the 1966 and 1972 coups, the 1979 and 1992 Constitutions while maintaining the winner-take-all arrangement, they have also sought to address the problem of exclusion by adopting variations of the presidential system of government. The innovation allows the president to choose ministers from within and outside parliament even regardless of whether or not they are from the majority party. This allows groups that voted overwhelmingly against the ruling party, to be represented in government. Ghana’s electoral rules, especially as contained in the 1992 constitution and the Political Party Act, have helped to de-ethnicise politics by encouraging the building of coalitions across Ghana’s main ethnic and regional lines as demonstrated in the 1996 and especially the 2000 elections where the political parties vying for political power strike alliances with other parties and ethnic groups, thereby fostering inclusion in government of smaller parties and ethnic groups.

Decentralization

A major problem facing post-colonial Ghana has been how to allow for a measure of local autonomy and self-government and promote effective local administration and efficient service delivery while keeping in check fissiparous tendencies at the local level and promoting national unity. This underscores a central fact (not normally openly acknowledged by government officials and pundits) of the post-colonial Ghanaian political economy that ceding too much political, administrative and financial control to the local communities and districts would encourage centrifugal forces of separatism, successionism, and irredentism, and impede the project of national integration or at least undermine the ability of central government to protect the interests of minorities in the districts and local communities and or impart national values to the grassroots.
Although central government control over the districts and local communities, may have been helpful to the protection of minorities and communal conflicts, it also undermines local autonomy. The recurrent tensions between central government control and effective decentralization highlight the unresolved dilemmas in Ghana of how to combine local autonomy with the prevention of secession, irredentism, and other centrifugal pressures that impede national unity.

Affirmative Action

While the term has not been officially used, affirmative action has featured in the social and economic policies of successive Ghanaian administrations in order to address the problem of inequality, especially among the regions.

Successive civilian and military, or authoritarian and democratic regimes in Ghana have attempted to address the high levels of inequality by spreading the coverage of economic infrastructure (especially roads, bridges and post offices) and social services (clinics and health posts, schools, public measures, etc) in all regions. Thus, post–colonial governments have recognized the need to initiate affirmative action programs as a means of addressing inequalities in the Ghanaian public sector in particular, and society in general. Such policies have been more general and have not directly targeted specific ethnic groups in Ghana but rather focused on disadvantaged and vulnerable communities and groups in the various regions.
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Niraja Gopal Jayal

India

Like the other country-studies in this project, the India study too explores the relationship between ethnic diversity and the extent to which it is reflected in select public sector institutions in India. Seeking an explanation for the representational outcomes in these institutions, it examines the role of the constitutional framework; institutional design; laws and policies; and the political process. As such, this study has three major components: an analysis of social cleavages, informed by an understanding of their construction over time, as also the way in which they are shaped by the institutions and policies designed to manage diversity; the ethnic composition of four major public sector institutions, viz., Parliament, the cabinet, the bureaucracy and the executive bodies of the major political parties; and, finally, the party and electoral systems which mediate the relationship between the first two.

The paper provides an elementary descriptive account of ethnic diversity in India in terms of four main cleavages: language, religion, caste and tribe. Each of these has lent itself to politicisation and the mobilisation of identities, with varying degrees of intensity, and at various points in the history of colonial as well as independent India. The historical and social constructedness of these identities by both the colonial and postcolonial state is noted, as is the frequently cross-cutting nature of these identities. An attempt is also made to link the disadvantages associated with ascriptive identities with social and economic deprivation. While this link is irrelevant with reference to linguistic diversity, it possesses considerable salience in relation to caste and tribe, and a qualified salience in relation to some religious minorities.

In the first two decades after independence, the constitutional commitment to affirmative action in education and public employment was paralleled by some concern, however token, for the representation of different regions, linguistic groups, religious minorities, and other disadvantaged sections in public institutions. The nation-building project encouraged the creation of an inclusive Indian identity, and the commitment to address inequality was an important component of this task. Policies of compensatory discrimination, for instance, were viewed as instruments through which to offset the advantage enjoyed by some, and to equalise opportunities at the starting line.

The Indian Constitution provided safeguards for the cultural rights of religious minorities, and guaranteed reservations (in the form of compensatory discrimination) in education and public employment for two categories of historically disadvantaged social groups, viz., the Scheduled Castes and the Scheduled Tribes. In subsequent decades, these provisions were supplemented with additional institutions, laws and policy initiatives specifically designed to advance the welfare of these groups as well as of religious minorities. These ranged from essentially protective institutions such as the National Minorities Commission and the Commissioner (later National Commission) for Scheduled Castes and Scheduled Tribes to promotional initiatives such as rural and tribal development programmes. Most recently, constitutional amendments were enacted to revive the institutions of local self-government, with provisions for reservation for these groups as well as for women.

India Summary
This panoply of institutions and policies has failed to substantively address the disadvantages that mark the condition of the vast majority of such groups. This is only partially explained by the fact that elites within these groups have tended to corner the benefits and reproduce them inter-generationally. More alarming is the fact that, even where a politics of presence has been advanced through quotas – as in the legislatures and the bureaucracy – this has not translated into effective representation, and consequently policy initiatives for these groups have remained woefully inadequate. A more radical argument would, with some justice, blame this failure on the entrenched social hierarchies that underwrite the stranglehold of the upper castes and upper classes (and sometimes these are the same) on Indian society.

As with the other studies in this project, the primary focus of the India study is on four public institutions: parliament, the cabinet, the bureaucracy, and political party executives. The data on Parliament show that the proportion of Scheduled Castes and Scheduled Tribes in the directly elected lower house of the Indian Parliament has remained in the region of the percentage of reserved seats, only marginally exceeding it in the case of the Scheduled Tribes. There is no statutory reservation for the Backward Castes, but over the last decade there has been a substantial rise in their number. This may not reflect their proportion in the population, but has all the same risen four-fold (from approximately 5% in the immediate post-independence period to approximately 20% in the 1990s) since independence. In certain regions of India, this has been consistently higher, averaging about 35%. As such, the total numbers of the Backward Classes, the Scheduled Castes, the Scheduled Tribes and the Muslims, actually add up to about the same as the number of upper castes. In religious terms, however, given the cross-cutting nature of social cleavages (which would, for example, count most Scheduled Castes as Hindus), the proportion of Hindus in Parliament mirrors their proportion in the population (about 80%). The same can be said of all minority religious groups, except for one religious minority, the Muslims, who are dismally under-represented.

The data on the Cabinet suggest that coalition governments have generally been better representative of diversities in Indian society, but in explanatory terms this is a chicken-and-egg problem. The representation of different regions, religious groups, and latterly castes, has been a matter of convention (rather than formal law or policy) backed by electoral imperatives. As with Parliament, Hindus have been dominant in the Union Cabinet. While Sikhs and Muslims have been conventionally represented, such representation provides no guarantee that the needs and interests of their co-religionists would necessarily be reflected in concrete policy outcomes. The possibilities of tokenism are indeed high, which maybe why India has witnessed many members of religious minorities being chosen for the highest office in the Republic, the Presidency, an essentially titular position modelled on the British monarchy. In any event, Muslims have unsurprisingly been under-represented in the Cabinets led by the Bharatiya Janata Party. In caste terms, Cabinets since the mid-1980s – the beginning of caste assertions in Indian politics – evince a rising trend of backward caste representation. Once again, as with Parliament, this is not a dramatic figure in absolute numbers, but the combined percentage of backward castes and scheduled castes has certainly gone up substantially from the late’80s to the late ‘90s, rising almost uninterruptedly till the BJP-led NDA government came to power.

The higher bureaucracy too manifests a preponderance of Hindu officers, a declining percentage of Muslims, an almost constant pattern for Christians and the lack of any pattern for Sikhs. There is no reservation for religious minorities in public employment, and the data on religious diversity in the bureaucracy clearly points to the social and educational backwardness of the Muslim community, which limits the possibilities of its members.
competing successfully in the intensely competitive examination through which entry to this elite cadre is regulated. As such, Muslim representation in elite federal public service employment is about half of what it is in the legislatures, which in turn is about the same as that in public sector corporations and state governments.

Though the Scheduled Castes and Scheduled Tribes have enjoyed quotas in public employment since the constitution was enacted, there is frequently a shortfall in their recruitment to the elite services, and smaller percentages have risen to the highest levels of the administration. Indeed, the concentration of Scheduled Castes and Scheduled Tribes in the central government is generally at the bottom rungs, such as office-boys and janitors, or clerical staff. This clearly suggests a reproduction of persistent patterns of social dominance in the corridors of power. The Other Backward Classes obtained 27% reservation in the bureaucracy only in 1994, and it is still too early to say what the consequences of this will be in the longer run, and at the higher levels of the administration. As of now, there is almost consistently a shortfall in the availability of candidates for government jobs that require specialized or technical qualifications. This only serves to reinforce the claim that there is a significant and mutually compounding overlap between social and economic disadvantage.

Finally, political party executives also suggest the preponderance of Hindus, and of Forward Castes among them. Given that many political parties – including the Congress – are fairly leader-centric, the main consideration in the choice of party executives is frequently loyalty to the central leadership, rather than representativeness. It is only in parties that are, in terms of their social constituency and political appeal, associated with the backward castes and minorities – such as the Janata Dal or the Samajwadi Party – that we find a greater representation of these groups.

More than any other, then, it is the sphere of politics that has witnessed a broadening of the social base. Though the percentages may not appear to be very dramatic, in real terms the character of Parliament has certainly changed, as many non-elite groups that were not formerly a part of the political process now are. If the bureaucracy has been relatively slower to change, despite the reservations for at least the SCs and STs having been in place since 1950, it is at least partly due to the lack of economic and educational opportunities that inhibit entry into the civil service. By contrast, the political assertions that facilitated the change in the social composition of Parliament only began to manifest themselves in the 1970s, with avowedly caste-based parties coming to prominence in the 1990s. Of course, many of these assertions included among their claims the entitlement of privileged access to public office. Indeed, until the 1990s, reservation in administration was perceived as the chief, if not exclusive, institutional instrument of achieving equity, and the extension of reservations to the Other Backward Classes (in 1990) echoed this assumption. As such, the main institutional space for the advancement of the welfare of disadvantaged groups was broadly perceived as an administrative space. It is hardly surprising then that in the political sphere, the only seats contested by members of the Scheduled Castes and Scheduled Tribes were – and indeed continue to be – those that were officially reserved for them. It is a rarity for a member of these groups to be nominated by a political party to contest an election from a general/open constituency, and even more rare for such a candidate to actually succeed. It is only since 2002 that the demand for reservations in the private sector, or at least for the benefits of work contracted out by the public sector to private agencies, has begun to be voiced.

Given these limitations of institutional design and state policy, in what way has the party political process contributed to the representational pattern in public sector institutions? In the
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constitution of the legislature, it is frequently assumed that the choice of the first-past-the-post electoral system generates representational outcomes skewed in favour of majorities. The Indian experience however belies this, to the extent that a more diverse national legislature has actually been achieved despite the FPTP system. This is largely attributable to the emergence, in the 1990s, of smaller parties whose strategies of electoral mobilization are based on social cleavages such as caste. Since 1989, the party system has become increasingly fragmented with the number of national parties remaining more or less constant, while the number of state parties have more than doubled. The carving up of parliament among a large number of parties has also led to another outcome that is generally associated with proportional representation systems, viz. coalition government.

The role of political parties in mobilizing identity has been crucial not just to the processes of identity-formation and construction, but also to the many forms of political conflict that have besieged the Indian polity. Whether it was the sons-of-the-soil type of political articulation (as witnessed in Maharashtra and Assam in the 1970s and 1980s respectively, and uncannily resurfacing again today); or the sub-national, occasionally even secessionist, assertions of autonomy (as in Punjab in the 1980s); or the assertions of ‘social’ (as an euphemism for caste) justice; all these challenges to the Indian state have been led by political parties of at least regional importance. They have severely tested the ability of the state to accommodate new demands based in ethnicity, with some – such as Kashmir – remaining unresolved to the present. How do political parties express the aspirations of particular social constituencies? In the current situation of a multiplicity of parties and greater political fragmentation of identity, is it more strategic for parties to seek to narrow rather than broaden their appeal in ethnic terms? In particular, do the national parties work towards greater representation, e.g. in the distribution of tickets to winnable parliamentary seats, and in the formation of party committees and cabinets?

The paper argues that while, on the surface, the evidence appears to support the hypothesis that in ethnically divided societies, national parties are inevitably forced to broaden their appeal, the Indian experience suggests some important caveats. For the first few decades after independence, the Congress itself – as the single dominant “umbrella” party – represented a coalition of this kind, albeit by encompassing a wide range of diversity within its own fold. For this period, the hypothesis held true, though there was of course only one dominant party on the political landscape. The erosion of the wide support base of the Congress was accompanied by the emergence of a large number of regional parties, many of whom claim to represent particular sections of society, such as the backward castes.

Though the current political configuration manifests coalition government by over twenty parties, there is a demonstrable dominance of the leader of this coalition, the Bharatiya Janata Party. The BJP has sought to strengthen its position only partly by broadening its appeal, but also by entering into strategic electoral alliances. Its attempt to broaden its appeal has moreover departed from the erstwhile Nehruvian-Congress model. Rather than seeking to build a social coalition on the basis of respect for diversity, it has chosen to posit an alternative construction of identity: an overarching Hindu identity, which submerges the many identities (of, for example, caste and language), to yield a potential jackpot of a four-fifths majority. In societal terms, therefore, the BJP’s approach has been a homogenizing one, even though in political terms it has been aggressive in seeking alliances with parties representing particular social or regional constituencies. The political strategy should be seen as a surrogate for the lower caste deficit that has jeopardised the BJP’s electoral prospects. Most recently, in the run-up to the general election due in April 2004, the BJP has attempted to
project its achievements in exclusively economic and developmental terms, playing a card that translated into electoral victories in three out of four crucial Assembly elections held in December 2003.

Today, the party system is arguably going through a transitional phase in which neither of the two so-called national parties is capable of forming a government on its own. The Congress, which once had this ability, has now lost it, partly through organizational attenuation and partly through the gradual loss of sections of its social base. The BJP has not yet developed such a capacity. Consequently, even as both these parties represent themselves as national forces, they are necessarily dependent upon the support of a variety of regional and state-level players that can deliver the seats required to make up a majority. In themselves, they have come to constitute the two poles around which parties may cluster, making coalition governments viable, though the Congress’s ability to participate in or lead a coalition is yet to be tested or demonstrated. The imperatives of coalition-building are, therefore, less about representativeness and more about government-formation. To the extent that the governments so formed are broadly representative is an unintended consequence of this imperative.

This study argues that any explanation for the patterns of representation of ethnic diversity in public sector institutions in India has to be multi-faceted. It must take on board the nature of the institutional design as well as other policy initiatives, their promise and performance. The extent to which these have failed to address the material underpinnings of social and cultural difference may point us to the flaws in institutional design, or to the entrenched character of social hierarchies, and the interaction of both these with the political process, specifically the role of the party and electoral system. The policies and institutions have clearly not been an unmitigated success, and there are at least three signifiers of this contention. Firstly, the institutions of the public sector are not representative of religious minorities, the scheduled castes and scheduled tribes in a way that adequately mirrors their proportion in the population. Secondly, though the scheduled castes and scheduled tribes do enjoy constitutionally mandated reservation in public institutions, including the bureaucracy and legislative bodies, the substantive policy outcomes that could have been expected from these policies have not ensued. Lending credence to this contention is the evidence of the continuing material inequalities that overlap with social disadvantage. Finally, India has witnessed mobilization as well as conflict, along lines of caste and community, ironically coming full circle with recent demands for reservations for upper castes!

Social and economic inequalities of the sort that obtain in a large and complex society like India could have been expected to generate class conflict, but the movements of peasants and workers – defined in non-denominational terms – are a thing of the past. Instead, political mobilization has tended to occur along the axes of caste and community. These have sometimes erupted in conflict, and at other times been expressed in the phenomenon of lower caste assertions creating political spaces where there previously appeared to be none. Why did ethnic mobilization become the preferred mode of doing politics? There are arguably two reasons for this. Firstly, even as the dominant discourse of the dominant political party was one of nation-building and the creation of an inclusive Indian identity, the Congress did not fight shy of exploiting ethnic divisions or seeking votes on the basis of caste and religious identity, particularly at the local level where clientelistic politics was the norm. This conferred a certain legitimacy on caste-based mobilization and, with the emergence of caste associations in the political domain, resulted in the transformation of caste itself according to the numerical imperatives of modern democratic politics. In a large and diverse society, the possibilities for the political construction of multiple identities are arguably endless, and the
Indian polity has witnessed this phenomenon in an acute form. Secondly, while the Congress displayed a rhetorical commitment to the welfare of the disadvantaged, this was not sufficiently reflected in policies of substance, more often than not degenerating into cynical populism. Where policies had the potential to address social and economic inequalities, there were serious problems of implementation, closely related to the rent-seeking proclivities of state personnel.

While it is true that institutions have not been spontaneously sensitive to cultural diversity – e.g., under-representing minorities, and over-representing dominant castes – it could be said that the problem lies less with the institutions themselves, and more substantially with the failure of the state to address background inequalities, including those of an economic nature. Symbolic inequalities generate the politics of recognition, and this dimension of inequality has indeed been addressed through the political process. Material inequalities – such as those engendered by poverty and unequal access to resources such as land and education – have not, by contrast, received the policy attention they arguably deserve. It could even be said that policies of “social justice” (frequently an euphemism for reservations in Indian political discourse) have been a poor substitute for a more robust notion of distributive justice. This is possibly why, despite the policies of compensatory discrimination and quotas, and despite the incorporation of lower castes into the political elite, policy outcomes for these social groups have been so woefully inadequate. A place in the structures of governance can be legislated, but neither social prejudice nor material inequalities can be legislated away. They require much more determined action from both state and civil society.
Karuti Kanyinga

Kenya

Kenya is a multi-ethnic country but to obtain the actual number of ethnic groups is difficult given the fluid nature of ethnic identities. Estimates from various sources show that the country has about forty groups. Among these groups, there is none that is numerically large enough to dominate others groups. There is relative equality in population shares of at least the first five large groups. The largest group, the Kikuyu is about 21% of the population. Other large groups are the Luhya, Luo, Kalenjin and Kamba. The population shares of these four groups range from 11% to 14%. The five, however, account for about 70% of the country’s population. Another three groups, the Kisii, Meru and the Mijikenda account for 16% of the population. The combined population of these eight groups is about 86% of the country’s population. The remaining thirty-two groups have about 14% and none is more than 2%. Many are less than 1% (see below).

One would expect the emerging ethnic structure to lead to a situation where groups form alliances and coalitions in order to control and dominate others in competitive politics. One would expect this to lead to ethnic group-based political configurations. However, this has not been the case as shown below.

Failed ethno-regional coalitions

One of the first political parties to be registered at the time of reintroduction of multi-party politics in 1991 was the Forum for Restoration of Democracy (FORD), which comprised elites from different regions. Leadership rivalry among the elites from the large ethnic groups led to fragmentation of the party into different factions which formed along ethnic lines. Some of these registered as separate political parties which also became associated with some of the main ethnic groups. They became ethnic parties. This fragmentation saw KANU’s candidate, President Moi, win the election with about 36%. The combined opposition lost with about 64% of the total votes. In the second multi-party elections held in December 1997 there was a repeat performance. The result of the election was similar to the 1992 pattern: KANU won with about 40%. The result and emerging pattern of voting again reflected the country’s ethnic settlement pattern.

What factors contributed to this pattern of voting? How did the groups form alliances and what constrained others from forming alliances? In both the 1992 and 1997 elections, the Kikuyu were dependent on the support of the Meru who are about 5% of the population. Combined with the Kikuyu in the diaspora, this support motivates the Kikuyu ethnic elite against coalitions in which they are not the leading partners from whom the Presidential candidate must come. The Kikuyu relationship with the Meru (and the Embu who constitute about 1%) has a long history. The three groups formed a political coalition (Gikuyu, Embu and Meru Association – GEMA) in the late 1960s for purpose of mobilising political support for the Kikuyu, and President Kenyatta in particular, in the wake of strong opposition that government was facing from Luo ethnic group through the Kenya People’s Union (KPU). GEMA emerged as a strong ethno-political association. The group and its ethnic leaders not only mobilised a strong support for the government but also insulated the Mt. Kenya region where the three groups are settled from infiltration by anti-government forces.
The question of who among the Luo, Luhya and Kamba would provide a presidential candidate given their almost equal strength has constrained them from building a coalition. This observation requires some caveat however. Among these groups, it is only the Luo who are politically ‘monolithic’ in that they provide a united support to their presidential candidates and their political party. The Luhya have distinct sub-ethnic divisions that have historically prevented the group from providing a homogenous political support to any particular political party. In the 1992 and 1998 elections, for instance, the different ethnic subgroups voted for different political parties. In 1998, the Luhya had a Presidential candidate but they did not vote as a block. Similarly, the Kamba have had divided political support: they have been straddling the Kikuyu and the ‘Kalenjin coalition’. It is only in the 1997 elections that they had a presidential candidate. Again the support to their own was not homogenous; the voting was fragmented along geo-political zones in the area inhabited by the Kamba ethnic group.

The Kalenjin were have been able to organise a solid coalition comprising numerically smaller groups such as the pastoralists, economically marginalized and geographically isolated communities. Through President Moi, KANU won both the 1992 and the 1997 elections because of this coalition with smaller groups. Firstly, the party ensured a solid support from Kalenjin and the related groups – the Maasai, Turkana and Samburu or KAMATUSA. Like the Kalenjin, these groups have pastoralism as their main economic activity and they share the same territory – the Rift Valley region. KANU brought on board other smaller groups such as the Somali of North Eastern province, sections of the Luhya ethnic group as well as the coastal groups. These groups have a shared political history; they were the main members in the Kenya African Democratic Union (KADU) a party in which Kalenjin elites had key leadership positions in the 1960s.

*Ethnicity and the electoral system*

This study shows that formation of coalitions has not been a success in the past for two reasons. The obtaining electoral regime is one of First-Past-the-Post in which the winning presidential candidate is any person who has a simple majority provided the candidate has satisfied the legal requirements for the position. The winning candidate is not required to win by over 50%. This has had the effect of encouraging at least all ethnic five large ethnic groups to present their own candidates on the assumption that ethnic sub-divisions and antagonism that characterises those that are not politically monolithic would provide one with an opportunity to win the election. This electoral system has tended to encourage highly divisive ethnic politics as well as exclusion on ethnic criteria. It encourages the main groups to form their own parties on the assumption that it is possible to win if one were able to build alliances with smaller groups and outbid the counterparts.

The electoral system of First-Past-the-Post also encourages formation of coalitions that are not inclusive enough. Apparently each of the main groups has been seeking to build alliances with as few as one group. The calculation here is not based on how much one wants to be inclusive and accommodative of diverse ethnic interests. It is based on how much potential to win the election does a group bring into the alliance or the coalition. Numbers are a minimum requirement in this calculation. Each group looks outward for a group with significant strength to assist in winning the election. But because of the nature of the ethnic structure, it has not been possible for any group to include to solid large groups in its alliance.
The second reason stems from the above observation. The five main groups have an almost equal numeric strength. Their ethnic elites therefore mobilise their separate groups for political support without reference to other ethnic groups. The tendency has been to go it alone and bargain later with whichever group wins the election. Some of course make attempts to build alliances with the three relatively big groups – the Kisi, Meru and Mijikenda. Each of them believes it can win if another one joined it to form a bigger coalition. This thinking has made formation of coalitions very difficult. It has reproduced ‘politics of exclusion’ in which the winning groups marginalise those they consider politically threatening. Each group expects another group to join it.

*Birth of a multi-ethnic coalition*

The defeat of the opposition political parties in both the 1992 and the 1997 general elections had several important lessons for them as well as for the civil society. They were all worried about another defeat. Because of this they agreed to cooperate and unite for the 2002 election. KANU merged with NDP while mainstream opposition agreed to have one candidate.

The merger in KANU collapsed following President Moi’s proposal to have Uhuru Kenyatta, a Kikuyu and a son of the first president of the Republic, Jomo Kenyatta, as the Presidential candidate for New KANU in the elections. Other ethnic elites in the party including Raila Odinga who had provided block support from Luo Nyanza walked out of the party and formed a new alliance – the Rainbow Alliance. They used this to join the mainstream opposition that had constituted around the National Alliance (party) of Kenya (NAK) and comprising 13 political parties and 2 pressure groups. They joined NAK to form the National Rainbow Coalition (NARC).

What motivated the elites to agree to join the coalition? First, the elites greed to a new structure of power which included a position of a President, two Vice Presidents, a Prime Minister and two Deputy Prime Ministers. This new structure had the potential to accommodate leaders of the main ethnic groups. Elites from other politically important groups would get cabinet positions. Second was ethnic pressure from below. Various groups in the society including pressed their own ethnic elites to join the coalition. Many warned against supporting the leaders who did not join the coalition. They warned against being led into an electoral defeat. Mainstream civil society groups were critical in articulating this concern.

The results of the December 2003 again reproduced a pattern similar to that in the 1992 and the 1992 but in favour of the opposition. NARC presidential candidate won with about 62% of the votes while KANU’s candidate got about 31%. The new ethnic alliance finally led to defeat of KANU. It is instructive to note that President Moi opted for the support of a Kikuyu candidate for political and strategic reasons. One given that the mainstream opposition had opted for Kibaki, a Kikuyu, as the Presidential candidate, KANU elite thought it would be strategic to provide another Kikuyu candidate so that the Kikuyu vote would be split. The Kalenjin and related groups that provided support to Moi, it was assumed, would vote for Moi’s choice. Secondly, Moi was worried about whether other ethnic groups would vote for a Luo given the association of Luo’s with radical politics. Whether their alliance with Kalenjin would hold for a while was debatable. This prompted Moi to seek support for Uhuru Kenyatta from the Rift Valley and other traditional KANU areas such as the North Eastern province and parts of Coast.
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Ethnicity in the public sector

Exclusion of certain groups has been a major feature of the governance process. From the ethnic groups and the regions from which a President comes from dominates senior posts in the public sector. Between the 1960s and 1970s, during the reign of President Kenyatta, Kenya’s first President, the Kikuyu, his ethnic community, dominated key public sector positions. In some positions they constituted over 40% even though they are about 21% of the total population. Similarly, in President Moi regime, which lasted from 1978 to December 2002, elites from the Kalenjin ethnic group were dominant in all senior public positions. Despite the Kalenjin constituting about 11% of the total population, in the period between the early 1980s and beginning of the 1990s, they constituted over 30% of staff composition in several key and central public positions. The new government under a coalition has not helped matters in any significant way. The new appointments were induced significantly by ethnic considerations. The Kikuyu and the Meru are the dominant group in some of the senior positions in the new government.

Smaller groups are relatively marginalized in the public sphere. They are not conspicuous both in senior government positions and in the governance institutions. In spite of this, smaller groups have not responded to this marginalisation in any notable manner; they have continued to act at the urging of the larger groups and especially groups in KANU. Small groups are probably conscious about the futility of any organized response to their marginalisation. Their numbers cannot assist in any way. They have to depend on the support they get from any of the large group that would want to have an alliance with them. The benefit of such an alliance sometimes includes middle level positions in the public sector and promises to resolve some of their development problems. Alliance with KANU for instance saw some of the small groups getting positions in the cabinet.

The December 2002 general elections altered the KANU and Kalenjin domination of public sector. A coalition of opposition political parties – the National Rainbow Coalition (NARC) - drawing membership from different ethnic groups around the country, defeated KANU and ended the party’s four decades of reign. NARC under the leadership of the President Kibaki, a Kikuyu, constituted a government immediately after the elections. Although there was equitable distribution of cabinet positions, the most senior and by implication the most important cabinet positions went to President Kibaki’s close associates from the Kikuyu and Meru ethnic groups. The government also appointed professionals from Meru and the Kikuyu ethnic positions for key and central positions in government ministries such as those of permanent secretaries. The Meru and Kikuyu suddenly replaced the Kalenjin domination.

Institutional reforms

The study shows shown that ethnicity has been an important feature in Kenya’s constitutional development. The independence constitution in 1963 designed several constitutional safeguards for the numerically small groups and other minorities who were uncomfortable with getting political independence before their concerns were settled. The new government dismantled this structure because the ruling elites were not keen to service the minority interests at the expense of the majority groups that had brought them to power. The consequence of this is that some matters were simply swept under the carpet without a settlement. Struggles for multi-party democracy and constitutional reforms, and the threats
this posed to the elites in power in the 1990s, reactivated these grievances. Reactivation saw resurgence of intense ethnic conflicts in multi-ethnic areas.

The draft constitution has developed provisions that have a potential of managing ethnicity but these provisions are a subject of intense debate and may not be included in their present form in the final draft. The draft provides for position of a President and a Vice President as well as position of the Prime Minister and two Deputy Prime Ministers. The proposed model of government is a hybrid of Parliamentary and Presidential system. Political parties supported this model before the elections so that it could encourage formation of alliances and coalitions between ethnic groups and political parties. The model registered gains immediately. Different groups and elites saw the proposed structure as one that was able to accommodate multi-ethnic interests. After the elections, however, some factions of the ruling coalition failed to honour the pact. This has cultivated tensions in the coalitions. Whether or not Kenya should have a Parliamentary or Presidential system and the implications of this for managing ethnicity is an issue that will determine the future of Kenya as a unitary nation-state. The demands for devolution of power and decentralisation in general will be absorbed in this contradiction.
Artis Pabriks

Latvia

This research discusses the issue of ethnic equality and governance from the historic perspective in respect to socio-political stability in Latvia. The hypotesis of the research argues that in the short perspective present day Latvia has a larger potential for ethnic tension compared to the interwar republic. This will remain so until the degree of ethnic integration remains relatively low due to weak knowledge of Latvian language among ethnic minorities, lack of unified education system and existance segregated media environment. Among the major objections to the elimination of ethnic tension there are a highly controversary perception of history and politics dividing ethnic Russians and Latvians, and the psychological stress among the ethnic Russians while accepting the role of ethnic minority instead of the former ruling majority. Additionally, as external factors, there should be distinguished as particularly contra-productive policy of neighboring Russia, keeping the presence of ethnic tension and hindering the establishment of cohesive liberal democratic society. Obviously, in some political circles in Russia, it is concluded that unified society will eventually create less influencable political regime in Latvia, and therefore, decrese the Russian ability to exercise the influence in this country which is being traditionally perceived as Russian zone of geostrategic interests.

Hence, the main argument of this research is that in the long term, institutionalization and promotion of the goal of unipolarity is the only viable ethno-political alternative facilitating the decrease of ethnic tension and the establishment of cohesive society. This can be achieved by using strictly liberal democratic integration policies instead of communitarian and community centred means as well as by the strict observation of international minority rights.

This research insists that the unipolarity project is the only viable way to avoid ethnic tension in Latvia in the years to come. Unipolarity should be achieved while simultaneously granting a relative degree of public recognition to various minority identities with particular stress on previously discriminated small minorities who were denied any recognition under the Soviet rule and which continue to be marginal ethnic groups in present day Latvia.

The research consists of four parts. The first part deals with ethnic structures and governance in the first republic (1918-1940). The coexistance of relatively separated ethnic groups was based on the idea of minority autonomy granting broad public recognition to minority communities in Latvia. According to this research there is no proof that broad minority cultural autonomy of the interwar period per se facilitated the establishment of integrated and thus harmonious civil society.

The second chapter deals with Latvia under the Soviet rule. It argues that under Soviet totalitarianism ethnocultural identification along community lines within the overall Soviet society were further strengthened. This helped to preserve ethnic identities (Latvian) at the same time it hindered to overcome ethnic community borders and therefore did not facilitate the establishment of the envisaged cohesive society.

The third chapter analyses the national and democratic movement for independence. Political actors and parties involved in this process are discussed and the major issues of public debate of majority-minority relations are revealed.

Latvia Summary
The fourth chapter presents Latvia after regaining independence in 1991. It analyses data on ethnic composition of state institutions and enterprises. Data on parliament, municipalities, power structures, as well as business and education sphere will be discussed. At the end statistics on changes in language skills and inter-ethnic attitudes among population are presented. Finally, the conclusion and recommendations are presented.

Latvian geography and political history are relevant factors in order to fully understand contemporary dynamics of ethnic relations and ethnopoltics while taking into account external factors.

Historically and geopolitically, Latvia was squeezed on the shores of the Baltic between the larger powers, Russia, Germany, Poland, and Sweden. From time to time, each of these countries was eager to dominate the region and its population by political, economic, and cultural means thus influencing Latvia’s ethnic composition as well as ethnic relations. During the 20th century, the country was twice turned into extensive war zone. It also has experienced several occupations and dominance of totalitarian ideologies. Latvia was ruled by democratic, authoritarian, and totalitarian regimes one after another. It has experienced market economy as well as centralized communist rule. Its population went through economically wealthy periods and faced hunger. The people of Latvia have experienced respect and humanity in their mutual relations just like they have been facing terror, humiliation, deportation and death.

Most of the political analysts would argue that these conditions mentioned are not favouring an independent and democratic statehood. Indeed, the world, even Europe knows dozens of ethnic groups and nations much larger in size and in economic power which never have experienced their own statehood. However, Latvia seems to have avoided successfully established clichés as far as nation state building and ethnic relations.

Despite of a highly unpreferable geopolitical situation, in 1918 Latvians managed to establish an independent nationhood the first in their history. Afterwards, despite of the 50 years long Soviet occupation, Latvia re-emerged as an independent nation. Now, after a little more than a decade Latvia seems secured its political independence by joining NATO and European Union.

Another interesting characteristic of this country until now was the fact that despite of existing ethnic loyalties serving as source of ethnic and political tension, no ethnic conflict took place. By not pretending to reveal every reason for a peaceful management of ethnic cleavages in Latvia, this paper argues, that several factors contributed to this relative ethnic harmony. These factors differ in the inter-war Republic of Latvia and in contemporary state.

Looking at inter-war Latvia I would like to mention the fact that its ethnically diverse population was used to live in a relative harmony due to long esablished socio-ethnical borders between various different ethnic groups. Namely, persons of different ethnic origin were used to live along each other in relative toleration as well as relative segregation instead of living together. Due to the relative small size of previously dominated ethnic German minority, its complains about lost privileges as well as the relative constructivity of ethnic German political leaders did not facilitate the escalation of ethnic tensions.
Second, the nation-state building period with its usual focus on societal homogenization was relatively short. Therefore, it was unable to challenge seriously relative linguistic and ethnic separation and heterogeneity of population. The established traditional ways of living along were not really challenged during the inter-war period.

Moreover, due to existing international principles demanded from all newly established states, the political system of inter-war Latvia possessed several ethno-conflict mitigating characteristics. Within the new democracy along with extensive individual rights also cultural and linguistic autonomy for ethnic minorities were guaranteed. Democratic party system allowed and even promoted the existence of a large number of ethnic parties claiming to represent their respective ethnicities. From today’s perspective and taking into account the concrete historic peculiarities, the inter-war institutional arrangements probably served as ethnic conflict preventing mechanisms by giving each ethnicity a relative share of power. However, the argument of this paper is that if these institutional arrangements served its purpose of preventing the ethnic conflict, they served the goal in the short run. In the longer perspective, the institutionalization of collective rights and loyalties particularly in the education sphere and politics were also acting as hindrances to the establishment of the integrated, relatively homogenous society able to defend a sustainable democracy and independent statehood. For instance, in the second half of 1930s, still more than 70 per cent of ethnic Russians did not master the Latvian language thus hindering the upward mobility of many individuals.

In other words, Latvia’s inter-war ethno-politics efficiently preserved the previously existing *modus vivendi* of the various ethnic groups “living along each other instead of living together”. The creation of overwhelming political loyalties towards the new nation-state was a difficult task for a democracy based on institutionalized ethnic divisions and different historic perceptions. Mutual socialization of future generations of citizens was hard to achieve under the education system that upheld separate schooling for separate ethnicities.

While analysing ethnic politics in Latvia it is also important to keep in mind the international environment to which Latvia as a relatively small and new country was particularly sensitive. Namely, in the end of the inter-war period authoritarian thinking dominated increasingly in Europe. Totalitarian and authoritarian systems emerged in the Soviet Union, Germany, and Italy. The first two showing growing interest in expanding its control over the Baltics. Corresponding ethnicities, particularly the Baltic German community became a hostage of these interests.

This paper argues that during the inter-war period in the Latvian-German relations one can observe two patterns of behaviour on behalf of Germany. During the Weimar Republic, the German state supported the Baltic German minorities financially and culturally, but avoided to use them as a tool of bilateral relations between the states. In turn, after Hitler came to power, the Baltic Germans, their political organizations, NGO’s, and segregated schooling system became a tool of ideological and political pressure in the hands of Nazi Germany. Because of the earlier institutionalized ethnic division of Latvia’s society, this tool could be applied particularly well. In the mid-thirties, partly as a response to these developments the Latvian state undertook the attempt to increase cultural and political homogeneity by curtailing collective rights and identities of minorities.
It can be argued that institutionalized and later challenged collective ethnic identities and changing geopolitical environment were among the main factors contributing to both the fall of democratic regime of Latvia, and later the fall of the independent state itself.

Latvia’s interwar political system effectively avoided ethnic tension and provided for a peaceful coexistence of the various ethnicities. However, it failed to produce a long-term integrated and cohesive society able to resist the unprecedented external challenges of 1930s. Partly this was due to:

- The initially institutionalized dominance of collective identification of ethnic groups over an individual identification of citizens;
- A disproportion of economic wealth between ethnic minorities and majority;
- Ulmanis wrong reform approach attempted to further popular consolidation and nation-state building by anti-democratic means;
- A weakly institutionalized identity of Latvian state due to its short history of only 20 years;
- An aggressive policies of Nazi Germany and Soviet Union which provided to ethnic minorities in Latvia alternative identity and loyalty opportunities;
- The approaching Second World War.

In 1940, Latvia was occupied by and later incorporated to the Soviet Union. The regime lasted for more than two generations and brought drastic demographic, linguistic, cultural, and political changes. Drastically changed the internal constellation of the minority population. As the consequence of the war, two most influential ethnic minorities, the Baltic German minority and the Jewish minority ceased to exist. Demographically, due to unprecedented migration the share of non-ethnic Latvians, mainly of Slavic origin increased from less than 25 per cent in the inter-war period to more than 45 per cent shortly before the collapse of the Soviet Union. As far as the ethnopolitics of the Soviet regime, there was no more place for cultural or educational autonomy of minorities other than Russians which increasingly obtained position of majority as far as the power distribution and assimilation tendencies. The education in Latvian continued to exist, however, the network of ethnic Russian schools was extended and the Russian instead of Latvian increasingly became the lingua franca officially used by the regime in Latvia.

As a consequence of these ethnopolitical dynamics Latvia became more and more bipolar. The large part of population preserved and continued to identify itself with Latvian language and culture, including a number of smaller ethnic minorities. Politically, this pole of bipolarity continued to preserve at least in some sense the idea of an independent statehood thus sharing historic memories and myths. The other part of the population linguistically and culturally centred around an ethnic Russian core identity while politically mainly represented Soviet ideology and power.

This paper argues that during the Soviet rule in Latvia the potential of ethnic conflict increased due to the Soviet policy’s failure to actually produce Homo Sovieticus that would replace existing ethnic collective identities with over-reaching Soviet identity. Contrary, the Soviet totalitarian nature, its political illegitimacy in Latvia and its discriminatory policy based on collective values in its republics produced internally divided society and strengthened the existing ethnic divisions. The Soviet system was perceived as Russian as far as its content and policies. Other ethnic groups perceived ethnic Russians as the ruling ethnicity. In the Latvian case, the Soviet regime failed to produce a viable political alternative to the previous nation-state. However, it succeeded to create an actually bi-polar society with
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its two poles differing along linguistic lines, and partly along political loyalties and perceptions.

Thus, the post Soviet Latvian society could be characterized as assimetric bi-lingualism with contradicting political loyalties. First, when regaining independence, majority of ethnic Latvians were bilingual mastering their native language as well as the Russian language. In turn, most of Russians were and large part still is unable to communicate in the language of country of their permanent residence.

Second, the majority of ethnic Latvians would perceive the previous Soviet regime as evil while the majority of ethnic Russians would not share this opinion. These attitudes still prevails today in Latvia as well as abroad where the Russian President Putin lately claimed in his official speache that the collapse of the Soviet Union did not bring anything good to the ordinary Russian citizen.

Just after the re-establishment of independent statehood, a number of political scientists as well as politicians, particularly in the neighbouring Russia were arguing for institutionalization of this bi-polarity developed by the Soviet regime. They stressed that any change of policy would lead to ethnic violence and would be followed by political instability. Partly these suggestions were made by analysing the existing situation where the overwhelming majority of ethnic Latvians clearly supported and continue to support the reconstruction of unipolar state, while the large part of the Russian speaking Soviet time immigrants would rather support kind of continuation of the Soviet era bi-polar arrangement.

However, during the last decade in defiance of these suggestions, restored Latvia has been firmly developing its institutions and society in the direction of a multicultural as well as unipolar state. At the same time it succesfully avoided ethnic violence sceneriour which took place in similar multiethnic and post Soviet environments like Caucasus, Moldova or former Yugoslavia. Paper presents several speculations why controversy did not escalate in the ethnic violence.

However, it does not mean that Latvia is an exemplary multiethnic society. Statistics continue to show uneven and disproportional participation and employement of ethnic minorities in various state institutions.

Data on occupational proportionality according to ethnicity suggest that ethnic Russian presence decreased in various sectors of the state institutions, parliament, ministries, army, and government after restoring independence. Many state institutions were newly established after the restoration of independence. Therefore, their employees or elected persons could be solely Latvian citizens with good knowledge of Latvian. Thus the proportion of ethnic Russians have decreased since the Soviet immigrants, including former employees who not always could not endure competition for these positions. This obviously decreased the Russian ability to influence politics. Thus, in the short term in the presence of politically divided society, the legal restoration of republic and slow inclusion of Soviet era immigrants served as politically stabilizing force. But in the long term it could appear as destabilizing factor, if the integration policies will fail.

On the other hand there are number of institutions, like the Prison department, police, and state enterprises where in Soviet time a disproportionaly large number of ethnic non-Latvians were employed. Through the period of transition their presence remained large in these
institutions. These and other observations suggest that disproportions per se are not caused by genuine and widespread discrimination on the ethnic basis but rather by the necessity of efficient performance required by the new political realities.

Currently, the biggest challenge constitutes the remaining low number of minority origin applicants for positions in the state sector. The research argues that this is mainly due to the persistent linguistic and political divisions of society which happens to overlap with ethnic divisions.

As far as the welfare of minority representatives is concerned, these and other researches suggest that except Roma the welfare of individuals of minority origin or non-citizens is comparable to that of the Latvian majority. Most of ethnic disparities highlighted in the fourth chapter stem from:
The legacy of the Soviet ethnic and political division of labour;
The indirect consequences of citizenship and language policy which are not discriminatory per se, but facilitated the initial decrease of non-ethnic Latvian employment in the state institutions;
Self-segregation on the part of ethnic groups preferring monolingual and mono-ethnic working environment;
Existence of relatively segregated education system which does not succeed to socialize the young generation citizens in a harmonious liberal democratic society, and where the schools teaching mainly in Russian are not capable of providing linguistically competitive young generation;
Existence of linguistically separated mass media hindering the development of common values and loyalties abandoning ethnic and political divisions.

Bearing into mind the fact that most of the political, economic and social divisions stem from the fragmented nature of Latvia’s society, social integration policy seems to be the only cure to existing situation.

It is possible to argue that in the nearest future in the field of integration the largest responsibility and the largest amount of will be on the shoulders of the Ministry of Education which has started the reform of the education system in order to overcome the Soviet time segregation while at the same time keeping the political tradition ensuring minorities to receive education in their native language.

Until now a peaceful process was sustained despite the highly difficult political inharitage of foreign occupation, demographic changes, loss of democracy and political independence. However, the latest activities of the opponents of the education reform suggests that they might consider also the use of extreme means to prevent the institutionalization of unipolarity and deconstruction of the Soviet inheritated education system upholding actual ethnic divisions. Oposition to further liberal democratic policies favouring a unipolar and cohesive society enjoys the open and ultimate support of neighbouring Russia.

Policy analysis is not based on prophecy, however, an observer being in the middle of the reform process could argue that the previous experience of transition shows that despite of objections and tough political discussions Latvian authorities are not going to disobey the international norms and rules. Latvia’s liberal democratic legislation and the Western political orientation is considered the necessary basis for its independent statehood guaranteed by the
international support. Latvia’s citizenship and language legislation of the 1990s was closely monitored and finally accepted by the OSCE and the EU proves this judgement. The dilemma between unipolar and bipolar arrangements can be reduced to the choice between short term and long term political stability. The choice in favour of unipolar, liberal democracy observing international minority rights would offer the benefits of a cohesive society with increasing upward mobility chances for the minority individuals. In turn it would require from the ethnic Russians to give up their previously enjoyed linguistic privileges and collective thinking.

The other choice would be to insist on an institutionalization of bipolarity supported by the neighbouring Russia. In this case, Latvia would risk to face increased ethnic tension since ethnic Latvians consider the unipolar system of the state building as their core national value. This choice would rise another question. What are the limits of group rights of minorities? The procedure offered by political scientist Bhikhu Parekh (Joppke et al 1999: 16) could be used also in the Latvian case.

As ‘probationary citizens’, according to Parekh, immigrants have a ‘moral right’ to preserve their difference. If the immigrant way of life offends the ‘operative public values’ of a society, Parekh envisions a procedure where accommodation of claims is reached. This is done according to the following formula. If the practice is central to the minority’s way of life, it should be allowed; if it violates a core value of the majority society, and is not important to the minority, it is to be abandoned. If a practice is dear to the minority but also violates a core value of society, it should be abandoned too. Unipolarity and the decrease of Russia influence is a core value to the ethnic Latvians while bipolarity is not the only way for the ethnic Russians to preserve their identity.

The Latvian ethnopolitical legislation and practice reflects extensive use of liberal democratic values and practices reflecting individual as well as collective identities of society. Therefore, the Latvian current ethnopolitical development could be regarded as being in accordance with Parekh vision of conflict solution. In fact, the paper argues that this is the only viable long term ethnic policy for Latvia.

The ethnicity is not and can not be regarded as pathological. Liberal democratic principles of stressing individualistic values offers a way how to accommodate individuals of various ethnic origins by pleasing majority and protecting minorities. Common principles of democracy and independent statehood as a guarantee of sustainable economic and political development should serve as a unifying factor for historically fragmented Latvian population.

The restoration of an independent statehood opened a new chapter with the genuine chance for Latvia’s population to amend the historic tradition to live embedded in ones own ethnic, cultural, and linguistic community while being ruled from outside or distance. Today there is the unique chance to create a society consisting of individuals of various ethnicities who live together with each other instead of living along each other like their predecessors did for centuries. If this momentum will not be grasped and its importance will not be understood the reason will be defeated by fate once more in the European history.
Natalija Kasatkina, Vida Beresneviciute

**Lithuania**

In the context of the UNRISD project Ethnic Structure, Inequality and Governance of the Public Sector, Lithuania’s case is studied as a representation of the society’s unipolar ethnic structure, which essentially maintains that ethnic cleavages are invisible or too complicated to be identified. The main emphasis is placed on the analysis and assessment of the distribution and management of power in multi-ethnic settings: the ethnic structure, cleavages and governance of the public sector.

The report mainly deals with the following three ethnic groups: the majority group – the Lithuanians, and two traditional minority groups – the Poles and the Russians, whereas issues of other, less numerous, ethnic groups and non-citizens are not covered. Also, issues related to the Roma community are not specifically elaborated as this group is defined as socially excluded.

**Main arguments**

A broader context of statehood, aged history of independence and its development have their impact on the relatively young history of Lithuania’s democracy and its political environment. In Eastern Europe, the ethnic understanding of a nation has deep roots, whereas the civic concept is likely to have very few adherents. In Lithuania, like in other countries of the region, statehood, or the process of nation-building, has been constructed on the ground of experience of an independent state and resistance to oppression, ethnocentric inheritance, developed through common ethnic romantic historic descent, the common culture of language, religion, traditions and customs, rather than on the ground of institutes of civil society, which ensure development of representative democracy.

Premises and hypotheses concerning the present ethnic cleavages are based on two major arguments. The first argument is related to the ideology of cultural nationalism, i.e. that cultural nationalism overshadows the impact of social-economic factors and thereby tends to complicate the elaboration of the influence of those factors on economic inequalities. The second argument is related to the general historic trends of the ethnic composition of the state and the impact of the Soviet period, during which ethnic groups were formed as a result of flows of labour migrants (specialists and qualified workers). Later on, tendencies of emigration of such persons with higher qualifications were pertinent to the first years of the independent state. Besides, the unfolding processes of assimilation, development of democratic values and equal opportunities press for identification of ethnic cleavages. However, the lower levels of minorities’ participation in the higher levels of political and governmental institutions, as well as social differences, which are not striking among certain ethnic groups even though certain groups dominate in some sectors, enable one to hypothesize on unequal distribution of power in the public sector. Ethnic minorities and the majority organize themselves separately for political power, and we maintain that the political competition is still ethnically fragmented in the unipolar setting of the state, although they do collaborate in the processes of election and formation of political bodies. The tendencies towards politicisation of ethnic issues correspond to the existing political parties based on ethnic affiliations in Lithuania. These statements were treated as hypotheses for the analysis of the Lithuanian context, raising a question what behaviour is prevalent in Lithuania.
Structure of the report
The research report consists of four main parts. First of all, there is an overview of the ethnic composition and its changes in the recent decades, including the issues of migration processes and peculiarities of both the Soviet period and the independent state. Elaborations of social and cultural cleavages of ethnic minorities are disclosed within the consideration on the aspects of social adaptation. When analysing social disadvantages, emphasis is placed on the trends of employment, labour market segmentation, unemployment rates and some aspects of the ethnic structure in the private sector. A separate chapter includes a short overview of the Soviet period and its impact on the ethnic structure of the state. A separate section of the report deals with ethnic cleavages in the public sector and comprises the following themes: legal mechanisms and the framework of ethnic minority issues, electoral rules, formation of political parties and the ethnic structure of key public institutions, such as Lithuania’s parliament (the Seimas), executive bodies of the government, as well as elective and administrative bodies of municipalities. The final section is related to the public policy on civic and political participation of ethnic minority groups. On the grounds of the main findings of the report, recommendatory observations are presented below.

Ethnic composition
Lithuania is a multi-ethnic state, with a population of 3.5 million, in which one ethnic group, the Lithuanians, accounts for an overwhelming majority. For more than one century the Lithuanians have comprised four fifths of the whole population, and in 2001 the share of the Lithuanians reached 83 per cent of the whole population. Due to historical and other causes, the majority of Lithuanian residents belonging to ethnic and linguistic minorities live close together in certain areas.

The current ethnic composition of Lithuania has suffered great changes due to historical development. The main role in the process of formation of ethnic groups and communities in Lithuania is ascribed to migration. Considerable changes in the number of the population began in 1940 and were related to the losses of the population due to the World War II, demolition of towns and depopulation. Also, this period covered the Holocaust, emigration of the Polish intelligentsia and Soviet deportations. All in all, in 1940–1958 Lithuania lost about one million people.

The first decades of the Soviet period (1945–1979) covered the industrialisation and centralisation of the Soviet economy. Due to the forced military and economic migration, groups of labour migrants (mainly Russian speaking population) were coming to Lithuania until 1988. The migration of labour force of other nationalities formed an ethnic group of the immigrants of the first generation. Since 1990 until now, the process of restoration of independent states has stimulated emigration (and re-emigration) of the population of non-titular nationalities from the Baltic States. Ethnic groups of the other nationalities faced perspectives of acculturation, social and political adaptation, integration, and assimilation.

According to the data of the 2001 Population and Housing Census, representatives of 115 nationalities live in Lithuania, whereas only 29 nationalities account for one hundred or more people. The Lithuanians account for over 83 per cent of the population, the Poles make up 6.7%, the Russians 6.3%, the Byelorussians 1.2% and the Ukrainians 0.7%. The Jews, Germans, Tatars, Latvians and the Roma people make up 0.2%, while 0.9% of the population do not indicate their nationality at all. Citizens of the Republic of Lithuania make up 99% of the population, citizens of the Russian Federation account for 0.4%, citizens of other countries
make up 0.2% and those without citizenship 0.3%, whereas 0.1% of the population do not indicate their citizenship.

**Main Trends in Ethnic Cleavages**

During the first decade of the Independence of the Republic of Lithuania, many steps were taken to ensure the civil integration of representatives of Lithuania’s ethnic groups. The passed laws, legal mechanisms and ratified international conventions and treaties provided citizens with bunches of rights and created favourable conditions for social life and personal expression. The 1989 Law on Citizenship of the Republic of Lithuania did not set any special requirements for acquiring Lithuania’s citizenship (the so-called zero-option) and almost all permanent residents of the country who sought for the citizenship became Lithuania’s citizens, irrespective of their nationality, duration of residence in the country, or knowledge of the state language. Although legally defined mechanisms are crucial to the development of a civic society, they are not sufficient for social development and social relations in society and the issue of ethnic processes, as a social challenge, still has not yet been overcome (e.g. negative attitudes, symbolic and real cleavages in social spheres, etc.).

Social research indicates social cleavages existing among the ethnic groups, although they are not sharp. Statistical data show differences in unemployment rates among ethnic groups of Lithuania: in 2002 among the Lithuanians unemployment was 12.8 per cent, among the Poles – 17.8 per cent and among the Russians – 20.3 per cent, while the average rate was 13.8 per cent. However, it is quite difficult to define the nature of the unemployment based on the statistical data only and not on a specific research, which could identify certain correlations. In general, it is possible to conclude that the Russians, while being a relatively younger and better educated community, are facing the most unfavourable situation in these terms. The question remains open whether the relatively higher odds of representatives of minority ethnic groups of being unemployed can be explained by reference to their gender, age, education or geographic characteristics in respect of urban and rural distribution.

The analysis of social relations, educational attainment and employment trends enables us to conclude that despite democratic legislation, the preconditions created and promotion of equal rights, a correlation between ethnicity and social cleavages could be observed. The Russians and the Poles hold similar positions in the structure of employment, although their attainments in education are different as the Russians hold higher education but are more disadvantaged both in the labour market and in the structure of professional categories. The situation of the Russians has also been influenced by the impact of the Soviet period, its developments and later perspectives of migration, as the tendencies of emigration of the Russians with higher qualifications were pertinent to the first years of the independent state.

Observations concerning the private sector imply that a mono-ethnic model is characteristic to small- and medium-sized enterprises in Lithuania, also activities of ethnic groups in different economic niches could be observed. The data of social research have revealed that nearly half of the Russians and the Poles (44–45%) work in ethnically homogeneous environment, whereas among the Jews this accounts for 30%, and the Tartars – 23% (in most cases with the same ethnicity). Although all conditions are favourable for structural assimilation in terms of legal equality in Lithuania, on certain levels, social spheres and ethnic segments do overlap.

From the beginning of the Restoration of Lithuania’s Independence, the transition from a one-party communist state to a multi-party system has begun. A mixed majoritarian-and-proportional electoral system was introduced in 1991. At the end of 2002, the list of political
Ethnic Inequality and Public Sector Governance

Political parties are instruments for political participation of ethnic groups on the grounds of the ethnic borders, i.e. dominated by one ethnic group. Representatives of ethnic minorities are not given important positions in the party bodies, structure, factions or coalitions. The parties of ethnic minorities are governed by members of their communities and follow the mono-ethnic structure. Such structure of minorities’ political parties could be treated as a response to the mono-ethnic majority and has an impact on the political structure of the state. On the municipal level, the minority parties receive much more support than on the national level and are mainly represented in the localities that densely populated by ethnic groups. Different situation in several municipalities indicates differences between elective and administrative positions. Elective positions could be described as more or less inclusive and representative in respect to ethnic minorities, however, administrative staff of municipalities in ethnically diverse regions tend to correspond to the quantitatively dominant majority.

Although at present minorities and the majority organise themselves separately for political power, democratic tendencies partly improve the current situation of ethnic minorities’ parties. The factors that have demonstrated success of political participation of ethnic groups are related to the recent phenomena of coalition-making and collaboration in the processes of election and formation of political bodies, which are inevitable both on the national and municipal level. On the whole, minorities cannot be said to have achieved effective representation in the national parliamentary or governmental structures. Higher posts taken by non-Lithuanians (e.g., ministers, vice-ministers, head of departments) are rare cases and could be treated as exceptions. However, it is difficult to claim that ethnicity blocks carrier opportunities. Nevertheless, participation opportunities of representatives of these ethnic groups that have characteristic external features (e.g. the Roma people) are practically limited in comparison to the largest ethnic groups. On the other hand, those who do achieve higher positions, allegedly choose not to identify themselves openly with other nationality.

Policy observations
While considering institutional and policy reforms for managing diversity and inequalities, the report focuses on formal actors of the public sector, which vary depending on the level of government. According to the analysis and findings of the research report, the major problems relevant to minority issues in the public sector are related to low levels of minority’s participation in the elective bodies and government. In further perspective, special attempts should be made to increase the level of minority’s participation in the process of decision-making on both quantitative (number of minority representatives) and qualitative (impact) levels.
At the beginning of Lithuania’s Independency, an opportunity for minorities to organize themselves as a “particular” group, to reflect on their own interests through their independent organizations (political parties, too) based on common identities was an important factor. The state supported minorities’ participation in the political and civil arena along the ethnic borders. At the same time, minorities, same as the majority, lacked skills and needs to create organizations, and that was partly the reason of their ineffective and inefficient nature. The following factors were decisive in the trends of policy formation: establishment of the Department of National Minorities and Lithuanians Living Abroad, support for education and instruction in minority languages, mass media in minority languages, etc. These means were used as policy instruments and tools for construction of a minority’s identity and provided governmental support for maintaining the minority’s identity. In its further perspective, the Department should focus on effective coordination of activities related to ethnic issues of all state institutions and extend its activities with regard to implementation of equal opportunities and overcoming of new challenges of ethnic variety.

Previous consequent steps towards democratic and civic values should be considered in face of the current realities. In order to improve the political system, the Conception of Ethnic Policy, a document for policy planning, was prepared in 2002. The Conception defines main priorities in the development of the ethnic policy as follows: assurance of equal opportunities, development of the non-governmental sector, encouragement of civic participation, and support for co-operation of ethnic groups, prevention of exclusion and discrimination, and education of tolerance.

Within the framework of educational policy, development of specific measures should be based on an analysis of a specific situation, including regional aspects of the infrastructure, ensuring quality and accessibility of education, promoting principles of positive discrimination of ethnically diverse environment and instruction in minorities’ languages, in order to overcome limitations of students’ ethnic identity for the sake of their opportunities to obtain high-quality education. At the moment, accessibility of education and its quality are more determined by other factors, e.g. differences in the infrastructure of urban and rural areas, family values and social differentiation, rather than the language of instruction at school.

To increase minority participation, some measures should be applied exclusively to minorities, as when these are applied as general rules equally to all groups, minorities are usually disadvantaged. This principle would be similar to the present election system, which establishes some special provisions to minority parties. However, the present system is generally less favourable to smaller parties. The main recommendatory provisions are focused on the municipal level, i.e. introduction of a quota system (including up to 10% of minorities’ representatives) at the municipal elections, where the empowerment of ethnic groups could be a starting point and background. Due to coalitions, they should have joint lists of candidates (instead of several separate lists) in order to avoid possible inclusion of minorities just for the purpose of jumping the threshold.

Within the framework of non-electoral activities and performance of local institutions, the following measures could increase the participation of ethnic minorities: inclusion of highly qualified persons concerned about specific topics into different bodies, as usually they are left outside the operating network; application of measures of direct democracy on the level of local communities and institutions of local municipalities. Also, recognition of minorities could be realized through the nomination of a representative of an ethnic minority as a
spokesperson, head of a committee, commission, task force or other formal bodies. Specific interests of minorities may also be reflected within the structure of a party or coalition, if these parties nominate a minority spokesperson, head of a committee or commission.

In the current situation, interests of ethnic communities, including both the majority and minorities, have not yet shifted from symbolic, cultural and psychological spheres (preservation of cultural values and group identity, enshrining customs, traditions, etc.) to the civic, social and economic spheres. Different capacities and opportunities of ethnic groups in participation, collaboration with other minorities (the outcome of which may be proportional or disproportional, representative or uneven) may indicate syndromes of a misbalance rather than a representative democracy.

Integration, not only political or social but also interethnic, in many respects depends on the model of a broader social structure and context, the system of social relations between different social groups established in society and on people’s ideas about these established relations. Traditions and development of Eastern European nationalism, as well as the post-Soviet experience (including peculiarities of Communist nationalism) are among the key determinants in the case of Lithuania. The monoethnic structure of Lithuania does not prevent dimensions of ethnic polarisation or fragmentation, but even encourages it to some extent.
Ethnic Inequality and Public Sector Governance

KHOO Boo Teik

Malaysia

I. Themes and organization

This paper analyses Malaysian experiences in managing ethnic “imbalance” – between the ‘indigenous community’ and “immigrant communities” – that created formidable barriers to non-divisive interethnic relations. But Malaysian political economy is Janus-like: its ethnic aspect was exposed, its class aspect was hidden. The structures and inequalities of political economy were susceptible to a politics of real and “perceived” ethnic differences.

Part 1 of the paper gives an overview of the formation of a plural society and an ethnic division of labour, with structures and inequalities inherited from colonial rule. This part analyses the limitations of laissez faire capitalism that underlay the Alliance’s political “formula”, misleadingly stated as “politics for the Malays” and “economics for the Chinese”.

Part 2 focuses on the public sector’s pursuit of the New Economic Policy (NEP)’s objective of “restructuring” society to overturn the ethnic division of labour. The NEP dependence on state intervention, and a subsequent shift to a new state-capital alliance transformed the public sector, and substantially altered its modes of governance.

Part 3 examines how a matrix of representation, power sharing and domination has imposed upon the political system some measure of stability, democracy and uninterrupted rule.

Most of the discussion stresses Malay and non-Malay relations and inequalities because the Malay-non-Malay “divide” in Peninsular Malaysia remains the principal ethnic issue.

II. Ethnic Structures and Inequalities

Plural society

The population shows a high degree of ethnic diversity. In Peninsular Malaysia, which has over 80 per cent of the total population, the three largest communities are the Malays (49 and 62 per cent in 1957 and 2000 respectively), Chinese (36.6 and 27.8 per cent in 1957 and 2000 respectively) and Indians (11.5 and 9.6 per cent in 1957 and 2000 respectively).

A basic post-1970 official classification divides the population between the “bumiputera” or indigenous people (55.6 and 64.1 per cent in 1970 and 2000 respectively), and non-bumiputera or non-indigenous people (44.4 and 35.9 per cent in 1970 and 2000 respectively).

In Peninsular Malaysia, the bumiputera almost entirely consist of the Malays and the Orang Asli (aboriginal communities). The bumiputera of Sabah and Sarawak refer to the indigenous people of many communities. For the whole of Malaysia, the non-bumiputera chiefly refer to the Chinese and Indians whose demographic presence first became significant with waves of immigration during the colonial period. A final category of ‘Other’ is applied to non-bumiputera residents of Burmese, Eurasian, Portuguese, Thai and other ethnic origins.
In recent years there has been an official inclination to differentiate the population along religious lines. The most important distinction is made between Muslims and non-Muslims. The Malays are classified or regard themselves as Muslims. There are indigenous non-Malay Muslims in Sabah and Sarawak; sizeable numbers of Indian and Thai Muslims in Peninsular Malaysia; and a small number of Muslim converts of other ethnic backgrounds. Roughly, all other Malaysians are classified or regard themselves as non-Muslims. The Constitution provides for Islam as the official religion, but Malaysia is a secular state. There is freedom of worship with one critical proviso: non-Islamic proselytization among Muslims is proscribed.

The ethnic diversity, together with cultural, linguistic and religious variations, and patterns of residential settlement, has led to Malaysian society’s being characterized as a ‘plural society’ whose “ethnic cleavages” prompt politicians to “communalize” issues and policy-makers to discriminate explicitly or indirectly on the basis of ethnic differentiation.

*Ethnic Division of Labour*

A rigid “ethnic division of labour” defined the framework of ethnic relations. Colonial capitalism created patterns of uneven development and socio-economic disparities. At their starkest, patterns of interethnic inequalities were traceable to the organization of labour of different ethnic origins by separate sectors and pursuits, crudely captured by stereotypes of the “Malay farmer”, the “Chinese trader” and the “Indian estate labourer”. Post-1970 official terminology refers to an “identification of race with occupational function”.

The laissez faire capitalism of the early independent period could not redress “ethnic imbalances” in income distribution, incidence of poverty, employment and social mobility. Ignoring a high degree of foreign economic ownership and control (60.7 per cent of total share capital in 1970), and intraethnic inequalities, “ethnic perceptions of economic realities”, said a pioneering political economist, held that “the Malays are poor, the Chinese are rich”.

Dominant forms of political organization and mobilization came to revolve around a volatile juxtaposition of “Malay political power” against “Chinese economic domination”, with intense ethnic disagreements over economic, cultural, linguistic and educational issues.

*Ethnic Politics and Interethnic Cooperation*

The coincidence of an ethnic division of labour and an ethnic division of power was institutionalized in the Alliance that ruled from 1957 to 1969. The Alliance was a “standing” coalition of the United Malays National Organization (UMNO), the Malayan Chinese Association (MCA) and the Malayan Indian Congress (MIC). Its framework incorporated open ethnic politics, representation in elections and power sharing in government.

Each of the Alliance’s “component parties” was ethnic in its membership. Each professed to represent, safeguard or advance the political, economic and cultural interests of “its” community – in contrast to attempts (sincere or otherwise) by other parties to practise “multiracial” politics. Alliance leaders sought to cooperate and compromise in order to manage or minimize interethnic conflicts.

The Alliance ruled with a two-thirds or sizeable majority after all post-independence elections. The power-sharing arrangement at the Cabinet level was based on “ethnic-majoritarian” principles that ensured UMNO’s dominant position. Since the Malays formed
the largest proportion of the electorate, and UMNO won the largest share of the Alliance’s seats in Parliament, the Cabinet was dominated by the “party of the Malays”.

The Alliance ruled without interruption for twelve years, an indication that its blend of ethnic politics, representation and power sharing worked reasonably well as a governing “formula”. Yet, on 13 May 1969, Kuala Lumpur was engulfed by interethnic (Malay-Chinese) violence, commonly attributed to racial extremism that violated the independence compromise. The Alliance’s laissez faire capitalism could not resolve the destabilizing “race and class” contradictions of a persisting ethnic division of labour.

Part 2. Governance and a Transformed Public Sector

When the Alliance’s framework collapsed, its laissez faire capitalism was jettisoned. A New Economic Policy (NEP) was introduced. Its premises were that poverty, Malay resentment of interethnic “economic imbalances”, and non-Malay (especially Chinese) demands for political parity were to blame for “May 13”. The Alliance’s conservative economic management was replaced by state intervention to achieve two major objectives – “to eradicate poverty irrespective of race”, and “to restructure society to abolish the identification of race with economic function”. The NEP aimed to reduce the incidence of (household) poverty from 49 per cent in 1970 to sixteen cent in 1990. To “restructure society”, the NEP planned to raise the bumiputera share of corporate equity from 2.5 per cent in 1970 to 30 per cent in 1990, and to create a Bumiputera Commercial and Industrial Community (BCIC).

The state’s pursuit of NEP entailed socio-political departures from the Alliance period. An enlarged ruling coalition, Barisan Nasional (BN, or National Front) incorporated several opposition parties in a strategic move likened to “ethnic corporatism”. At the elite level, the BN practised a politics of “consensus” – a continuation of ethnic politics, representation and power-sharing but with UMNO’s position being demonstrably dominant.

Successive BN governments redefined the parameters of nationhood so as to entrench the dominant position of the Malay community vis-à-vis other ethnic communities. The Malay language became the sole medium of instruction in state schools. A Malay-Islamic culture was proclaimed to be the “national culture”. The educational system was reorganized to reflect the NEP’s priority of producing greater numbers of Malay graduates. UMNO’s leadership and officialdom all but identified poverty with rural Malay poverty. The NEP’s “poverty eradication” programmes rarely reached the non-Malay poor, including the urban poor and so-called “Chinese New Villagers”. The NEP’s architects planned high state-led growth to “restructure” without provoking a non-Malay sense of deprivation.

The Public Sector and the New Economic Policy

Under the NEP, the public sector took on a multiplicity of roles.

Provider of opportunities for Malays: The public sector gave aspiring Malay entrepreneurs financial assistance, credit facilities, contracts, preferential share allocations, subsidies, and training. It established new public universities and all-Malay residential schools and colleges at home, and sent tens of thousands of Malays, young students and mid-career officers, to universities abroad. This social engineering produced Malay entrepreneurs and capitalists, a Malay middle-class, and a considerable ‘bumiputera participation rate’ in the professions.
Regulator of businesses, both local and foreign: The public sector enforced compliance with the NEP’s “restructuring” by using legislative means and bureaucratic procedures. Generally, the NEP’s set a quota of at least 30 per cent bumiputera equity participation and employment.

Investor: The public sector raised Malay ownership of corporate equity by expanding its own ownership of assets. It established state-owned enterprises and bought into or bought up existing and new local and foreign businesses, and came to control the “commanding heights” of the economy – plantations, mines, banks, and real estate.

Trustee of Malay economic interests: State-owned agencies, banks, and funds sought, bought and otherwise held equity ‘in trust’ for the bumiputera.

In institutional terms, roles, the public sector, with its public enterprises, statutory authorities, state economic development corporations and their subsidiary companies, grew in size and resources, in all sectors of the economy. Several kinds of impacts on governance in the public sector resulted.

One was the increasing Malay, character of the civil service in terms of staff recruitment, training, deployment and promotion at the higher administrative and professional levels. The state’s management of education, especially tertiary education, was much ethnicized. Student enrolment in public institutions of tertiary education, the award of state scholarships, determination of fields of study, and recruitment of academic staff, et cetera, were subject to ethnic quotas and targets. Pre-1970 ethnic shares of enrolment in domestic polytechnics, colleges and universities were substantially reversed. Public tertiary education was identified with the NEP’s quotas that denied many qualified non-Malay students admission.

Governance and a Public Sector-Private Sector Divide

State intervention directly affected ethnic structures and patterns of inequalities. By 1990, although the NEP targets were not fully achieved, a BCIC of capitalists, professionals and middle-class elements had emerged. They diminished the rigidity of the ethnic division of labour and distribution of corporate ownership. But an ethnicized framework of administration and regulation created three sets of difficulties for public sector governance.

An ethnic public sector-private sector divide: This emerged with the application of ethnic quotas and targets to many socio-economic sectors. The public sector used price subsidies and discounts to offset “bumiputera lack of competitiveness” and to determine (differential ethnic) access to public services, allocations of public, and the regulation of private businesses. For Malay politicians and bureaucrats, the public sector’s objective of “social enterprise” balanced the private sector’s motive of “profitability”. Others contrasted “public-sector ineptitude” with “private sector efficiency”.

Within the BCIC, a public sector-private sector overlap: The borders between “Malay social enterprise” and “Malay private business” were blurred by the NEP “statist capitalism”. The NEP envisioned the state-sponsored creation of Malay capital. Its success depended on three requirements, besides adequate financial resources – UMNO’s political power to push the NEP agenda, Malay administrative capacity to implement the NEP, and individual Malay successes to vindicate the NEP. Over time, this axis of party, bureaucracy and class created a Malay public sector-private sector overlap that hampered governance.
After 1981, subordination to private sector: “Malaysia Incorporated” and “privatization” raised a new problem of governance. The Mahathir regime picked “winners” to spearhead its developmental programme. Several Malay conglomerates (sometimes in joint-ventures with non-Malay capital) became “politicalized oligopolies” that escaped stringent scrutiny and regulation. Technocratic and bureaucratic power was curtailed. The public sector was directed to assist or, more crudely, serve the private sector, (not least, Malay capital).

**A Longer View of an Ethnicized Civil Service**

A clearly Malay-dominated public sector that practises ethnicized governance raises many questions for public administration, including “responsiveness and legitimacy”, “effectiveness and efficiency” and a sense of marginalization among non-Malay personnel. Although “old school” elite Malay bureaucrats were credited with high professionalism, public perception, not confined to non-Malays, widely holds that the quality and performance of the public service has deteriorated, not least because ethnically influenced decisions on recruitment and promotions favoured less capable Malays over their non-Malay counterparts.

But Malay “over-representation” in the civil service antedated the NEP. With the ethnic division of labour rigidified under the Alliance’s non-expanding laissez faire capitalism, the civil service was a site for zero-sum type interethnic competition. The changes to public sector governance cannot be disembodied from a socio-political history that rarely kept apart considerations of “race, class and state”. The NEP did “abolish the identification of race with economic function” to an important degree but ethnicized governance reaffirmed an identification of ethnicity with politico-economic sectors: the BCIC depended upon the public sector for nurture; the non-bumiputera sought refuge in the market.

**Part 3. Representation, Power-Sharing and Domination**

The Barisan Nasional is the institutional emblem of a system that combines “open ethnic politics” with interethnic cooperation. The BN is not just the historical product of a political system in which ethnic appeals inform party programmes, political mobilization, and voting behaviour. The BN has used its uninterrupted rule to shape the political system and the electoral process according to the ruling coalition’s ideas and requirements.

The BN has not been monolithic or unchanging. But the BN has invented a discernible tradition and institutionalized mechanisms that contribute to the BN’s enduring strengths – a tested framework for managing interethnic politics within and outside the coalition, relatively stable allocations of opportunities for electoral representation, and functioning arrangements for power sharing at different levels of government.

The BN’s electoral advantages were only overcome at moments of crises. The BN also derives advantages from gerrymandered constituencies and a calibrated distribution of constituencies. The BN gained two-third majorities in Parliament that often did not reflect the BN’s shares of the popular vote. Only thrice has the BN received 60 per cent or more of the popular vote; only twice has the BN won less than 80 per cent of parliamentary seats.

The BN’s domination of the electoral process sustains the BN’s claims of securing interethnic cooperation and consensus-building. The BN has to distribute seats among fourteen members.
Having at least a two-thirds majority is akin to the NEP’s dependence on high growth to facilitate redistribution without provoking a sense of deprivation.

_Ethnic Representation_

Since voting behaviour is heavily influenced by ethnic concerns, the BN’s deployment of seat allocation as a mechanism of political representation validates the BN’s claim of practising “multiethnic politics” despite its members’ character. A disciplined adherence to this mechanism allows the component parties’ to enjoy a vital “mutuality of access” to one another’s largely ethnically defined, constituencies.

_Power sharing_

The BN maintains interethnic power sharing by translating ethnic representation in elections into ethnic representation in the Cabinets. Yet the BN Cabinets do not reflect an ethnically proportionate influence over policy formulation. A crucial feature is, the Prime Minister and his deputies would be Malays, and, since the mid-1970s, Malays have headed key ministries. For UMNO’s partners, BN membership holds out the hope of a party’s trading its opposition for some influence in government insofar as the party delivers the votes of “its” community.

_Majoritarian and Dominant: UMNO’s position_

UMNO’s domination is a “fact” of BN collaboration. UMNO has claimed that it can rule the political system on its own. The number of Malay-majority constituencies far exceeds all others. UMNO typically has a majority in Parliament. UMNO can contest and probably win more seats were it not expedient for UMNO to concede some “safe” seats to its non-Malay coalition partners, especially during the NEP period when non-Malay opposition was strong. In 1999, UMNO’s parliamentary representation was, for the first time, less than its partners’ combined number of seats. Then the BN displayed its depth as a “permanent” coalition by compensating UMNO’s setbacks. With UMNO not likely to suffer further decline presently, that 1999 result restored UMNO’s domination of the BN framework.
Main argument: Nigeria is a multiethnic country, characterized by educational, infrastructural, and socio-economic inequalities. These have found expression in the politics of the country, and in the composition of its bureaucracies. The country has creatively, if not always successfully, sought to grappled with its heritage of ethnic diversity and conflict. Policies ranging from power-sharing to the state promotion of inter-ethnic marriages have been pursued at various times. That Nigeria remains a single country today is attributable to this commitment to nation-building. However, most policies addressing the inter-group inequalities have not achieved their objectives, and have often become the focus of new conflicts. A paradox of modern Nigerian politics, therefore, is the resilience of ethnic mobilization in the face of repeated efforts at political engineering and nation-building.

Cleavages: The estimated population of Nigeria in 2001 is 116.6 million, making the country the most populous in Africa. The common myth is that Nigeria has 250 ethnic groups. Some estimates put the number at over 400. The sociologist, Onigu Otite, has provided an authoritative list of 374 ethnic groups. There is common agreement, however, that these ethnic groups are broadly divided into ethnic ‘majorities’ and ethnic ‘minorities’. The numerically – and politically - major ethnic groups are the composite Hausa-Fulani of the north, the Yoruba of the southwest, and the Igbo of the southeast. These three ‘hegemonic’ ethnic groups are popularly referred to by the generic term ‘wazobia’. Centres of large population concentrations coincide with the homelands of these three majority ethnic groups who constituted 57.8% of the national population in the 1963 census. That census has the Hausa at 11,653,000 (20.9%), the Yoruba at 11,321,000 (20.3%), and the Igbo at 9,246,000 (16.6). All the other ethnicities constitute different degrees of ‘minority’ status. There are ‘large minorities’ like the Ijaw, Kanuri, Edo, Ibibio, Nupe, and the Tiv. Eleven of such large minorities constituted 27.9% of the population in the 1963 census. However, since minority status is both a numerical and a political category, often underlined by administrative and economic disadvantages, the bulk of the over 200-odd minority groups shade into different degrees of ‘minoritiness’.

The ethnic cleavages often expressed themselves in regional cleavages, largely between the north and south of the country, ruled as separate administrative and legal entities by the British till the 1940s. Due to administrative changes tied to the abrogation of the Regions and the creation of states in 1967, Nigeria has subsequently developed a concentric pattern of 7 ethnic and political cleavages: between the north and the south; between the three majority ethnic groups; between these wazobia groups on the one hand and the minority groups on the other; inter-state rivalry between states, sometimes within and sometimes between ethnic groups; inter-ethnic rivalry in a mixed state composed of minority groups of different strengths or a segment of a majority ethnicity surrounded by minority groups; intra-ethnic rivalry within each majority ethnic group, sometimes also corresponding to state boundaries and sometimes within a single state; and finally, inter-clan and intra-clan rivalries, particularly in the southeast and the northcentral parts of the country. The most significant cleavages are, however, the first three. The inequalities between the north and the south and between the various ethnic groups are now expressed, not in the old regional terms, but in terms of states or zones. The Nigerian federation is currently made up of 36 states, which are then grouped informally into 6 zones. Broadly speaking, each zone can be given an ethnic identification, based on the majority of the population in that zone.
Ethnic Inequality and Public Sector Governance

Inequalities:

Education: Right from the beginning of British occupation, unequal access to western education has been a major source of inequality. By 1989, the three northern geo-political zones, with 52.8 percent of the population, had only 33.1 percent of the post-primary institutions, while the three southern zones with 46.8 percent of the population had 66.8 percent of the institutions. The discrepancy was particularly sharp for the two most northern zones, both of which had 39.2 percent of the population and only 15.6 percent of the institutions. This pattern of inequality is systematic throughout the educational sector; in 2000, only 19.7 percent of the intake of university undergraduates came from the three northern zones. The two most northern zones had only 8.6 percent of the admissions.

Manpower: The discrepancies in the levels of educational attainment are further reflected in the level of professional and manpower development in different parts of the country. In 1990, of the 6,407 engineers registered with the Council of Registered Engineers (COREN), only 129 or 2.0 percent are from the northern zones. Similarly, of the 1,344 lawyers called to the Nigerian bar in that year, only 196 or 14.6 percent are from the northern zones. Of the 669 registered estate surveyors, only five or 0.7 percent are from the northern zones. Only 160 of the 1,125 (14.2 percent) of the registered architects are from the northern zones. And out of the 522 registered firms of accountants, only 14 firms or 2.7 percent are thought to be established by people of northern origins.

Economic & Social: The educational and professional inequalities also coincide with similar economic and social inequalities. Of the total number of registered businesses between 1986 and 1990, 57 percent are in Lagos, located in the southwest, 16 percent in the north, 14 percent in the east and 13 percent in the core west. Inequalities in the social sector also mirror the inequalities in the educational and economic spheres. The northern states are behind the southern states in most indicators of social well-being. The northern states have more households without electricity, a lower proportion of their children in schools, a higher percentage of illiterate adults, a lower proportion of their women and children with access to healthcare. Amidst generally high levels of poverty, there seems to be a higher concentration of the poor in the northern states; it has been suggested that a third of Nigeria’s poor are concentrated in the three northwestern states of Sokoto, Kaduna and Kano.

Politics & Government Composition: As can be expected, the long-run patterns of overlapping inequalities have come to shape peoples’ life-chances and their political perceptions. They have also had a tremendous impact on the electoral politics of the country and the composition of different governments. Under conditions of scarcity, inequalities and uneven access to economic and political resources, ethnicity has provided a convenient platform for political mobilization. However, my analysis here is limited to an examination of political tendencies at the federal level, because of the enormous complexity of examining the multifarious tendencies at the state and local government levels. The first issue to note at the federal level is a correlation between ethnicity and the pattern of party formation. Secondly, there is a correlation between ethnicity and the voting behaviour of large sections of the electorate.

In a 1958 constitutional settlement, the Northern Region was assigned 50 percent of the seats in parliament. This per capita allocation of parliamentary seat meant that a northern majority was built into the governance system between 1959 and 1966, and this preponderance was reflected in the composition of the cabinet. In the period 1967 to 1979, the composition of the
Ethnic Inequality and Public Sector Governance

cabinets changed dramatically, largely because of the creation of states and the tendency to promote the equality of states in the composition of the cabinet. Many ethnic minorities hitherto excluded now got a voice. The 1979 to 1983 period witnessed the reassertion of a northern majority in the cabinet. Over the years, the share of each ethnic group or geopolitical zone in the cabinet has tended to change. In quantitative terms, the high periods of Hausa-Fulani domination of the cabinet have been the Balewa years of the early 1960s and the Shagari years of the early 1980s. The northern minorities, on the other hand, have done quite well after 1967. Except for the Murtala regime in 1975, the southern minorities have also done well since 1967. With the exception of the Shagari years, the Yoruba have also had a fairly proportionate representation in the cabinets. The one group that has not done well are the Igbo.

Qualitatively, however, the distribution of actual governmental powers might be different from the quantitative distribution of cabinet portfolios. Some have pointed out that, of the twelve heads of government Nigeria has had between 1960 and 2004, eight have been of northern origins, three of Yoruba extraction, and only one, Igbo. Of the twelve leaders, only Gowon can seriously be said to be of minority origins. This suggests that the north has been at the helm of affairs for a disproportionately long period. Another qualitative adjustment to our quantitative analysis is to take into account, the power of patronage and the political sensitivity attached to different cabinet portfolios. Based on these two criteria, we can see that there is an over-representation of northern ethnic groups in general, and the Hausa-Fulani in particular, in the very important portfolios, and conversely, their under-representation in the less important portfolios. On the other hand, the southern ethnic groups, but particularly the Igbo, and to a lesser extent, the Yoruba, seem to be under-represented in the very important portfolios and over-represented in the less important portfolios. The numerical balance of ethnicities and regions in the various cabinets has to be interpreted in the context of this distribution of real power within the cabinets.

Composition of the Federal Public Sector: The ethno-regional segmentation of the Nigerian public sector is shaped by the inequalities in educational facilities and attainment. The southern zones, particularly the southwest are over-represented, while the northern zones, particularly the most northern zones of northwest and northeast, are under-represented. The higher percentages for the northwest and northeast in the directorate of the FCS are the result of political and policy interventions.

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Nigeria Summary

55
Ethnic Inequality and Public Sector Governance

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Reforms & Policy Instruments:

Quotas: From 1966, we begin to see the elaboration of an agenda to address the inequalities in the Nigerian public sector: (1) the dismantling of the old regions and their replacement with 12 new states in 1967; (2) the nationalization of the political space by the dismantling of the relics of feudal power in the north, and the defeat of the Igbo-led Biafran secession; and (3) the informal introduction of state, but not ethnic, quotas, as a basis for representation. Representation on the cabinet was based on informal state quotas, and many previously excluded minorities were now incorporated into government. The increase in governmental powers after 1975 was matched by a high profile for bureaucrats who had a role in the allocation of resources. State governments began to agitate for representation in the directorate cadre of the FCS in the hope of getting their concerns onto the federal agenda. This concern for representation at the very top was soon extended to the rest of the service. The agitation by states for representation in federal institutions soon resulted in the introduction of state quotas in the educational system.

The quota system in the educational system aimed specifically to change the structure of elite recruitment, by changing the composition of the input into the educational system. The quota system that emerged has four components, each weighted differently, depending on the level of the educational system. These components are: (1) academic merit, (2) educationally less developed states, (3) catchment area, or the immediate surrounding states of the educational institution, and (4) the discretion of those running the institution in question. While academic merit was determined by the applicants’ results in external examinations such as the West African Examinations Council or the Joint Matriculation Examination, the educationally less developed states and the catchment area of each institution were determined by the government and handed down to the institution.

Executive Presidency: The 1979 Constitution is important for the number of innovations it sought to introduce into the management of inter-ethnic relations within the Nigerian state. Principal among these were: (1) the introduction of a majoritarian executive presidency with a nation-wide constituency as an antidote to regional and local sectarianism; (2) the setting of new power-sharing rules for the appointment of public officers, dealing specifically with the ethnic composition of public bodies, that is, the Federal Character Principle; (3) and the establishment of new pan-ethnic majoritarian rules to govern the formation and conduct of political parties, and the electoral process in general. Federal powers were greatly enhanced at the expense of the constituting states, and the president who was the centre of this centralizing tendency would ‘test his standing as a national figure’ through building the requisite majoritarian alliances across the country. An important aspect of this all-powerful presidency is the rule governing the conduct of elections; to be elected President, a candidate must: (1) get a majority of the votes cast at the election; and (2) and meet a threshold of not less than 25 percent of the votes cast in at least two-thirds of the all the states of the federation.

Political Parties: In the period leading to 1966, Nigerian political parties were invariably organs of ethnic or ethno-regional political forces. The 1979 Constitution sought to break the
connection between ethnicity and party formation by bringing the formation of parties under federal control, and stipulating the conditions aspirant parties were to meet before they could be registered. The thrust was to force erstwhile regional political forces into building wider national majoritarian alliances. Some of the relevant provisions of Sections 201 to 207 of the 1979 Constitution are:

- membership of political parties must be open to every citizen of Nigeria irrespective of his place of origin, sex, religion or ethnic grouping;
- names, emblems and mottos of parties must not contain ethnic or religious connotation or give the appearance that the activities of the parties are limited to geographical areas of the country;
- the headquarters of parties must be located in the country’s Capital Territory;
- constitution of political parties must ensure that members of executive committee or other governing body reflect the federal character of the country;
- members of the executive committee or other governing body shall be deemed to satisfy the requirement of federal character only if the members belong to different States not being less than two-thirds of all the States comprising the Federation;
- the programmes, aims and objects of parties must conform with the provisions of the constitution on Fundamental Objectives and Directive Principles of State Policy.

The Federal Electoral Commission also insisted that each party must have functioning offices in at least two-thirds of the states. Despite these stringent rules, the old ethno-regional parties reincarnated themselves in 1979, taking due care not to openly transgress the new rules. Though sectionalism and ethno-regional mobilization had not changed, important changes had nevertheless been forced on the parties by the new rules. All eschewed open appeals to sectarianism, and they tended to behave like national parties.

Federal Character: The emphasis on representation and power sharing after 1966 was given constitutional backing in 1979 under the Federal Character Principle. The drafters of the constitution were of the opinion that the fear of domination or exclusion were salient aspects of Nigerian politics, and that it was essential to have specific provisions addressing it. Accordingly, Section 14, sub-section 3 of the 1979 Constitution stated:

The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that government or in any of its agencies.

It has been suggested that the actual implementation of the federal character principle was marked by arbitrary appointments and removals. Many southern civil servants came to see the policy as a tool for depriving them of their jobs. Frustrated career expectations were also blamed on the policy, and southern applicants saw it as a discriminatory barrier. Serious damage was thereby done to the esprit de corps of the civil service. While some praised the policy as the ‘cornerstone of ethnic justice and fair government’, others condemned it as ‘geographical apartheid’. Another problem with the application of federal character is that it is based on the principle of the equality of states, when that is only one cleavage in the Nigerian system. Important cleavages ignored include persisting ethnic, religious, regional and local differences. Indeed, the minority rights activist, Ken Saro-Wiwa, called for a federal
character based on the ethnic group as the only criteria that will serve the needs of minority groups. Despite the tensions surrounding its application, the federal character principle has been reaffirmed and even extended in all subsequent constitutions.

Conclusion: Since 1966, the efforts at reforming inter-ethnic relations in Nigeria have had only a limited success. The reforms have fundamentally transformed the Nigerian state, but without directly solving the problem of ethnic mobilization and conflict. As a consequence, there is still a plethora of grievances from the various ethnic groups. Much of the politics of Nigeria after 1999 is informed by these inflamed passions. However, it might be argued that the real problem lies not in the marginalization of this or that group per se, but in the inadequate formulation and/or implementation of previous reforms, their politicization, and the rising pressures of poverty.
Ethnic Inequality and Public Sector Governance

Ray Anere

Papua New Guinea

1. Argument

Papua New Guinea (PNG) is a fragmented, multipolar society with more than 800 different ethnic groups. Almost 80 percent of the population lives in rural, clan and tribal-based communities. No one group, however, is large enough to dominate the public sector. There is relative balance in the representation of ethnic groups in the parliament, political parties, cabinet and the civil service. Unfortunately, there are problems of effective representation and good governance. The party system is weakly institutionalized such that individuals and personalities are more important than political parties in electoral politics. There is some socio-economic inequality between regions and provinces suggesting that some ethnic groups are better endowed with resources than others. Differences in the level of resources, combined with the resilience of clans, helps to render more importance to individuals as political parties do not adequately address the needs of the many different groups in elections. And although there is some rough ethnic balance in the public sector, competition for representation is highly ethnic as voters support clansmen and women rather than political parties. The end result is increased numbers of candidates, high turnover of governments and local violence. The electoral system of first-past-the-post and the Westminster system where MPs can become ministers may account for this outcome. Traditional values are not only resilient; they also penetrate the state thus compromising the latter’s ability to maintain adequate levels of legitimacy and loyalty from the citizens.

2. Ethnic Balance in Public Sector Institutions

Data on political parties suggest that PNG does not have mass-based parties. At best the political parties are urban-based elite creations. There is no ethnic domination of positions in party executives as well as in the selection of candidates in elections. The argument that no one ethnic group is large enough to dominate the public sector generally holds true also for political parties. However, one must not be deceived into thinking that the absence of ethnic domination implies adequate representation - far from it. Table 14 clearly shows that successful party and independent candidates win their seats by low votes thus strongly suggesting that the political parties do not adequately represent any one of the 109 electorates. They fall short of the standard Western perception that political parties are vehicles for translating public demands into alternative policy preferences. And since political parties do not matter much at the electorate level, it hardly comes as a surprise that voters do not take their ‘policy platforms’ seriously. In short, there is some ethnic balance in the recruitment of candidates by parties but there is also a serious lack of representation of the various groups at the parliamentary level as successful party candidates win their respective seats by a simple plurality of votes. Put differently, political parties do not ‘win’ seats by majority votes in PNG elections.

Once again, the argument that no one ethnic group is large enough to dominate the public sector generally holds true in terms of the membership of parliament. Table 15 provides a rough guide on the number of MPs or seats a province can have in parliament. There is a general provincial and regional balance in the membership of parliament through elected
representatives. However, many ethnic groups may not be adequately represented in any one term of parliament as successful candidates win seats by a minority of votes. Accordingly, the PNG parliament may not be seen as a representative institution as much as the political parties because the same MPs who win seats for parties (or as successful independents) are also ‘representatives’ of various electorates in parliament. Fundamentally, the PNG parliament is predicated on a minority of the popular vote. Socio-economic inequalities discussed in the manuscript have come about or are reinforced partly as a result of inadequate representation in both parliament and in the political parties. It is not a surprise, therefore, that parliament has become an institution for the unmaking of governments through the vote-of-no-confidence mechanism, sometimes as many as 5 times in a five-year term, while the voters and electorates make and unmake governments once every five years through elections. In PNG’s multipolar and fragmented society, provincial and regional balance in the membership of parliament may camouflage the issue of adequate ethnic representation.

Like the political parties and parliament, no one ethnic group dominates the cabinet. The argument above is generally reinforced here. Table 20 suggests that cabinets have always been inter-ethnic, inter-provincial and inter-regional in their composition. Prior to the passage of a law in 2000 to regulate the formation of government, constructing a coalition had always been based on political horsetrading thus making the actual composition unpredictable.

The absence of majority votes by political parties and by parliament in any one election has meant that opportunities frequently arose for political maneuvering, party hopping and for a change of government during the life of a parliament. The cabinet has thus been rendered an unstable institution of representation over the past 29 years of independence. It (the cabinet) has become the target of the parliament’s and fundamentally the political parties’ ultimate weapon - the vote of no confidence in the prime minister.

Under the Westminster model, the fusion of the executive with the legislature has produced a contagious effect where the parties’ and parliament’s role in the unmaking of governments has led to the instability of the executive. In essence, the political parties and the parliament are faced with the problem of the *scope* of representation, while the cabinet is faced with the problem of the *stability* of representation of the 800 plus ethnic groups.

Lastly, the civil service has also not been dominated by any one ethnic group. Thus the argument that in PNG, no one ethnic group is large enough to dominate the public sector is generally true for the political parties, parliament, cabinet and the civil service. (The largest ethnic group is less than five percent of the national population.) Table 22 shows that the composition of the senior management of the civil service is made up of senior officials of various ethnic groups.

One problem facing the civil service is the politicization especially of the senior management. Ministerial interference in the decisions and programs set by civil service organizations continues to exist such that the morale of civil servants fluctuates thus affecting their productivity and professionalism. Politicization is a carry-over effect of executive instability brought about by the maneuverings of political parties and the parliament’s role in the unmaking of governments. Once again these attributes point to the contagious nature of the Westminster model. Interference in the decisions and programs of civil servants compromises the ability of the civil service for consensual outcomes in terms of resource allocation and effective service delivery. In short, no one ethnic group dominates the civil service, however, it does face a problem of *quality* of representation of the various ethnic groups owing, among
other things, to political interference. Socio-economic inequalities discussed in the manuscript are to a great degree perpetuated by the lack of effective service delivery.

3. Rules and dynamics that shape the outcomes

The party system in PNG is unstable and revolves around personalities. There are no ideological or class-based parties. MPs switch from one party to another whenever they like (party hopping) to suit their interests often without justifying their move on the basis of the needs of their electorates. From 1975 to 1999, there were no rules to regulate the behaviour of political parties although they were registered under an Articles of Association Act – a law designed to register companies and other public sector organizations. The political parties lacked commitment from their own parliamentary members. All MPs want to be in government – a desire that led to the making and breaking of parties through political horsetrading. It was only in 2000 that a law called the Organic Law on the Integrity of Political Parties and Candidates (OLIPPAC) was approved by parliament, as provided for in Section 129 of the national constitution. This law enabled the Registrar of Political Parties to regulate the behaviour of parties with the view to making them more stable.

In terms of law making, the Parliamentary Standing Orders provide the rules by which to conduct parliament sittings and to regulate the general behaviour of MPs when parliament is in session. There are also committee rules to guide the operations of parliamentary committees that deal with various aspects of the parliament’s function of law making. All MPs and ministers of cabinet are subject to the Leadership Code, the Organic Law on the Duties and Responsibilities of Leadership, and now OLIPPAC in the conduct of their official duties. Self-interest and corruption have led to the dismissal of some as ministers and/or as MPs and to voluntary resignation. Whilst such rules have generally been followed, the parliament itself has been rendered unstable through political party maneuverings, party hopping and the use of the vote-of-no-confidence provisions in the constitution to oust an incumbent prime minister. In the past parliamentary debate on certain issues has been gagged by the executive as a result of tension between the two.

Formation of government and in particular the cabinet is based on political horsetrading and loose alliances of parties and independents rather than on established procedures and rules. This is because no single party has ever won an absolute majority of votes in any one election. In turn, this situation has led to the unpredictability of the composition of both government and cabinet at least from 1975 to 1999. Change of government/or prime minister through the vote of no-confidence mechanism, plus party hopping, have led to executive instability. Self-interest and corruption play a big part here. The entire process of representation is thus affected as a result.

The civil service is bound by certain rules such as the Public Service General Orders, the Public Service Management Act and the Public Finance Act. While such rules have generally guided the civil service in the delivery of basic services, political interference in the form of political appointments, dismissals and even nepotism have undermined the morale and professionalism of civil servants. Patronage and political bias have penetrated the civil service thus compromising its neutrality to some degree. By implication, such practices have perpetuated the wider socio-economic inequalities.

4. Institutional arrangements and policies for managing the ethnic cleavages and inequalities
The real test for OLIPPAC 2000 was the 2002 parliamentary elections. There was some sense of ‘discipline’ among the political parties in that each party endorsed one, and not two or more, candidate per electorate. Candidates were also prevented under the law from seeking endorsement from two or more political parties. Imprisonment and financial penalties would apply if the candidates and political parties behaved otherwise. The formation of government and the cabinet was more predictable than in the past (1975-1999) as the party with the highest number of endorsed candidates elected was invited by the Governor General to form the government as required by the law. While OLIPPAC is not able to correct all of the problems associated with political parties, it does have a minimizing effect. For example, it discourages ethnic groups whose clansmen or women are contesting elections from seeking double or multiple endorsement from the political parties. OLIPPAC also ensures political equality between candidates. This is done by not allowing double endorsement by any one party in any one electorate.

OLIPPAC also has a stabilizing effect. It makes it difficult for parliament, through the political parties, from entertaining a vote of no confidence in the prime minister. MPs, and by implication, political parties, who voted for the prime minister can not, under the law, vote against the government’s budget or any changes made to the constitution and to the organic laws of parliament. Accordingly, OLIPPAC may be seen to be enhancing the stability of both the parliament and the executive. In this regard, the parliament and executive will concentrate better on law making and decision implementation hopefully aimed at addressing the wider socio-economic inequalities.

Public sector reforms began in 1999-2000 at the prodding of the World Bank and IMF. OLIPPAC, limited preferential voting (LPV) replacing the first-past-the-post voting, and public service reforms are some of the new policy measures put in place to ensure better accountability, transparency and good governance or management of the public sector in PNG. For the public service, new policy measures now give greater powers and independence to the Public Services Commission to make appointments to senior civil service positions, even dismissals, thus eliminate political appointments and interference in the civil service. Such measures are aimed at protecting the integrity, and promoting the professionalism and productivity of the civil service.

In short, the public sector reforms begun in 1999-2000 have yielded some positive benefits by ensuring better management of the public sector, the ethnic cleavages and inequalities in PNG.
Switzerland

1 Ethnic structure and cleavages in Switzerland

Today Switzerland is known to be a country with an outstanding political stability and an absence of serious societal conflicts. Though, Switzerland is by far not a country without conflicts. Modern Switzerland was not created by one homogeneous ethnic people, but by different ethnic groups speaking different languages and following different religions. The process of nation-building, industrialisation, urbanisation and modernisation were accompanied by societal conflicts just as in other countries. Still today some societal cleavages play an important role in Swiss politics, the ethno-linguistic cleavage is one among them.

The 1848 Constitution federated the peoples of 25 cantons with different historical background, religion and culture, dividing into four ethno-linguistic groups. Today about 70 per cent of the population speaks German, 22 per cent French, 7 per cent Italian and less than one per cent Romansch, a minor language largely descended from Latin and spoken in a few alpine regions in eastern Switzerland\(^1\). The linguistic groups are clearly divided by the sub-national units in such way as most of the Swiss cantons represent an overwhelming majority of one linguistic group. Hence, one distinguishes between the 16 German-, the six French- and one Italian-speaking cantons.

On the one hand the ethno-linguistic cleavage never became as crucial as the question of religious minorities for instance, which resulted in the “cultural struggle” (Kulturkampf) and went beyond religion to different views of society (Linder 1998: 19, 22). Corresponding to these historical findings, today’s public-opinion polls show that currently the Swiss population sees the linguistic differences much less as a critical problem. On the other hand the linguistic-cultural differences persisted until today, are still visible in the society and give frequently reasons for discussion. Several publications document for instance the cultural differences between the French- and the German-speakers. Thus, the Latin minorities tend to support more vigorously social-democratic and federalist values, additionally Italian-speakers seem to be exceedingly conservative. Accordingly, public opinion between the ethno-linguistic groups differs particularly in three subject areas: in the relation between the cantons and the federation, in social policy, and in the relation with foreign countries, where the latter is probably the most important “source of division” (Kriesi et al. 1996: 71, 94). Furthermore, authors state a process of drifting apart, or the economic predominance of the German speaking part of Switzerland (Kriesi et al. 1996; Du Bois 1991; Favez 1983; Knüsel 1994; Ruffieux 1983). These contrasts are not always and only partially virulent. But they can after a period of latency reappear on the political agenda. For instance, in the 1990s the results of some important popular votes showed an increasing dissent between the French and the German speaking part of Switzerland.

It is rather interesting to note that even the perception of these differences varies among the ethnic-linguistic regions. While a majority of the German-speakers considers the divide between French- and German-speaking Switzerland – the so called “Röstigraben” – to be of no real importance, in the eyes of the French-speakers the differences are quite salient (Kriesi et al. 1996: 64). Hence, this is another evidence for the ethno-linguistic cleavage to be still significant.

\(^1\) If the total resident population – foreigners inclusive – is considered, the percentages change slightly: 65 per cent German, 20 per cent French, 6 per cent Italian, 0.5 per cent Romansch (BFS 2003).
As table 1 shows the multiethnic character of Switzerland reflects in the composition of public authorities and administration, where the ethno-linguistic groups are represented according to their shares of population. Actually, the principle of proportional representation of the different ethno-linguistic groups is observed to a high degree at all levels of government and also in the political parties. Both the political authorities and the administration linguistic representation has even developed in favour of the French- and Italian-speaking minorities during the last thirty years in such a way that at the beginning of the 21st century the linguistic minorities are even slightly over-represented in comparison to their shares of population. Thus, despite the persistence of the cleavage the equality and non-discrimination of the ethno-linguistic minorities is well respected in the federal political system.

Table 1: Proportional representation of ethno-linguistic groups in public authorities and administration

<table>
<thead>
<tr>
<th>Representation in the</th>
<th>German</th>
<th>French</th>
<th>Italian</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population (Swiss citizens only)</td>
<td>74.5</td>
<td>73.4</td>
<td>20.1</td>
</tr>
<tr>
<td>Federal Council</td>
<td>65.7</td>
<td>57.1</td>
<td>28.6</td>
</tr>
<tr>
<td>Federal Court</td>
<td>66.7</td>
<td>28.6</td>
<td>6.6</td>
</tr>
<tr>
<td>National Council</td>
<td>74.0</td>
<td>22.0</td>
<td>4.0</td>
</tr>
<tr>
<td>Council of the States</td>
<td>71.7</td>
<td>23.9</td>
<td>4.4</td>
</tr>
</tbody>
</table>

Federal administration
- All personnel
  - 1970s: 76.5%
  - 1990s: 74.1%
- Top management
  - 1970s: 78.8%
  - 1990s: 72.2%

Expert Committees
- 1970s: 76.9%
- 1990s: 68.1%


Note: The share of Romansch-speakers cannot be evaluated systematically. However, in bodies with only a few seats as for instance the Federal Council it can be considered as “proportional” that the Romansch-speakers with a population share of less than one per cent have no seat. Contrary, the example of the general administration, where today 0.4 percent of the employees speak Romansch (http://www.personal.admin.ch/themen/bupers/d/kennz.htm), suggests that generally the proportional representation of the Romansch-speakers is warranted too.

Likewise can be said in respect to public policy, where a high value is conceded to the non-discrimination and self-determination of the different minorities. As a result, public policies vary considerably among the cantons reflecting different regional preferences and concerns. Summing up, one can say that the integration of structural minorities into the political system on the one hand, and regional autonomy on the other are the key to the Swiss success in achieving political and societal stability. Actually, both elements are based on the Swiss political system that will be focused in the following chapter.

2 Dealing with structural minorities: Consensus democracy and the high value of non-discrimination

The political institutions in Switzerland are conceived to guarantee for the non-discrimination, participation and representation of the different cultural minorities at all levels of the political system. The first paragraph will dwell on this aspect of political input to the system. Whether similar conditions are given in reference to the output level of the system, that is in public policies and services, will be shown in the second paragraph.

2.1 Political institutions: the Swiss Consensus Democracy
Together with the United States and Canada, Switzerland is one of the three classical federations. Its institutional structure consists of a three-level government: the federation, 26 cantons and about 3000 communes. The cantons as well as the communes are characterised by a full political organisation with the separation of powers, by a constitutionally guaranteed political autonomy and by their right to impose taxes for their responsibilities. Furthermore, these federalist structures are combined with proportional representation and direct democracy in a system of power-sharing. Instead of the majority rule, the election system is proportional, the government is composed of coalitions that are representative beyond a simple majority, and political consensus is sought among all pluralist forces. Thus, as a whole, Switzerland corresponds very well to the type of the so-called consensus democracy. In the following, the three principle items of Swiss consensus democracy and their consequences on the protection of the ethno-linguistic minorities shall be discussed.

**Federalism**

Considering a multicultural society with different preferences and interests, the Constitution of 1848 came up to a bottom-up nation-building, characterised by non-centralisation. Only few competencies were given to the central government, such as the defence and the foreign relations, while the cantons kept the utmost political autonomy and statehood with their own constitutions, their own right of taxation, and their own responsibilities. Until today, the central government cannot get any new competencies or responsibilities without the explicit consent of the cantons. Federalism, in this context, means a vertical power-sharing device. It allowed the cantons - and therewith the ethno-linguistic groups - to keep their own traditions, their cultural as well as their political identity (Linder 2002b: 6).

The Swiss cantons take an active part in the decision-making processes at the national level, be it amending the constitution, new legislation, or the implementation of federal affairs. Through full bicameralism consisting of two legislative chambers, the cantons have their say in federal legislation. To become valid, a parliamentary decision needs both the majority of the National Council representing the people and the Council of the States representing the cantons (Jaag 1976). Each chamber has the same competencies and deliberates all issues one after the other.

Thus, federalism is and was a crucial element of the Swiss political system in order to integrate the linguistic and cultural minorities. Without federalism and its principle of dividing power between the new central government and the cantonal authorities, and without the federal promise to maintain regional differences and autonomy, the historical process of the 19th century would not have resulted in a successful nation-building. Moreover, federalism helped to overcome the strong political cleavages of religion and language in a peaceful way (Linder 2002b: 16). And even today, federalism allows maintaining a certain cultural and political autonomy at least within the cantonal borders.

**Proportional representation**

Proportional representation of structural minorities in nearly all federal institutions (see table 1) is a kind of a general key to power sharing in Switzerland, in the sense that it opens many doors to political participation. In the first line proportional representation is a veto point for minorities: instead of realising the principle of “the winner takes all”, proportional rule gives a voice to all the groups. But what is at least as important is the high symbolic value of proportional representation. In segmented societies the relation of different groups is often characterised by isolation of minorities, by mutual prejudice and mistrust. By rejecting the idea of hegemony of a single culture proportional representation can be a means to replace these tensions with mutual recognition, which in turn is a prerequisite for “rational” conflict solutions (Linder 2002a: 22).

**Direct democracy**
An important element of the Swiss political system is the mechanism of direct democracy. In the context of minority protection one aspect or effect of direct democracy is crucial: Direct democracy is another powerful veto point and thus a constraint for power-sharing. By using the referendum a relatively small group of citizens can successfully block the legislation process. Thus, it is essential to find solutions that are acceptable for all cultural and societal groups in order to reduce the risk of a referendum challenge. This logic not only resulted in the integration of the main political forces into a governmental coalition, but it led also to a legislative procedure, where different interests and concerns must be integrated. Furthermore, this kind of power-sharing cannot be abandoned without changing the institutions. As long as the referendum exists it will act as a constraint on all political actors. They are bound to look for compromise, even in cases of major conflict. Hence, direct democracy is one of the main reasons why power-sharing is always observed in Swiss politics.

2.2 National policies of public services: between non-discrimination and equalisation

There are three basic principles that highly influence public policy in Switzerland. First, it is the principle of contribution and benefits, which relies on the idea that people have to contribute to a policy in order to benefit from it. The second basic principle is subsidiarity, meaning that public intervention and public help should only occur in situations where the society is not able to solve a problem or achieve a goal. Finally, one has to mention the bottom-up organisation as a third basic principle of Swiss public policy.

The study shows that the provision of public goods and services based on these principles highlights the non-discrimination of the structural minorities in Switzerland. Public benefits may be bound to some criteria like contributions, but they do not depend on ethnical characteristics. And, subsidiarity and the bottom-up organisation offers opportunities for living “differently”, and for giving regional tradition and culture additional backing by having their own governmental regulations, services and facilities.

However, the example of Swiss Welfare State illustrates well that there is kind of a trade-off between this far reaching non-discrimination – and even stronger: regional autonomy - and the equalising effect of public policies. On the one hand non-discrimination requires being responsive to the diverging interests and requests of the different cultural, societal or ethnic groups. But at the same time exactly these individual or regional solutions make it difficult to realise equalisation of these groups, or they even induce equality between them. Actually, it is not possible to maximise both the regional autonomy and equalisation, but it is a question of political preferences and interests, whether the one or the other element is prioritised. Hence, in Switzerland the equalisation effect of public policy in terms of equal conditions of living is often limited to the federal obligation for the cantons to be active in a particular policy. However, most Swiss would not see this as a failure of Swiss public policy, rather they see this lack of equalisation as the expression of different political preferences and a high esteem for political autonomy and self-determination.
Literature


Ethnic Inequality and Public Sector Governance

Julius E. Nyang’oro

Tanzania

The argument:

Tanzania is an ethnically fragmented polity consisting of at least 120 ethnic groups. Many of the ethnic groups consist of less than 500,000 people, although there are groups such as the Sukuma and Nyamwezi who number close to 4 million out of a population of 40 million. One distinguishing feature of ethnic groups in Tanzania is that although theoretically everyone belongs to an “ethnic” group, the primary identity claimed by almost everyone is that of being Tanzanian. Only 3 percent of Tanzanians identify themselves in terms of some ethnic group.

Several reasons account for the situation. First, even before the creation of the country under colonialism, there was great fluidity among “ethnic” groups in what eventually became Tanzania. Second, the nationalist project led by Julius K. Nyerere, the country’s first President, emphasized a pan-territorial agenda for struggling against colonialism. The nationalist project was based on a cross-ethnic appeal that highlighted the common interest of all Tanzanians, vis-à-vis the colonial system. Third, without one or two dominant groups in the country, the need for cross-ethnic unity was easily demonstrated by prospects of small groups struggling alone against the mighty colonial system. Fourth, soon after independence, the government adopted egalitarian social policies which sought to, and had the effect of, minimizing ethnic conflict. Thus Tanzania is a classic case where an overarching nationalist ideology has been able to overtake primordial ethnic identification.

The lack of sharp ethnic cleavages in most of Tanzania however, should not minimize the dangers present in Zanzibar as a result of ethnic differences between the three principal groups: Africans, Shiraz and Arab. Yet even with the existence of these “distinct” groups, scholars point to the evolution of a “Swahili culture” which effectively neutralizes the ethnic differences.

The above narrative leads to an inevitable conclusion. Government policy has had an effect on the population primarily on the basis of socio-economic conditions as opposed to racially or ethnically inspired decisions. Cleavages are beginning to occur as a market driven development strategy take shape. This development is prompting a renewed debate on the type of socio-economic change and governing structure Tanzania needs to adopt in order to protect the economically weak class, which happens to be the majority of the population. Parliament, which in theory is supposed to be the people’s watchdog vis-à-vis the government, is itself fairly weak. Thus, Tanzania’s population suffers from weak representation. This makes the governing structure of the country less than satisfactory. Tanzania is an interesting case because on the surface, one would expect sharp cleavages and tensions in the political system, but the opposite has been the case. There are good lessons to be learned here.

Tanzania Summary
The paper examines the problems of inequality and representation in the institutions and practices of governance in the multi-ethnic state of Trinidad and Tobago. In the typical Third World environment, such as Trinidad and Tobago, multiple fundamental fissures exist along the axes of race, religion, language, region, values etc so that the state is only a legal artefact under which resides a multiplicity of sociological nations each with its own institutions. How to discover and adapt democratic principles and institutions to these environments is the most challenging problem of governance today. At independence granted to Trinidad and Tobago in 1962, the governmental system bequeathed by Britain was anything but an arrangement that guaranteed the fulfilment of the political and cultural aims of the ethnic communities in the state. Indeed the inherited British parliamentary system was erected on a zero-sum competitive party system that tended to inflame ethnic passions and apportion privileges very unevenly. This internal contradiction in Trinidad's polity stood as its most potent threat to stability of the society. Ethnic dominance in government and identity politics in society bedevilled governance and soon became a way of life fraught with an immense undercurrent of sectional alienation for the losers in the competition for recognition and resources. Each election that came tended to raise anew all the unresolved issues of ethnic equity much of this related to institutional appropriateness in a plural society.

The paper presents the empirical evidence related to the representation of ethnic communities in the government apparatus (the civil service, the legislature and the presidency) as well as in the private sector of the state. It demonstrates the existence of great disparities in the distribution of jobs and resources throwing the society into perennial invidious ethnicised struggle for shares and control of the government. The ethnic diversity in Trinidad needed not become confictual setting one ethno-cultural community against another in a deadly form of rivalry that threatened national unity and stability of the state. There is nothing inevitable about ethnic pluralism leading to ethnic conflict. As a genre of collective behaviour, group identity in a multi-ethnic state is exposed to a multitude of forces some conducive to inter-ethnic cooperation and others destructive of inter-communal amity. Among the institutions which have become implicated, justifiably or not, on the list of negative forces in the democratic politics of multi-ethnic states has been a particular variant of the electoral system: the first past the post simple plurality mode in which in the aggregate the winner of a majority of seats takes all. Simply, the system is referred to as “The Winner takes All”. I argue that this electoral system has played a critical role in deepening the communal divisions in Trinidad. Because communal identities are at stake for in defeat, the vanquished may witness the marginalisation of its way of life. Consequently, elections tend to elicit fearsome primordial responses and deeply divisive fears in culturally fractured states. Consequently, the electoral device becomes larger than its original purpose designed for selecting decision-makers. In Trinidad, it was charged that elections became an arena of contesting identities enmeshed in a threat of ethnic domination. The political campaign for office is particular moment when the ethnically-based parties organise and mobilise their supporters in a manner that exploits sectional differences with claims and fears accentuated beyond reason. The first past the post electoral device with its characteristic winner takes all property was imported into Trinidad from British roots, an environment radically different in social structure from Trinidad. The adaptation of the electoral device to the multi-ethnic society in Trinidad has left important questions unresolved about the roles of representation, identity, integration, citizen commitment, and government accountability traditionally assigned to the electoral system.
Governance, to be legitimate and win widespread citizenship allegiance, must be inclusive in a system of sharing power at all levels of government including cabinet, parliament, the public bureaucracy, local and regional authorities etc. Perhaps, the most crucial institutional design points to the need for powersharing in a consensus-oriented order.

Powersharing and coalition systems underscore the idea that governance is about resolving collective problems peacefully through compromises and exchanges in which divergent interests are articulated and accommodated in the political institutions and practices of the state. This process is all the more critical in those societies that are deeply divided by race, religion and ethnicity such as Trinidad and Tobago. In the finally section of the paper, we address the mechanisms and modes of ethnic conflict management and regulation which exist in the Trinidad polity. Many practices and institutions are now available from our stock of knowledge on ethnic conflict regulation and management that can be applied to the ethnic strife in Trinidad. This runs the gamut from symbolic mechanisms to substantive entitlements. In this section, we look at a number of these mechanisms and institutions in relation to the Trinidad case.