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Contemporary Principles of Political Representation of Ethnic Groups

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Abstract

Contemporary principles of political representation of ethnic groups The article investigates some methods of political representation of ethnic groups, applied in different countries. The topicality of the research article is determined by 1) the growing influence of ethnicity and ethnic identity that differentiate people all over the world; 2) high potential for ethnic conflict in any heterogeneous society; 3) nationalization of many post-Soviet states and the exclusion of non-titular ethnic groups from the political life of these countries. The article aims to investigate basic principle, upon which more effective political representation of various ethnic groups is based. Among these principles factors are types of an electoral system, methods of positive discrimination and special ethnic institutions. The article states that principles appropriate for one country are improper for another, which is why in each case a specificity of the state, mentality of its people, history, and other factors must be taken into account. Nevertheless, the study of experience and mechanisms of representation in various countries is necessary for the assessment of the national policy of any state, where Kazakhstan is not an exception. 2015 is proclaimed as the year of the Assembly of People of Kazakhstan, which lead to the analysis of its results for a time of two decades in interethnic sphere including its constitutional right for political representation of ethnic groups.

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1. Introduction

The world in the 21st century has undergone significant changes. Countries all over the world proclaimed their commitment to democratic principles, among which are inalienable human rights, political and legal equality of all

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citizens, the rule of law, etc. Important role in the construction of democracy belongs to political representation, as to a method of forming of public authorities. Citizens delegate their rights and authority to representatives, which in turn exercise powers on their behalf. By virtue of political representation different groups can participate in the political life of the country, including various ethnic groups. The representation of the latter is of big importance, as most of modern democracies are ethnically heterogeneous. Even if the country is perceived as monoethnic, there are other ethnic groups living there, which, in turn, raise the question of their social, cultural and political rights. Thus, for instance, though more than 90% of the population of Poland is of Polish nationality, political representation of the rest ethnic groups is of big importance there either.

As Lord Acton once noticed “the most certain test by which we judge whether a country is really free is the amount of security enjoyed by minorities” (Acton, 2007, p.4). Political representation of women in government has been widely discussed by many authors, while the situation with ethnic representation needs further investigation. In most cases, cultural and social rights of ethnic groups are well protected, while their participation in political life of a country is not sufficient, as a result some ethnic groups are overrepresented in the power while others are underrepresented.

In view of the above, an analysis of the contemporary principles of political representation of ethnic groups is very relevant and deserves close study.

2. Theoretical framework

The concept of “representation” is quite broad and is used in many areas of public life. One of the most often cited definition of “representation” belongs to Ankersmit, according to whom “representation is a making present (again) of what is absent. Or, more formally, *A* is a representation of *B* when it can take *B*’s place; hence, when it can as *B*’s substitute or as *B*’s replacement in its absence” (Ankersmit, 2002, p.109). In general, representation should be understood as actions of a representative in the name and on behalf of those whom he (she) represents, while political representation refers here to the representation in legislatures.

There are different types of representation, thoroughly discussed in Pitkin’s book *The Concept of Representation* (1972). For describing rights of ethnic groups for representation, many authors use descriptive and substantive types (Bird, 2003; Floor Eelbode, 2010).

Descriptive representation means that parliament of a given country mirrors demographic structure of a state. In other words, political representation of ethnic groups in legislatures should be in direct proportion to the percentage of these groups in the overall composition of the country. On the one hand, descriptive representation has advantages for ethnic groups, as they may experience greater confidence in delegates who resemble them in different issues (E.g., ethnicity or gender); representatives of ethnic groups can serve as a model of their rights’ protection for other ethnic minorities; and it leads to more justice and legitimacy of the political system.

On the other hand, the question of whether the Parliament should exactly mirror the society remains controversial, being opposed by some authors (Melissa Williams, Iris Young, Jane Mansbridge, Will Kymlicka), as “this would lead to an unworkable proliferation of group representation and undermine the process of representative government” (Bird, 2003, p.65).

Substantive representation means that representative acts on the behalf of and in the interest of the represented. Substantive representation is obtained if the interests and needs that representatives fulfill reflect those that exist in a society. However, minorities can be underrepresented at the substantive level, if the dominant political culture interferes with the access of their interests and demands to the political agenda.

In general, there are both positive and negative aspects of these types of representation and highlight the best type, appropriate for each state is nearly impossible. As it was already noted every case has its own peculiarities that need to be taken into consideration. However, basic principles of political representation of ethnic groups serve as a base from which we can make a start.

It should be noted from the beginning, what we mean by ethnic group. First of all, opposed to Kymlicka, the article does not distinguish national minorities from ethnic groups or immigrants (Kymlicka, 1995), considering their right for political representation as equal. Secondly, ethnic groups are not differentiated by national, regional or global context (Gracia, 2005, p.62). In particular, for instance, recognizing that Russians in Russia are in some ways different from Russians in Kazakhstan, they are both understood as members of one ethnic group.

Finally, ethnic group is understood here as a group sharing common culture, national origin, language, identity and consciousness, and which is “socially distinguished, by others or by itself” (Yang, 2000, p.11).

Summarizing aforesaid, political representation of ethnic groups is understood as representation of citizens of a different ethnic origin who associate themselves with specific group in the legislative branch of power. Underrepresentation of such groups in the political life of a country can lead to tragic consequences. This is what happened, for instance, in Kyrgyzstan in 2010. It is considered that the cause of mass conflicts there, in addition to weak economy, was the strengthening of the role of the state-nation and weak political representation of non-titular groups in the country. Experts point out that Kyrgyzs dominate (90%) in the field of public administration and law enforcement, while other ethnic groups are practically not represented in the country's politics – “Uzbeks are influential in the trade in the south, Uighurs actively trade with China, and Dungans succeed in agriculture” (Khamidov, 2006, p.13).

These events show that the issue of ethnic representation deserves special attention, where a specific role belongs to principles of political representation.

3. Political representation of ethnic groups: basic principles

First of all, we define what these principles involve. Principles of political representation refer in the article to basic factors that affect the political representation. The first such factor that affects the level of political representation is a *type of electoral system*. As Weller and Nobbs noted, “the design of an electoral system reflects an exercise of political choice that has significant impact on the identity of those who gain and hold power, and those represented in the national parliament” (Weller & Nobbs, 2010, p.184).

It is considered that the proportional representation (PR) system, in contrast to the majority one, better represents interests of different social groups. The most obvious disadvantage of majority electoral system is a loss of a significant percentage of votes, which in turn leads to the inability of the system to ensure full implementation of democratic political representation. In this regard, the proportional system is more democratic since it “allows all political parties, supported by voters, to hold their deputies to the representative body, thereby providing consideration of views of different groups of the population in the decision-making process” (Myasnikov, 2005, p.105). Moreover, PR depoliticizes ethnicity, as it “may facilitate good governance not by giving each group its own party, but by diminishing the salience of ethnicity in elections” (Huber, 2012, p.1000).

Proportional electoral system is used in many countries, such as Netherlands, Norway, Italy, Slovakia, Hungary, Belgium, Switzerland, and many others. However, electoral system is not the only way to improve political representation of ethnic groups in a country. In addition to the type of electoral system effective representation of ethnic groups can be carried out by so called ‘*positive discrimination*’ or ‘positive action strategies’ that are used by different countries in order to increase representation of women and minorities in political life.

These strategies include the use of a) legal quotas applied by law to all political parties, which specify the minimum degree of proportional composition of parliamentary candidates or elected representatives within each party and b) reserved seats for underrepresented groups in electoral law that “guarantee a minimum number” of these groups (Norris, 2006, pp.96-103).

This principle of *reserved seats* is enshrined in the Lund Recommendations on the Effective Participation of National Minorities in Public Life. Thus, according to the Recommendations, “States should ensure that opportunities exist for minorities to have an effective voice at the level of the central government, including through special arrangements as necessary. These may include [...] special representation of national minorities, for example, through a reserved number of seats in one or both chambers of parliament or in parliamentary committees; and other forms of guaranteed participation in the legislative process” (“the Lund Recommendations”, 1999).

According to American professors Crook and O'Brien, reservation of seats for minorities (not only ethnic) has two goals: protection and power-sharing, depending on which percentage of reserved seats changes.

So, if the goal is to protect groups, which are relatively small, including indigenous peoples, members of national and religious minorities, caste and class groups, the reservation of seats is usually minimal - 1-2% of the total number of seats. On the other hand, if the goal is separation of powers, then there is a distribution of most or all of the seats in parliament between two or more factions that have ethnic, religious or linguistic identity. In this case, the percentage of seats reserved for minority much higher - from 25 to 70 percent (Crook & O'Brien, 2010, pp. 262-263).

The Republic of Croatia can serve as an example of reservation of seats for ethnic groups. The Constitutional Law of Croatia “On the rights of national minorities” from December 13, 2002 prescribes provision about the representation of ethnic minorities in Parliament. Article 19 of the Law enshrines that (3) A national minority with a

share of more than 1.5% in the total population of the Republic of Croatia shall be guaranteed at least one and not more than three parliament seats in accordance with the law regulating the election of MPs. (4) National minorities with a share of less than 1.5% in the total population of the Republic of Croatia shall have the right to elect at least four MPs from among the members of national minorities in accordance with the law regulating the election of MPs (“Constitutional Law”, 2002).

There is also constitutionally enshrined principle of reservation of seats in legislature of Romania for the organizations of citizens belonging to national minorities, which have not been able to obtain the necessary number of votes for representation in Parliament. Thus, according to the Article 62 of the Constitution of Romania, these organizations “have the right to one Deputy seat each, under the terms of the electoral law. Citizens of a national minority are entitled to be represented by one organization only” (Constitution of Romania”).

The Constitution of Slovenia as well prescribes principle of ‘positive discrimination’: “One deputy of the Italian and one deputy of the Hungarian national communities shall always be elected to the National Assembly” (Constitution of the Republic of Slovenia, Article 80).

It should be noted that in addition to the reservation of seats, there is another kind of ‘positive discrimination’ - the provision of *quotas for candidates*. Quotas imply procedures which require political parties to include in their electoral lists a certain number of applicants from marginalized groups. Quota principle exists in Singapore.

Most MPs of Singapore are elected on general elections and represented either by single-member districts or group representation. Group Representation Constituencies (GRCs) run from three to six candidates, where at least one candidate from the party must belong to a minority. It guarantees minority representation in the Parliament of Singapore.

However, according to findings of Didier Ruedin, quotas are not so much effective for ethnic representation “for reasons of implementation” (Ruedin, 2014, p.54). At the same time, reserved seats neglect people’s and elites’ preferences, while electoral engineering affects the representation of ethnic groups if only accompanied by a change in the attitudes of the population (Ruedin, 2009).

Moreover, quotas and reservations could lead to discrimination and negative attitudes towards appointees; they violate the principle of equality and worsen the qualitative composition of legislatures.

Ethnic political parties are also criticized by various scholars. Thus, for instance, Donald Horowitz has made a strong argument against ethnic parties by maintaining that ethnic parties tend to divide a divided society even further. As they often represent strictly group interests, they are unable to concern themselves with issues of national importance and their behavior is dangerous for the good government of the country. The same opinion has Stephen Wolf, who has called for the de-ethnicization of politics and has argued that it could be mandated through the electoral systems and party legislation (Spirova, 2004).

Different social groups can also be represented through specialized agencies or *institutions of ethnic representation*. It should be noted that in many countries these bodies have only a consultative and representative authority. Thus, for example, in Finland there are Swedish Assembly of Finland (Folktinget) and the Sami Parliament. Assembly protects Swedish-speaking minorities in Finland and is involved in the law drafting process and issues statements on topics related to the Swedish-speaking population. At the same time, the Sami Parliament is self-government body that represents interest of the Sami. According to its official website, “main purpose is to plan and implement the cultural self-government guaranteed to the Sami as an indigenous people” (“The Sami Parliament”). The Sami Parliament can represent the Sami interests before the authorities on issues concerning language, culture and their position as an indigenous people.

Hence, the Swedish Assembly of Finland, as well as the Sami Parliament of Finland protect cultural, linguistic and social rights of ethnic groups (Swedish-speaking Finns and the Sami respectively), but do not have the right to make political decisions, and do not have fixed seats in the Parliament of Finland. It is also the case with Sami Parliaments in Norway and Sweden, as their main goal is protection of interests of the Sami. They carry out consultative and advisory functions and have the right to give advice to public authorities on matters affecting the Sami interests.

Similar ethnic institutions were also created in the CIS countries. Thus, for instance, there is Assembly of people of Kyrgyzstan, which aims to promote the consolidation of society on the basis of civic identity, joint responsibility of citizens of Kyrgyzstan for preserving the unity and diversity of the country for progressive democratic development; encourage inter-ethnic harmony, civil peace, integration and unity of people of Kyrgyzstan (“The Assembly of People of Kyrgyzstan”).

In the Russian Federation there is Assembly of Peoples of Russia, which aims to promote the consolidation of Russian society, strengthening of interethnic and intercultural dialogue. The main task of the Assembly is the dialogue between public authorities and national groups, participation in the legislative process and in peacekeeping activities.

Although these institutions in Russia and Kyrgyzstan contribute to the strengthening of inter-ethnic harmony, they do not have the power of parliamentary representation of ethnic groups.

Another example is the Assembly of People of Kazakhstan, which is an institution of the protection of all ethnic groups not only in cultural and linguistic areas, but also in the political field. Moreover, the issue of equal representation of all ethnic groups is also relevant for the Republic of Kazakhstan as it is a prominent example of the multinational state.

4. Assembly of people of Kazakhstan and ethnic representation

The Republic of Kazakhstan is home for more than a hundred ethnic groups, the largest of which are Kazakhs, Russians, Uzbeks, Ukrainians, Uighurs, Tatars, Germans, Koreans and others.

Considering the experience of the previous countries, it should be noted that the Republic of Kazakhstan prohibits quotas on base of ethnicity or other differences, so popular in European countries. At the same time, the country created its own model of inter-ethnic harmony, based on the de-politicization of ethnic issues; normative securing of equality of rights and opportunities for all citizens; the idea of united people of Kazakhstan, which is based on civil, rather than ethnic identification; state protection of cultural and linguistic characteristics of each ethnic group; and others.

An important and fundamental element of the Kazakh model of interethnic relations is the Assembly of People of Kazakhstan, which was established March 1, 1995 at the initiative of the President of the country Nazarbayev. It is considered as “Kazakhstani know-how”. Initially, the Assembly was established as a consultative and advisory body under the President of the Republic of Kazakhstan, and, as in the previous cases, did not affect the political representation of ethnic groups in legislature. However, even then, the Assembly has played an important role in maintaining inter-ethnic harmony in the country, serving as a mechanism for the consolidation of society, protecting and developing the cultural peculiarities of each ethnic group living in Kazakhstan.

Among its main objectives were cultural and linguistic support for ethnic groups, their spiritual revival and development; creation of a culture of international relations based on civilized democratic principles, respect of interests of different nations and ethnic groups in the state national politics (Tugzhanov, Kan, Korobkov, Shayakhmetov, 2010, p. 94).

Significance and importance of this institution for the maintenance of ethnic stability and preservation of cultural diversity in the country has repeatedly been stressed by international observers. So, the Official Report of International Convention on the Elimination of all Forms of Racial Discrimination, points out that the Assembly fosters national and ethnic patriotism, strengthens inter-ethnic unity and harmony through the monitoring of ethnic relations, and makes recommendations and proposals for State policy to develop friendly relations between the nationalities living in Kazakhstan, by revival and promotion of ethnic cultures, languages and traditions (“International Convention”).

In 2007 the Constitution had been amended, by virtue of which, the Assembly received the constitutional status. It consists of 26% Kazakhs, 15% Russians, 6,5% each of Koreans, Germans, and Tatars, with other minorities less represented (Peyrouse, 2007, p.484). In addition to consultative and advisory functions, the Assembly of People of Kazakhstan has become a representative body with the right of political representation of ethnic groups in the Parliament. According to the Article 51 p.1 of the Constitution of Kazakhstan, “Nine deputies of Majilis shall be elected by Assembly of the people of Kazakhstan” (Constitution of the Republic of Kazakhstan).

As a result in parliamentary elections in 2012, 9 deputies of the Majilis elected by the Assembly were representatives of nine different ethnic groups: Aliyev– Kazakh, Ahmad - Uighur, Cappel - German, Kim R.W. – Korean, Murad– Chechen, Nesterov - Russian, Sayapova - Tatar, Timoshenko - Ukrainian, and Khalmuradov R.S. - Uzbek.

This system is intended to provide a more equitable ethnic distribution in the Parliament and to empower ethnic minorities that may otherwise not have the ability to elect or nominate members of their ethnic group. Still, both houses remain predominantly Kazakh: only 10 of 47 senators are non-Kazakh, while 24 of the 107 members of the Majilis are representatives of non-titular nation (“Report of the independent expert”).

Despite the obvious improvements in matters of political representation of ethnic groups in Kazakhstan thanks to empowering of the Assembly with representative functions, there are concerns about the effectiveness of this type of representation. We believe that appointment rather than election leads to the fact that deputies are not responsible personally to their ethnic electorate, so MPs do not depend on their support and may not reflect their interests. This in turn, calls in question the efficiency of this type of representation in terms of ethnicity.

Summarizing aforesaid, it should be noted that Kazakhstan is multiethnic state, in which ethnic issues are rooted in the Soviet period. That is why we should not blindly apply the experience of European countries in Kazakhstan. Thus, for instance, ethnic political parties are prohibited in the republic, which is not the whim of the ruling elite, but rather a necessary measure for securing internal safety of the country. It's no secret that common borders with Russia, a large percentage of the Russian population in the republic and long-lasting historical relationship with the nearest neighbor have a significant effect on the national situation in the country.

It is clear that ethnic representation in the republic still has room for improvement. On the one hand, experience of western democracies in the field is helpful for Kazakhstan; on the other hand, its history, mentality of citizens, origins and other factors should be taken into consideration.

5. Conclusion

The issue of inter-ethnic relations has not lost its relevance in the modern world. The emergence of new states in the late XX century, which were not homogeneous in composition, raised a wave of ethnic identity and national revival in them. There are almost no absolutely homogeneous countries in the XXI century. This in turn increases the value of the ethnic component in modern politics. Ethnic diversity has always been a potential conflict factor and a source of political instability. Therefore, the national question is of particular importance for almost all states in the world.

Each country has developed its own set of measures for the regulation of interethnic relations, whether it is the support of ethnic political parties or reserved seats for ethnic groups, ethnic quotas or the creation of institutions of ethnic representation.

Despite the fact that these methods of political representation have significant deficiencies, which have been analyzed by many scholars, they are still most common in modern states. However, if in some cases the method of 'positive discrimination' is an effective mechanism of representation of ethnic groups in legislature, in other cases it only leads to formalism and does not substantially alter the situation.

What is acceptable in one country may be foreign to the other. At the same time, the study of the experience and mechanisms of representation in the various countries is necessary for the assessment of the national policy of Kazakhstan. At the same time, we should not forget that the blind imitation of western (eastern, or any other foreign) foundations does not guarantee the same result as in the borrowing country. Each state has its own inherent specificity, historical background, mentality, way of life, traditions that form the national picture of the country. So, for Kazakhstan quotas are alien and there is a ban on the creation of ethnic political parties. The Republic of Kazakhstan established its own unique model of interethnic relations and social harmony, where a dominant position belongs to the Assembly of People of Kazakhstan as an institution of social, cultural, and political representation of ethnic groups of the country. However, the representative functions of the Assembly are limited, and 9 people in the Parliament from different ethnic groups do not resolve the issue.

It is pretty difficult to identify a universal set of factors that are effective for the political representation of ethnic groups in each country. One thing is clear that, despite significant differences, all states should not lose sight of the issues of ethnic nature; there is also need for constant monitoring of inter-ethnic situation, improvement of legislation in this area, an analysis of the international situation, collective methods of work at the regional scale and promotion of patriotic and civic education and much more.

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