



Minorities' Participation in Multicultural Societies

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DOI: <https://doi.org/10.55248/gengpi.2022.3.6.48>

ABSTRACT

Multicultural societies are characterized by people of different races, ethnicities, and nationalities living together in the same community. Multiculturalism views that cultures, races, and ethnicities, particularly those of minority groups, deserve special acknowledgment of their differences within a dominant political culture. Most modern democracies comprise members with diverse cultural viewpoints, practices, and contributions. Many minority cultural groups have experienced exclusion or the denigration of their contributions and identities in the past. Multiculturalism seeks the inclusion of the views and contributions of diverse members of society while maintaining respect for their differences and withholding the demand for their assimilation into the dominant culture. Multiculturalism is both a response to the fact of cultural pluralism in modern democracies and a way of compensating cultural groups for past exclusion, discrimination, and oppression. This paper tries to answer the importance of democratic and effective participation of minorities in the national life of plural societies.

Keywords: Multicultural Societies, Multiculturalism, Minorities, Participation.

Introduction

In Multicultural Societies, political participation comprises a large number of activities through which individuals and groups develop and express their opinions on various issues including socio-economic policies and national politics, and how the country should be governed and its foreign relations, and most importantly, influencing policies that affects their lives individually as well as in community with other members of their group. These activities range from developing thinking about national politics or other social issues at the national or global level, political attitude, knowledge and orientation to the process of formal and active politics, such as voting, joining a political party, campaigning at the local or national level, contesting the election and finally, policy making and implementing. Participation in democracies also includes taking part in protests opposing discriminatory laws passed by the government and demand for fulfilling and implementation of their rights.¹

Political and public participation rights play a crucial role in the promotion of democratic governance, the rule of law, social inclusion and economic progress, as well as in the advancement of all human rights. The right to participate in political and public life is important in empowering individuals and groups, and is essential to eliminate marginalization and discrimination. Participation rights are inseparably linked to other human rights such as the right to peaceful assembly and association, right to freedom of religion, cultural and educational rights, etc. Many obstacles to equal political and public participation exist. These barriers may include direct and indirect discrimination on grounds of religion, race, caste, and sex. Even when there is no formal discrimination in connection with political or public participation, inequalities in access to other human rights may obstruct the effective exercise of political participation rights.²

Participation in Multicultural Societies

Effective political participation gives prominence to people by protecting their rights and dignity, and States then function for the betterment of citizens.³ Peoples and groups through their elected representatives form government and enact laws. If any law enacted by the State is unconstitutional

¹ Lester W. Milbrath, "Political Participation," in *The Handbook of Political Behaviour*, ed. Samuel L. Long (New York: Plenum Press, 1981), 3:197, <https://link.springer.com/content/pdf/bfm%3A978-1-4684-3878-9%2F1.pdf>; <https://www.ncbi.nlm.nih.gov/books/NBK310967/>.

² United Nations, "OHCHR and equal participation in political and public affairs," *OHCHR*, <https://www.ohchr.org/en/equal-participation>.

³ Marc Weller and Katherine Nobbs, eds., *Political Participation of Minorities: A Commentary on International Standards and Practice* (Oxford: Oxford University Press, 2010), intro.

and is against the welfare of peoples and groups or any section of the society, effective political participation questions its validity and ensures its withdrawal. Peoples' participation is directly proportional to a healthy democracy. It gives an opportunity to express one's own point of view, by connecting in the affairs of the State. It makes citizens responsible, politically active and aware, and promotes political effectiveness. Healthy participation also reminds of the duties and responsibilities of the government, thus promoting political stability and order in the democratic system. Equal political participation maintains balance and equilibrium in the society. Thus, one group does not gain more and extra power and intimidate the others. Effective political participation assists minorities to get representation in country's legislatures and raise their demands and issues.

Measures taken at International Level

Internationally, minority political participation gained importance only in the last three decades. The political participation of the minority community has not been the primary focus of minority rights. This neglect of minority representation, however, has been reduced in recent years. Conventionally, minority rights included only the approaches to avoid discrimination and affirm cultural distinctiveness of the community. In addition to protecting minorities from discrimination, minority rights have focused on two key areas viz. linguistic and educational rights.⁴ Unlike its predecessor, the United Nations adopted general clauses on human rights, which protected minorities as individuals but were insufficient for the protection of group rights and religious minorities.⁵ From the complete neglect during the making of the United Nations to a marginal topic during the Cold War, minority rights including minority political participation entered mainstream debates and included in instruments of human rights first at the European level.⁶ International approaches, most notable, the Lund Recommendations on the Effective Participation of National Minorities in Public Life, 1999, drafted by High Commission on National Minorities (HCNM) under the auspices of the Organization for Security and Cooperation in Europe (OSCE), have included provisions on the political participation of minorities.⁷ The establishment of the High Commissioner on National Minorities, the Framework Convention for the Protection of National Minorities of the Council of Europe, and the Copenhagen Criteria for the admission of new members to the European Union (EU), each provided for substantial advances in the promotion of minority rights.⁸ The Framework Convention adopted in 1994 is Europe's most comprehensive treaty protecting the rights of persons belonging to national minorities. It contains a clause to secure the inclusion of minorities in public life regarding political participation in Article 15 as, "The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them."^{9,10}

The political participation of minorities is also discussed in other international human rights treaties including the International Covenant on Civil and Political Rights (ICCPR) guaranteeing the right to all citizens to participate in the political life of the country. Article 25 of the ICCPR notes that every citizen shall have the right and the opportunity to take part in the conduct of public affairs, directly or through freely chosen representatives; to vote and to be voted under universal adult and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; to have access, on general terms of equality, to public service in his country.¹¹ The Universal Declaration on Human Rights and the European Convention on Human Rights and Fundamental Freedoms contain similar commitments to the free participation of citizens in the political process. Article 21 of the UDHR outlines some of the fundamental principles of democracy, "the will of the people should be the basis of government authority, and everyone has the right to take part in the government, directly or through freely chosen representatives," and it also establishes that, "everyone has the right to equal access to public service."¹² However, such provisions lack a minority-specific dimension and can, thus, be primarily seen as prohibiting any discrimination of minorities.

After a long neglect, minority rights gained prominence in 1992 with the adoption of Declaration on Minorities by the United Nations. The Declaration

⁴ Florian Bieber, "Introduction: Minority Participation and Political Parties," in *Political Parties and Minority Participation* (Skopje: Friedrich Ebert Stiftung, 2008), 5.

⁵ Patrick Thornberry, "Historical Background: International Law Moves from Protection of Particular Groups to Norms of a Universal Character," in *International Law and Rights of Minorities*, ed. Patrick Thornberry (Oxford: Clarendon Press, 1991), 25-37; Will Kymlicka, "The Institutionalization of Minority Rights," *International Journal of Constitutional Law* 6 (2008): 1-32.

⁶ Athanasia Spiliopoulou Akermark, *Justifications of Minority Protection in International Law* (London: Kluwer Law International, 1996), chap. 7.

⁷ HCNM, "The Lund Recommendations on the Effective Participation of National Minorities in Public Life & Explanatory Note," *OSCE* (September 1999), 7, www.osce.org/files/f/documents/3/7/30325.pdf.

⁸ Patrick Thornberry and Maria Amor Martin Estebanez, *Minority Rights in Europe* (Germany: Council of Europe Publishing, 2004).

⁹ Council of Europe, "The Framework Convention for the Protection of National Minorities," <https://www.coe.int/en/web/minorities/home>.

¹⁰ Piet Hein P. H. M. C. Kempen, *International and Regional Human Rights Documents* (Oisterwijk: Wolf Legal Publishers, 2010).

¹¹ Article 25 of ICCPR, 1966, <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>.

¹² United Nations, "Universal Declaration of Human Rights at 70," *OHCHR*, November 30, 2018, <https://www.ohchr.org/en/press-releases/2018/11/universal-declaration-human-rights-70-30-articles-30-articles-article-21?LangID=E&NewsID=23957>.

besides affirming other rights of minorities, gave importance on the participation of minorities in public life including effective participation in national legislations and decisions affecting the community. The Declaration directed the States to take appropriate measures for minorities.¹³

The Human Rights Council dedicated increasing attention to the issue of equal participation in political and public affairs. In 2018, after five regional consultations, Office of the High Commissioner of Human Rights (OHCHR) released new guidelines on participation. The guidelines outline the basic principles of the right to participate in public affairs and include practical recommendations that cover participation in electoral and non-electoral contexts, nationally and internationally.¹⁴

Practically, minority rights are often not implemented without the political representation of minorities themselves. Minority rights and the prevention of discrimination against minorities cannot be effectively ensured, unless the minority community itself is actively partaking in the political decision-making processes, which govern the protection of minority rights. Therefore, without participation, other mechanisms of minority rights protection can be substantially weakened.¹⁵ Minorities also run the risk of being excluded from the political system without special protective measures. Especially, in countries with mobilized ethnic nationalism, majorities and minorities have been unlikely to vote for parties or candidates of other nations or ethnic groups. The odds of political representatives from minority communities to successfully partake in the political system are thus limited. Furthermore, a number of approaches to democracy run the risk of permanently excluding the minorities. The First-Past-The-Post electoral system has the feature of discounting dispersed minorities from representation.¹⁶ Additionally, electoral districts can be drawn to favor the dominant group. A number of other tools intentionally or inadvertently can preclude or minimize the minorities' share of representation in political institutions. Consequently, conventional institutions of democracies without minorities are insufficient to allow for a stable democratic system in MCSs.¹⁷ Scholars on divided societies and ethnic relations have concluded that the conventional institutions of democracies without minorities are insufficient to allow for a stable democratic system in diverse societies.¹⁸

Conclusion

Institutional safeguards cannot supplant cooperative practices. Unless, political participation of minorities is structured in a way that the decisions cannot be taken without input, there is always a risk that minorities are ignored. Institutional safeguards cannot provide for insured minority inclusion in the face of hostility of the majority and/or the government in question. The practice where institutions appear to be effective on paper, but in reality either do not exist or function differently, caution is necessary before committing to unrealistic and excessively institutional solutions for problems of low inter-ethnic trust. In consultative processes, minority members have a right to voice their opinion on particular laws or decisions and State institutions are required to communicate particular policies to minorities.¹⁹ It can be seen that all over the world minorities are discriminated and their rights are violated due to the low political participation. Due to which minorities and their issues are under-represented and it also promotes anti-minority propaganda, which affects them adversely.

¹³ UN General Assembly Resolution 47/135, "Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities," A/RES/47/135 (Dec. 18, 1992),

https://www.un.org/en/genocideprevention/documents/atrocitycrimes/Doc.17_Declaration%20on%20the%20Rights%20of%20Persons%20Belonging%20to%20National%20or%20Ethnic.pdf.

¹⁴ United Nations, "Guidelines on the effective implementation on the right to participate in public affairs," OHCHR, July 20, 2018, <https://www.ohchr.org/en/documents/tools-and-resources/guidelines-effective-implementation-right-participate-public-affairs>.

¹⁵ Florian Bieber, "Balancing Political Participation and Minority Rights: the Experience of the Former Yugoslavia," *European Centre For Minority Issues* (2003), <http://pdc.ceu.hu/archive/00001819/01/Bieber.pdf>.

¹⁶ Pippa Norris, "Choosing Electoral Systems: Proportional, Majoritarian and Mixed Systems," *International Political Science Review* (July 1, 1997), <https://doi.org/10.1177/019251297018003005>.

¹⁷ Bieber, "Introduction: Minority Participation and Political Parties."

¹⁸ Donald L. Horowitz, "The Challenge of Ethnic Conflict. Democracy in Divided Societies," *Journal of Democracy*, no. 4 (1993): 18-37; Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (London: New Haven, 1977), 25-52.

¹⁹ OHCHR, "Promoting and Protecting Minority Rights: A Guide for Advocates," *United Nations* (Geneva and New York, 2012), https://www.ohchr.org/sites/default/files/Documents/Publications/HR-PUB-12-07_en.pdf.