

# **United Nations Forum on Minorities and Political Participation**

## **Discussion Paper on Obstacles to the Effective Political Participation of Minorities**

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Minorities are vastly underrepresented politically in most countries. Even when they are able to participate in political life, minorities are often constantly outvoted by the majority in public decision-making, especially in ethnically sensitive issues. To put it in the words of Alexis de Tocqueville in *Democracy in America*, minorities are subject to the tyranny of the majority.

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Alexis de Tocqueville, *Democracy in America*:

...all parties are willing to recognize the rights of the majority, because they all hope at some time to be able to exercise them to their own advantage. The majority in that country, therefore, exercise a prodigious actual authority, and a power of opinion which is nearly as great; no obstacles exist which can impede or even retard its progress, so as to make it heed the complaints of those whom it crushes upon its path.... If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority, which

may at some future time urge the minorities to desperation and oblige them to have recourse to physical force.

Sometimes however, it is much more than that: the ability of minorities to vote, to be a candidate during elections, or even to form political parties, is actively restricted. They are at times not allowed or seriously disadvantaged in becoming voters or in being elected to political office.

In a few countries, certain minorities have been denied or tend to find it very difficult to become citizens in their country of birth, usually because of religious, linguistic or ethnic criteria. Without citizenship, they are almost completely excluded from any meaningful political participation. Unfortunately, this still occurs as you can see here.

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## **Political Exclusion through Denial of Citizenship of Minorities**

- Bhutan (Nepali minority)

- Democratic Republic of the Congo (Banyarwanda minority)
- Latvia (Russian minority)
- Syria (Kurdish minority)
- Myanmar (Rohingya minority)
- Estonia (Russian minority).

But even when they are citizens, minorities are often hampered in their ability to participate politically in their state. Indeed, through a variety of structural and legal means, state authorities may intentionally or inadvertently disadvantage politically members of a minority. Some of these involve directly the very right for someone who belongs to a minority to vote or to run for office, while others are more indirect or subtle – though their effects can be just as negative.

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**Barriers which Directly or Indirectly Impact on the Political Participation of Minorities...**

- **Requirements limiting the right to vote or to run for office;**
- **Ban on political parties that are directly or indirectly minority oriented;**
- **‘Gerrymandering’ of electoral boundaries to the detriment of minorities or increasing the voting power of the majority.**

The most direct and at least arguably the greatest obstacles for minorities to their political participation and representation are requirements which directly restrict the right to vote or to run for elected office.

These could include for example being able to demonstrate an ability in the official or national language in order to be registered or entitled to vote, a requirement as to land ownership, or even being able to understand the national Constitution to the satisfaction of State officials.

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## **Most Common Obstacles in the Right to Vote or Run for Office for Minorities**

- **Linguistic, religious or ethnic requirements**
- **Literacy or education thresholds**
- **Property or residency requirements**
- **Onerous registration procedures**
- **‘Political understanding’ or ‘Loyalty’ Requirements**

Language requirements remain perhaps the most prevalent and pernicious method to exclude or disadvantage minorities from effective political participation. Following amendments in 2003 to the Election law of Georgia, minority members not fluent in Georgian may be legally excluded from being elected to Parliament, or sitting on district electoral commissions. This has resulted in a recent decline in the participation of members of the Armenian and other minorities in political affairs the country at the national and other levels. For example, though representing nearly 6% of the entire population of the country, the percentage of

Armenians in the national Parliament has gone down to 2% in the recent 2008 elections

This and the other obstacles you have here indicate how the right to vote and free elections do not ensure that persons who belong to minorities will be effectively represented or will be able effectively participate politically unless minorities are not being completely set aside in the electoral lottery where they are almost consistently outvoted.

The voices of minorities in the world of political representation, even in completely democratic systems, tend to be barely audible, their presence almost invisible, their interests too often unmet unless the obstacles to their political representation and participation I have described, especially those that are discriminatory, are removed.

Merci.