Summer 8-7-2019

Indigenous Party Formation and Success: the Strategic Roles of Reserved Seats, Parties, and Horizontal Accountability

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Indigenous Party Formation and Success:

The Strategic Roles of Reserved Seats, Parties, and Horizontal Accountability

by

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A thesis submitted in partial fulfillment of the
requirements for the degree of

Master of Science
in
Political Science

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Portland State University
2019

Abstract

More than twenty legislatures reserve a portion of seats for ethnic minority groups, often in an attempt to prevent violent conflict and redress historical oppression. The intention of reserved seats coincides with indigenous group objectives—to achieve political representation while maintaining autonomy. Yet the formation and electoral success of indigenous parties does not always follow adoption of a reserved seat system. I explain this inconsistency by taking reserved seats as a necessary but insufficient condition of indigenous party formation, and arguing that two additional conditions must be met to motivate indigenous groups to form a viable party: the failure of the existing party system to respond to group interests and the failure of grievance resolution mechanisms to fairly adjudicate disputes between indigenous groups and the state. I compare this model of indigenous party formation to three case studies—Colombia, New Zealand, and Taiwan—each with a reserved seat system for indigenous peoples but nonetheless exhibiting different levels of indigenous party formation and success. This research makes three significant contributions: it explores how indigenous groups strategically balance autonomy and participation; it suggests reconsidering how indigenous party formation and reserved seats are conceptualized by rational choice approaches; and it points to new ways of thinking about how elites can manipulate reserved seats to cultivate state legitimacy and enforce minority group assimilation.

Dedication

그녀의 헌신에 영원한 감사를 담아,
이 논문을 내가 아는 사람들 중 가장 총명하고
상냥한 소희에게 바칩니다.

Acknowledgements

There are innumerable people who have assisted me in this research, and describing each of their contributions would undoubtedly require many more pages than those taken up by the substance presented in this thesis. However, there are several individuals who have been highly proximate and indispensably helpful in bringing this project to completion, and to whom I owe much gratitude. First, to my peers in the grad program for challenging me with different perspectives and for encouraging me to keep going. Issrar Chamekh deserves special thanks in this regard; I am so excited for our futures and I can't wait to hang out with you at conferences and workshops. I also wish to express my appreciation for the hard work of Kelly Mackura and the several office assistants who have helped me navigate the administrative side of the program on numerous occasions.

I am also extremely grateful to all of the professors in the political science department at Portland State who allowed—and even on occasion encouraged—me to pursue a critical approach to readings and research in a field which seems to hold its conventions and traditions so dear. In particular, I am indebted to Dr. David Kinsella for allowing me to spend a full term reading feminist theory; Dr. Lindsay Benstead for instructing me in research methods both in and out of class; and Dr. Joshua Eastin for his contribution to this particular research as a member of my thesis committee. Most of all, I would be nowhere on the path towards becoming an academic if not for the extremely thoughtful, patient, and occasionally—but always beneficially—demanding mentorship of Dr. Melody Valdini. You have helped me so much in so many different ways, many of which you are already aware but of others I can only say here: thank you. Thank you for

supporting my interests in feminist theory and gender and politics, and for guiding me

through all of the bumps and bruises on the way to becoming a more confident and

knowledgeable scholar. I have a long ways to go yet, but rest assured I will move forward

taking great care to Burn–It–Down as I go.

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I. Introduction

"The Spanish Inquisition, the French Revolution, the Battle of Waterloo, Plato, Aristotle, Socrates – we know about all those things; we know about those people. So what of Toi Kairākau, of Rauru? What of my history, my tangata whenua-ness, my 1,000 missing years?"

  – Pita Sharples, Maori Party MP, in his first speech to the New Zealand parliament (2005)[1]

For nearly 140 years following the creation of reserved seats for indigenous Maori by European colonists in New Zealand, no viable Maori party emerged. Discriminatory barriers to the full participation of Maori voters were present for much of this period, but at the same time many Maori associated the special electorates and participation in elections more generally with colonialism. Preferring instead to take direct action and advocate for Maori self-determination outside of democratic institutions, even when electoral barriers were removed in the last quarter of the 20th century a distinctly Maori party failed to form. Yet, in 2004, Labour MP Tariana Turia defected and founded the Maori Party after the governing Labour Party rejected a court ruling in favor of indigenous rights.

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[1] The full quotation, from White (2016, 185): "The Spanish Inquisition, the French Revolution, the Battle of Waterloo, Plato, Aristotle, Socrates – we know about all those things; we know about those people. So what of Toi Kairākau, of Rauru? What of my history, my tangata whenua-ness, my 1,000 missing years? Toi Kairākau crossed the Pacific and came to New Zealand. At the same time, Eric the Red was expelled from Iceland and voyaged to Greenland. Toi Kairākau is my ancestor; he still lives, in me. His history and genealogy is my history and genealogy, my bonding to these islands of Aotearoa. Toi's son was Rauru; his son was Whātonga. From Whātonga came Tahaiti; from Tahaiti came Uenuku. At the time of Uenuku, William of Normandy conquered England and became King William I. From Uenuku came Ruatapu; from Ruatapu came Rākeiora; from Rakeiora came Tama ki Te Hau. Those are my ancestors – tangata whenua – and the ancestor Tama ki Te Hau lived at the time of the great military leader Genghis Khan, who established the Mongol empire, uniting almost all of Asia and Europe. My genealogy descends to Tama ki Te Rā and Tame ki Te Mātangi – and now the Magna Carta is signed on the other side of the world."

The story of the formation and electoral victories of the Maori Party begs the question of what conditions more generally contribute to indigenous party entry and success. Rational choice approaches emphasize the importance of decreasing institutional barriers such as costly party registration requirements and high effective electoral thresholds. Reserved seats, which work by formally guaranteeing a particular ethnic group a minimum number of legislative seats, are one way of decreasing the barriers to indigenous representation while maintaining group autonomy (Bird 2014).[2] Yet viable indigenous parties do not always follow directly from reserved seat adoption (Van Cott 2003).

I argue that reserved seats, while functioning as an important reduction in the cost of indigenous party entry, are not sufficient to induce indigenous party entry. I draw attention to a second cost factor which scholars have left so far critically unaddressed: indigenous group assimilation into mainstream political competition and democratic institutions. In the perceptions of indigenous populations, these institutions often carry with them the legacy of settler colonization and assimilation policies (Murphy 2008). Historically, assimilation policies included the use of education to alienate children from indigenous communities and culture, the suppression of arts and traditions, the extension of state jurisdiction in civil and criminal matters to what were internal indigenous affairs, and exchanging indigenous land for citizenship which had the double effect of "opening up tribal lands for white settlement and liquidating the tribe" (Archibald 2006, 10). For

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[2] Bird (2014) identifies three "families" of ethnic quotas: threshold exemptions or proportional seat allocation among ethnic parties, special voting districts which require ethnic group membership to legally cast a vote, and party-list quotas or best-loser mechanisms which incorporate ethnic group representatives into pan-ethnic parties. My use of the term 'reserved seats' is to indicate the effect of the first two families; that is, a minimum number of seats are in one way or another legally dedicated to the representation of ethnic groups. The third family of ethnic quotas is more likely to formally and functionally fail this standard and so I exclude it from my definition of reserved seats (Htun 2004).

contemporary indigenous groups, government attempts to extend the state's legal authority into the indigenous domain in ways reflective of this past constitute what I term an "assimilationist challenge." In liberal democracies, indigenous groups facing an assimilationist challenge have the option to acquiesce or to fight by filing a complaint with an institution of horizontal accountability, such as a court, or by forming a political party and attempting to directly influence policy.

Just as Maori MP Pita Sharples called for serious attention to the history and identity of indigenous peoples in the opening quotation, I center colonial legacies and indigenous perspectives in the development of a theory of indigenous party entry and success. From this analytical foundation, the decision of indigenous groups to form a party is determined by the balance of assimilation costs and rights preservation. Indigenous groups are pressured into this dilemma by established mainstream parties that benefit from the regime legitimacy and stability effects provided by small ethnic party entry. I conceptualize these interactions as a strategic game played by an established mainstream party and an indigenous group with the potential to either form a new party or acquiesce to government demands for assimilation.

A key implication of my model is that indigenous party formation can be induced by strategic disruption of grievance resolution mechanisms dedicated to protecting indigenous group rights and adjudicating reparations settlements. That is, governing parties willing to manufacture a failure of horizontal accountability can change the decision calculus of indigenous groups such that party formation and entry into electoral competition becomes the least costly alternative for securing group rights and interests. On the other hand, my theory suggests that established parties too weak to bear the

legitimacy cost of rejecting horizontal accountability will back down from their

assimilationist challenge to indigenous groups. The game of indigenous party entry also

has important implications for the electoral success of newly formed indigenous parties.

Specifically, I argue that new indigenous party success is influenced by the reputational

effects of players' strategic choices made in the course of the indigenous party formation

game.

Theoretical Framework

Before proceeding with the development and testing of this argument, it is helpful to

more clearly define the theoretical framework and empirical scope which I adopt in this

study. In this paper, I am primarily concerned with the formation and electoral outcomes

of indigenous parties in democracies. However, and with some important exceptions (e.g.,

Birnir 2004; Htun & Ossa 2013; Madrid 2005a, 2005b; Murphy 2008; Postero 2007; Rice

& Van Cott, 2006; Van Cott 2000, 2003, 2007), much of the relevant parties and

elections literature is focused on the representation of ethnic minorities. This body of

research encompasses—but is not perfectly coextensive with—the representation of

indigenous peoples; for example, Turkish immigrants in Germany constitute a minority

ethnic population just as Aboriginal peoples in Canada form an ethnic category but only

the latter is considered indigenous. The difference underlying this distinction is related to

social and territorial continuity spanning the precolonial to postcolonial periods. As Cobo

(1987, 48) explains:

> Indigenous communities, peoples and nations are those which, having a
> historical continuity with pre-invasion and pre-colonial societies that
> developed on their territories, consider themselves distinct from other

sectors of the societies now prevailing in those territories, or parts of them. They form at present nondominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.

Importantly, these identities are categories which may form the basis of a constructed group. Brubaker (2004, 13) makes the argument for distinguishing between categories of identity and group identity by pointing to how this assumption permits researchers to "attend to the dynamics of group-making as a social, cultural, and political project." That is, taking on a constructivist view of groups enables analysis of how elites strategically activate or suppress specific markers of group membership and how indigenous peoples contingently identify and behave as a group—and if that group is inclusive of all indigenous peoples residing in the state or if the groups are mobilized along distinct tribal lines.

Given the substantive focus of this research it is imperative that a critical perspective is maintained in the application of rational choice to its study. Indeed, Spivak (1988) warns of the epistemic violence produced through the use of Western ways of knowing to theorize and "re-present" subaltern subjects. Declining an unrestrained application of the rational choice framework to the analysis of indigenous parties should not be interpreted to mean indigenous peoples behave irrationally, but that the universalizing and homogenizing assumptions made by rational choice-based theories are ultimately inadequate to the task *on their own*. The general advantages of a rational choice approach and game-theoretic models include their encouragement of internal validity and assistance in developing theoretical conceptualizations (Moe 1979; Walt

1999). Specific to the study of party behavior, game-theoretic models provide an efficient tool for representing the interdependent choices and their consequences for parties, on top of the fact that this "interaction between established parties and their potential challengers takes place in a well-structured environment" (Hug 2001, 39). However, the disembodied "gaze from nowhere" fails to account for insights of postcolonial scholarship which are founded upon indigenous peoples' epistemologically advantageous situation of "seeing from below" (Haraway 1988, 583-584). This vantage point looks beneath the surface of social relations and by this structural positioning "exposes the real relations among human beings" (Hartsock 1987, 160), unlike the argued "virtue of rational choice theory" which is to pursue "equilibrium results independent of structural peculiarities" (Strøm 1990, 565).

Thus, whereas a purely rational choice approach to party entry defines the costs of entry as wholly related to electoral institutions and the number of salient issue dimensions (e.g., Bernauer & Bochsler 2011; Tavits 2006), adopting a postcolonial lens provides visibility to cost factors unique to indigenous groups and the colonial legacy, namely assimilation costs. As Chowdhry and Nair (2013, 2-3) note, "being more attentive to the imperialist juncture" enables research to better recognize the constructions and subversions of intersecting relations of power across race, class, and gender. I therefore wrap the development of my theory of strategic indigenous party formation and electoral success in a postcolonial frame.

Overview of the Remaining Sections

The next section reconsiders the institutional constraints on and competing incentives of established mainstream parties and indigenous peoples. Drawing on research from both rational choice and constructivist traditions, I answer three key questions about indigenous party formation and success: When do these parties form and what makes them successful (or not)? Is the formation of indigenous parties beneficial and for whom? Finally, what roles do horizontal accountability institutions and linked fates—the idea that an individual's life chances and the fate of the group to which that individual belongs are interconnected—have in the formation and success of indigenous parties? The answers to these questions directly inform the assumptions I make when structuring my model of indigenous party entry and success in the following section.

Section three introduces my model of indigenous party formation and success. A conceptual explanation precedes the development of the full game-theoretic model of indigenous party entry, which is then followed by my theory of indigenous party success. Importantly, the game of indigenous party entry has substantive implications for new indigenous party success; a link which has mainly concerned scholars in terms of methodology—specifically with regard to selection bias in the sample of new parties used in quantitative analyses of new party success—but less so in terms of substantive theory. Thus, this section provides not only a novel theory of indigenous party formation and success, but also advances a theoretical explanation of the relationship between the two phenomena.

The empirical part of the paper follows in section four. I bring together the hypotheses derived from my theory in the previous section for testing using a diverse

case study method. The interactions between indigenous peoples, mainstream parties, and political institutions are considered for three cases: New Zealand, Colombia, and Taiwan. Each case study concludes with an evaluation of the hypotheses in light of the evidence. The results generally support my theory of indigenous party formation and success.

The fifth and final section concludes by identifying some limitations of this research, suggesting directions for future research, and describing three key contributions of my model of indigenous party formation and success. This research contributes a model which incorporates politicization of indigenous peoples by mainstream parties and provides insight on how these indigenous groups strategically balance autonomy and political participation. It further suggests how governing elites can leverage reserved seats and horizontal accountability institutions to cultivate state legitimacy and enforce indigenous group assimilation. Finally, the model gives an example of how rational choice approaches generally, and theories of strategic party entry specifically, conceptualize indigenous party behavior in a way which more accurately reflects the structural inequalities indigenous groups face in postcolonial democracies. I argue that new approaches sensitive to indigenous preferences and postcolonial theory are needed for, first, the design of institutions and policies meant to improve regime stability and reduce ethnic conflict, and, second, rational choice as discourse.

II. Reevaluating Assumptions: Constraints and Incentives

In order to clarify the structure of the game of indigenous party formation and its implications for the electoral success of new indigenous parties, I first engage the theoretical tensions surrounding the representation of ethnic minority groups. These debates over the empirical and normative causes and consequences of ethnic party entry and success point toward the need to revise the assumptions held by rational choice approaches to the question of party formation as it has been posed until now in general terms. Accounting for constructivist and postcolonial arguments in the reevaluation of rational choice literature suggests that its potential for application to the study of indigenous group representation and indigenous parties depends on modifying institutional constraints and incentive structures so that they more accurately reflect the relationship between the state, major parties, and historically marginalized indigenous groups.

This review suggests, in brief, that the electoral system mediates the relationship between social cleavages and the party system, which is in turn influenced by the special conditions of ethnic minority reserved seats and the responsiveness of parties to ethnic group demands. However, different groups are likely to make correspondingly different demands of their representatives, but the salience of group identity as well as issue dimensions can be manipulated by political elites seeking an advantage in party competition. The resulting ethnic mobilizations and tensions have important consequences for regime stability and legitimacy, and these effects are interlinked with

ethnic minority assimilation and autonomy. These benefits and costs are readily

accessible through mainstream parties' interactions with horizontal accountability

institutions which, to varying extents, are assigned to resolve disputes between the state

and indigenous peoples.

When do Indigenous Parties Form and Succeed?

Rational choice and political opportunity approaches to party entry have clashed over the

sufficiency of permissive electoral systems compared to the necessity of political

mobilizations of social groups in their respective explanations of the formation of

electorally viable parties. Under a rational choice framework, the decision for new party

entry is structured by the electoral institutional environment, and defined by the

interaction of the benefits of office with the probability of electoral support less the cost

of entry (Tavits 2006). The costs include registration rules (fees, signature requirements)

and the threshold of exclusion (minimum share of votes needed to qualify for a seat in the

legislature). Hence, higher district magnitudes[3] which functionally lower the vote quota

for winning a seat are considered by Ordeshook and Shvetsova (1994) to be the most

important factor in explaining party formation and sustainability, although they qualify

that this effect is conditional upon the number of issue dimensions with which parties can

align themselves. Ordeshook and Shvetsova also find that single member districts render

party systems impervious to underlying ethnic heterogeneity. Indeed, many scholars (e.g.,

Cox 1997; Harmel & Robertson 1985; Lijphart 1994; Taagepera & Shugart 1989)

emphasize the explanatory power of district magnitude in accounting for new party entry

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[3] District magnitude refers to the number of legislative seats in an electoral district.

and success. However, more recent studies have provided nuance to the relationship between electoral system proportionality and ethnic party entry by accounting for the territorial distribution of politically active ethnic groups relative to district magnitude (Bochsler 2011; Lublin 2017; Morelli 2004; Mozaffar et al. 2003) and legal entry requirements with spatial conditions, e.g., signatures or local offices in a certain number of districts (Birnir 2004).

For scholars employing a political opportunity framework, the removal of institutional barriers may be a necessary—but not always sufficient condition—for indigenous party entry (Birnir 2004; Van Cott 2003). Reserved seats for ethnic minority groups provide an institutional solution to the typical costs of party entry by restricting who can vote, who can be elected, or both, to the underrepresented ethnic group (Bird, 2014; Bernauer & Bochsler 2011; Rice & Van Cott 2006), but a preceding mobilization of an ethnic group demanding representation is key to ethnic party formation and viability (Van Cott 2003). This may help explain Lublin and Wright's (2013) finding that while reserved seats are associated with an increase in ethnic minority representation, they do not enhance the prospects for ethnoregional party success.

Thus, elites' strategic politicization of social cleavages and group identity is an essential element in explaining ethnic party formation. In contrast to the sociological approach of Lipset and Rokkan (1967), which views social cleavages as fundamental in organizing the structure of party competition, constructivist analyses of party systems and ethnic cleavages hold that political actors strategically mobilize and depoliticize different markers of ethnic identity in order to manipulate the lines of party competition (Torcal & Mainwaring 2003). Enyedi (2005, 699) encapsulates the constructivist view of the

relationship between social cleavages and the structure of party systems with the observation that "cleavages would not exist without elites conceptualizing the conflict situation." While not all potential ethnic cleavages become mobilized in the project of defining party competition (Mozaffar et al. 2003), a number of scholars have adopted constructivist assumptions about variability in the political relevance of different ethnic identities to improve upon theories of ethnic group representation and electoral and party systems (e.g., Chandra 2005; Enyedi 2005; Htun 2004; Torcal & Mainwaring 2003).

Further, responsiveness to ethnic group voters once a party achieves representation in the legislature has important effects on future party competition. More specifically, reserved seats can increase the descriptive representation of ethnic minority groups, but the conversion of descriptive representation to substantive representation of ethnic group interests depends on the intensity of electoral competition and its tendency towards party-centered or candidate-centered campaigns (Bird 2014). Dunning and Nilekani (2013) find that party discipline and main parties' cultivation of a multiethnic electoral support base intervenes in the translation of ethnic quotas to ethnic group mobilization and representation. Similarly, Madrid (2005b) and Raymond and Arce (2011) suggest that main parties often fail to respond to ethnic minority interests, even if they have recruited ethnic minority candidates and campaigned on an inclusive platform. The lack of main party responsiveness to ethnic group demands, even in the context of reserved seats, suggests that mobilized ethnic group voters may support small parties—especially ethnic parties (Bird 2014; Htun 2004; Madrid 2005b).

In sum, permissive electoral institutions—typified by high district magnitude and a reserved seat system—in combination with an appropriately distributed and sizeable

ethnic population (in the case of single member districts, concentration of ethnic populations is advantageous) and politically mobilized ethnic groups demanding representation are facilitative of ethnic party entry and success. However, the ability to sustain electoral success is influenced by parties' translation of descriptive representation and campaign promises into policy outcomes that are responsive to ethnic group demands.

Is Indigenous Party Entry Desirable or Not?

A second thread of scholarly debate surrounds the normative consequences of ethnic party formation, and the associated tension between ethnic group assimilation and autonomy. These questions are important from the perspectives of both mainstream elites and ethnic groups. One of the reasons elites may activate certain markers of ethnic identity (e.g., language, religion, race, territory of residence) is not only to secure an electoral advantage (Enyedi 2005; Mozaffar et al. 2003; Torcal & Mainwaring 2003), but also to cultivate regime legitimacy and stability (Chandra 2005; Madrid 2005a). As Htun (2004, 445) notes, reserved seats are often adopted as a "founding compromise" which provides groups with "a constitutional share of power, giving [them] an incentive not to defect from the existing political regime and undermine the survival of the state." But whether reserved seats function effectively as an instrument of such a grand compromise is contested.

The negative argument holds that partisan competition structured by ethnic cleavages portends the disintegration of democratic politics. Ethnic quotas that allow voters to self-select into the electorate for ethnic minority reserved seats have been observed to produce stronger ethnonationalist mandates, for example, in Croatia and New

Zealand (Bird 2014). This tendency comports with ethnic outbidding models (Horowitz 1985; Rabushka & Shepsle 1972) which posit that relatively centrist positions are progressively defeated by increasingly extreme parties appealing to ethnic groups and entrenching ethnic divisions. The result of this ethnic outbidding process is argued to be that either the majority group wins and strips the minority ethnic group of its rights or the minority group preemptively engages in political violence against the majority; in either case democracy is undermined (Chandra 2005). Madrid (2005a, 161-162) cites critics who contend that the emergence of indigenous parties contributes to ethnic conflict and democratic instability because the supporting movements clash with Western culture and maintain ties with radical leftist groups.

However, the claim that the representation of ethnic groups is a threat to democratic regime stability has come under scrutiny and, for some researchers, been turned on its head. Chandra (2005) argues that the primordialist assumptions of the ethnic outbidding model gives way to further assumptions of homogenous ethnic group identities and interests which obscure the benefits to politicizing ethnicity and the formation of parties drawing on multiple and fluid ethnic identities. The institutionalization of ethnic cleavages allows parties to credibly campaign on platforms which do not challenge the regime, thus bringing ethnic competition back towards the center. Other empirical research finds that party system fragmentation due to a proliferation of mono-ethnic parties is constrained by resource and constituent availability, prompting multiethnic parties to develop instead and reducing overall fragmentation of the party system (Raymond 2015). Consequently, it is possible that an emergent indigenous party comes to represent multiple tribes on the basis of their

common relationship to a history of colonization and shared experiences contemporary

discrimination—an identity that cuts across tribal associations and that has been activated

by mainstream and/or indigenous group elites. Such a dynamic played out, for example,

in Colombia from the 1970s through the early 1990s when numerous tribes came together

in support of a general indigenous movement that went on to contest elections and win

several seats (Troyan 2008; Van Cott 2003). Of course, the politicization of indigenous

identity is not always so effective at mobilizing tribes to support a common movement or

party, as happened in Taiwan between the mountain and coastal indigenous tribes (Simon

2010) or in late 1990s and early 2000s elections in the case of Colombia (Kollman et al.

2018).

More generally, the politicization of ethnic groups brings benefits to mainstream

elites through its favorable relationship with regime stability. The incorporation of ethnic

minority groups into democratic processes via reserved seats signals inclusion and that

"the minority community is a full party of society," but also has the practical effect of

increasing the potential for cooptation of ethnic group elites by government (Bird 2014,

19). Further, Bird (2014) notes, symbolic inclusion trades off with legitimizing the status

quo regime when representatives are more accountable to parties than voters and when

ethnic quotas require fixed definitions of ethnic group identity to functionally determine

eligible voters for reserved seat tier elections. Thus, elites have an interest in

manipulating ethnic cleavages as a strategy for accessing political power and economic

resources—an incentive which postcolonial institutions inherited as a legacy of the

colonial period (Mozaffar et al. 2003).

Besides these regime stabilizing and legitimation benefits, the potential cost of ethnic party entry to major parties tends to be relatively minimal: the fluidity and ambiguity of indigenous political identity requires indigenous parties to be inclusive of multiple identities and deters radical ethnonationalist platforms. Indeed, where indigenous parties have espoused strong hostility towards nonindigenous people, they have performed poorly at the polls even among indigenous voters (Madrid 2005a). It is therefore possible that, where mainstream elites cannot win indigenous group assimilation and access to protected resource by acquiescence, inducing indigenous party entry may be a low risk alternative.

Htun (2004, 441-442) portrays reserved seats differently than do the assimilationist and cooptation critiques described above, arguing that "their objective is to facilitate autonomy of political communities and electoral success of group-specific parties" and that "ethnic groups prefer, and receive, legislative reservations." According to Htun, ethnic groups want independent access to political power—achieving both representation and maintaining autonomy—unlike the demand of women for integration into existing mainstream parties and (in principle) the adoption of gender quotas to such effect. In this sense, the presence of an ethnic minority party in the legislature may serve as a check on the executive and other parties against abuses or rollbacks of ethnic group rights. Ethnic group demands for reserved seats as institutional insurance for autonomy and representation makes sense if ethnic reservations are viewed as a compromise ensuring survival of the democratic state. However, Htun's analysis of this relationship is based on the contrast between legislative quotas, which explicitly integrate candidates into established parties, and reserved seats, which permit (though not require)

representation by an independent ethnic party. By glossing over the broader historical

context and the root preference for self-government of indigenous groups—which would

become apparent if the precolonial period was held as the reference point—what Htun's

analysis actually reveals is elite motivation for the survival of the liberal democratic state.

Thus, incumbents and other major parties have a vested interest in strengthening the

regime in which they hold political power and the ability to exploit economic resources

whereas indigenous groups prefer to maximize autonomy and preserve their rights.

A question remains, however, about identifying the optimal strategy for

indigenous groups to achieve autonomy. From the perspective of indigenous peoples,

answering this question involves addressing their attitude towards participation in the

formal political institutions of the state, their socioeconomic position and extent of

dependence on the state, and availability of alternative methods of advocacy. On the one

hand, the instrumentalization of indigenous group participation by main parties is

recognized by indigenous peoples and feeds their reticence to support participation in

elections as a distinct party. This perspective sees no relative advantage in terms of group

autonomy and rights to forming an indigenous party and influencing policy through the

normal means of governance established by postcolonial democratic regimes. More

common is the belief that participation would instead be detrimental to indigenous

autonomy:

> Indigenous peoples frequently express a profound sense of alienation
> toward these institutions, which carry the stigma of colonial domination.
> Legislative bodies are regarded with particular suspicion, and even
> hostility, conjuring up memories of historic disenfranchisement or
> strategies of electoral inclusion linked to assimilation and the loss of
> indigenous rights and identities. (Murphy 2008, 186)

Moreover, the very term "indigenous" only emerged as a label of group identity in the latter half of the 20th century, and only then as a construction of nonindigenous actors. When the International Labor Organization and other United Nations entities began employing the term, indigenous groups responded by referring to themselves as such in order to access the rights and protections being established in international agreements (Niezen 2000). It therefore seems that in general indigenous peoples have strong reservations about advancing the cause of autonomy and group rights through state institutions, but are willing to advocate for these objectives in alternative venues such as international organizations.

On the other hand, there are several potential reasons why engaging the state through representation in the legislature may be a preferable strategy for indigenous groups. First, most indigenous groups are too small and resource poor to support the political, economic, and security institutions necessary to sustain a modern independent state (Niezen 2000). As a consequence, indigenous peoples are to a significant degree reliant on the state for support, and participating in electoral and legislative politics may be a useful method of managing this seemingly inevitable dependence (Murphy 2008). Second, demographic and economic integration produces a "complex interdependence" which leads policy-making and implementation *in general*, as opposed to specifically and only indigenous group-related policies, to be highly relevant to members of indigenous groups (Murphy 2008, 198-199). Increases in internal migration (especially in coincidence with urbanization), intermarriages, and intermingling of economic activities through business relationships and employment have driven the growing interdependence between indigenous and nonindigenous communities. These developments lead Murphy

(2008) to argue that indigenous group participation in elections forms an important component of a multifaceted strategy aimed at achieving indigenous group self-determination.

The normative controversy over indigenous party entry from both mainstream and indigenous perspective appears to reduce to the rigidity or flexibility of group identities, the desire of mainstream parties to increase regime legitimacy and the attitude of indigenous groups towards formal political participation, and the conduciveness of the institutional environment to realizing each group's objectives. In the previous part of section two, reserved seats were identified as a key electoral institution in facilitating ethnic group representation. This part has posited that mainstream parties and elites can strategically politicize group identity to encourage participation but that indigenous peoples are generally hesitant to involve themselves in elections as a group due to the legacy of colonialism and substantial assimilation costs. And although indigenous participation on an individual basis may be relatively accepted as structural conditions change to deepen the interconnections between indigenous and nonindigenous populations, this incremental (and ostensibly voluntary) form of integration does not relieve the state of its legal obligations to indigenous groups nor confer the legitimacy benefits that are derived from the symbolism of indigenous *group* participation in elections and the legislature. One of the determining factors of indigenous party formation is therefore whether the major parties possess the capacity and will to manipulate the institutional environment such that the assimilation cost of not forming a party is greater than entering electoral competition as an indigenous party.

The Strategic Role of Horizontal Accountability and Linked Fates

The impasse created by the fundamentally opposed preferences held by mainstream parties and indigenous groups gives reason for the importance of horizontal accountability—formal institutions endowed with the authority to check the actions of other state institutions (O'Donnell 1998). In the case of ethnic minority rights, horizontal accountability mechanisms are those institutions, such as courts or tribunals, which hear and rule on grievances brought by indigenous peoples against the state, and adjudicate issues relating to treaty settlements, though there is variation in the availability and effectiveness of the means of enforcement (Cleary 2000; Lashley 2000).

The research discussed in the preceding analysis found that, from the perspective of mainstream elites, indigenous party entry is more desirable than not under certain conditions. Subsequently, party leaders may have an incentive to violate special rights assigned to indigenous groups by treaties or other laws. I argue that these elites may go so far as to disregard unfavorable rulings issued by institutions of horizontal accountability in response to these violations. The proposition of manufacturing a failure of horizontal accountability has two possible benefits for mainstream elites and the parties they lead. On the one hand, the indigenous group may acquiesce to the violation of their rights—for example to autonomously manage ancestral lands—giving the government legal access to lucrative natural resources while the indigenous community passively assimilates. On the other hand, the indigenous group may reject the transgression, causing the issue along with indigenous group identity to be politicized. In this case, mainstream parties have gained the regime legitimacy and stability benefit

deriving from the entry of an indigenous party. For its part, the new party seeks to restore and insulate group rights.

The decision to create a horizontal accountability failure is thus a strategic one involving a cost-benefit calculation by mainstream parties. In comparison to the benefits just described, the costs of exceeding the limits of horizontal accountability are derived from the threat of punishment that parties responsible for the failure face at the polls (Schedler 1999). Research on democratization (O'Donnell 1998, 1999; Powell 2004; Weingast 1997) and indigenous movements (Yashar 1999) has observed a complementary relationship between vertical and horizontal accountability. As Diamond et al. (1999) argue, this relationship extends beyond the relatively conventional legislative-executive dynamic to involve more autonomous horizontal accountability institutions such as human rights commissions or special tribunals. Hence, a failure of horizontal accountability which facilitates policy-making in ways contradicting salient indigenous group interests are likely to motivate party formation as an exercise in collective action to restore responsiveness to group interests through retrospective vertical accountability (O'Donnell 1999; Powell 2004). This expectation is in line with empirical evidence which indicates that enhancements to horizontal accountability require "a clear public demand for reform" (Schedler 1999, 341). Applied to the issue of indigenous party entry, this logic suggests that when a governing party refuses horizontal accountability and persists in breaching indigenous group rights, indigenous voters are likely to respond by supporting an indigenous party in elections. The mandate being that the party will use its policy influence to restore group rights and insulate them against future transgressions by strengthening relevant horizontal accountability mechanisms.

If the governing party's politicization of indigenous identity and shift to the extreme assimilation side of the autonomy-assimilation issue dimension opens up policy space for a competing party to enlarge its electoral base, then why doesn't the established mainstream opposition step in to represent voters abandoned by the governing party's policy shift? According to the spatial model of party competition pioneered by Downs (1957), rational vote-seeking parties should take positions which maximize their proximity to voters' preferences relative to competing parties. If the governing party has located itself at the assimilation pole of the indigenous rights dimension, then the main opposition party could maximize its vote share by taking a less extreme position and capturing all votes from the autonomy pole to just before the assimilation pole, preemptively capturing voters who may have otherwise supported the entry of an indigenous party. However, this analysis relies on assumptions of low distortion in the conversion of votes to legislative seats, an increasing competitiveness of elections, and that there are a small number of effective parties (Strøm 1990). Consequently, an application of Strøm's (1990) critique of the Downsian vote-maximizing model of party behavior suggests that variations in the attributes of electoral institutions and, relatedly, party systems influence the propensity for established opposition parties to strategically crowd-out potential indigenous parties from entering electoral competition. In addition, Meguid (2005) challenges the assumption of equally weighted issue dimensions, arguing that issue salience is dynamic and parties strategically manipulate the perceived importance of specific issues and that a party's credibility on a given issue can impact voters' decision-making. As a result, even in the optimal vote-seeking environment of a competitive two-party system with little distortion caused by the electoral formula, a

mainstream party's lack of credibility on indigenous issues may work to maintain an opening for a viable indigenous party to form.

The explanation for differences in credibility perceptions, I argue, is the trust individuals have in other in-group members to think and act in ways beneficial to the group as a first priority. Put differently, the feeling of linked fates among indigenous peoples and, separately, among the dominant majority ethnic group, predisposes each group to evaluate the credibility of a party through the lens of group identity and welfare. The concept of linked fate originated as a description of black Americans' feeling that their individual life chances were strongly tied to those of the racial group as a whole, and therefore individual political preferences were shaped in consideration of what was best for the group (Dawson 1994). Recent empirical studies suggest that a sense of linked fate is prominent in not only black communities but other racial, ethnic, religious, class, and gender groups as well (Gay et al. 2016). Moreover, feelings of linked fate and consequent political preferences are not necessarily restricted to historically marginalized groups. Schildkraut (2017) finds that white Americans also share a sense of linked fate and that this feeling influences preferences for white candidates. Taken together this evidence suggests that both dominant and subordinate groups generally perceive some level of congruence between group utility and individual utility, and that in practice it is preferable to be represented by an in-group rather than out-group member. As Mansbridge (1999, 643) explains, "the deeper the communicative chasm between a dominant and a subordinate group, the more descriptive representation is needed to bridge that chasm." Furthermore, descriptive representatives cannot easily deny their group affiliations or fail to consider marginalized perspectives because doing so

undermines the justification for their presence and is counter to their own self-interest given linked fates (Dovi 2002). Hence, descriptive representation based on shared identity and experience is "assumed to promote loyalty" to the group (Mansbridge 1999, 629).

Extending this theoretical and empirical evidence to the issue of party credibility on the issue of indigenous group assimilation versus autonomy, it seems that indigenous voters would assign greater credibility, and subsequently electoral support, to an indigenous party. On the other hand, the dominant majority ethnic group is likely to support mainstream parties. These cleavages are activated by the governing party's assimilationist challenge to indigenous peoples, and upon the rejection of horizontal accountability the literature reviewed here suggests that a newly formed indigenous party stands to gain more votes than does an established major opposition party by campaigning on a platform of indigenous group autonomy. Indeed, this proposition is underwritten by Brubaker's (2004, 119-120) grounded analysis of assimilationist policy:

> Abundant historical and comparative evidence, moreover, suggests that they rarely work, and that they are indeed more likely to strengthen than to erode differences, by provoking a reactive mobilization against such assimilatory pressures. Analytically, we may have good reason to speak of assimilationist *policies*; but such policies need not have assimilationist *outcomes*. (emphasis in original)

The remaining question, then, is the location of the cost-benefit threshold which motivates established main parties to manufacture a horizontal accountability failure in an attempt gain access to economic resources and indigenous group assimilation, and under what conditions do indigenous groups respond to this challenge by forming a party

and contesting elections. I theorize an answer in the next section using game theory to

develop a formal model of indigenous party entry and success.

III. The Modified Game of Indigenous Party Entry and Success

In this section, I introduce a formal theory of indigenous party formation followed by expectations about the electoral success of newly formed parties. This theory modifies the general game-theoretic model of party entry and success introduced by Simon Hug (2001). Although Hug intends his model to be generally applicable within the universe of consolidated democracies, and to indirectly inform expectations about the success of new parties (Hug 2001, 6), I argue the model requires significant modification to be useful in explaining indigenous party entry and success. The unique institutional and incentive structures surrounding the interactions between established parties and potential indigenous parties—that is, reserved seats, competing interests in terms of autonomy and assimilation, and horizontal accountability institutions which mediate government action and indigenous group rights—fundamentally alter the structure of Hug's general game and thus demand its revision. My theory also improves upon the substantive linkages between the conditions of new party entry and new party success, which I describe following explication of the game of indigenous party entry. But first, I present a conceptual articulation of my theory of indigenous party entry in order to ease the transition into the formal model of the game.

A Conceptual Explanation of Indigenous Party Entry

The central features of the game of indigenous party entry involve the strategic interactions of an established mainstream party with decisive influence over policy-

making, an indigenous population which has the potential to form the base of a new party, and an institution which is formerly committed to perform a horizontal accountability function. These interactions take place in the context of a democratic regime with reserved seats for indigenous peoples.

As explained in section two, the established mainstream party and the potential indigenous party both experience unique incentives and constraints which are structured by each group's relationship to the colonial period and the implications of its legacy for the institutions of the contemporary regime. The mainstream party, seeking access to protected natural resources or improve regime legitimacy (which subsequently benefits the party itself as a result of its dominant position in the status quo regime), has an incentive to bring about indigenous peoples' assimilation, first by indigenous acquiescence but if not by motivating the formation of an indigenous party. In pursuing these incentives, the mainstream party must consider costs associated with initiating and sustaining the assimilation challenge (e.g., financing a public relations campaign and legal fees if the policy is challenged in court), the possibility of electoral competition with a newly formed indigenous party, and investing the party's reputation in the outcome of the challenge.

For the potential indigenous party, the dominant strategy is one of cost mitigation. Following from the colonization of indigenous peoples and territories and indigenous preferences for autonomy given the pre-colonial period as a baseline referent, I do not identify any benefit in the matrix of possible payoffs for the potential indigenous party. In other words, even the optimal outcome for the indigenous peoples—that is, the rescinding of the assimilationist challenge by the established mainstream party—there is no

improvement in their situation compared to their status at the beginning of the game. This framing keeps the history of colonialism centered in the analysis of indigenous party formation and provides a more accurate representation of the power inequalities between mainstream parties and indigenous peoples. Since the mainstream party enjoys a structural advantage, it is generally able to continue pressing its assimilationist challenge onto the potential indigenous party. Thus, it is unlikely (though not impossible) for the indigenous peoples' preferred outcome to occur. Instead, they have the option of accepting the assimilation demand or of forming a party to fight the mainstream party in elections and influence policy towards indigenous autonomy. I argue that the latter strategy is preferred by indigenous groups because it plausibly requires only a temporary assimilation cost whereas the former strategy is essentially a permanent (coerced) forfeiture of rights.

My model's equilibrium outcomes are conditioned by the perceived disposition of the horizontal accountability institution towards indigenous rights, the strength of the main party issuing the assimilationist challenge, and the cohesiveness of the indigenous group. The horizontal accountability institution (a court, special tribunal, or other mechanism for resolving indigenous grievances) affects each actor's strategy by its effect on policy legitimacy: whichever actor is on the losing side of the ruling suffers a blow to the legitimacy of their position on the indigenous autonomy-assimilation issue dimension, whereas the winner gains a legitimacy boost. This effect may be particularly severe for a new indigenous party whose raison d`être is advocating for group autonomy. As a result, I expect a potential indigenous party to be sensitive to the horizontal accountability institution's reputation and whether it is expected to make a favorable ruling on a given

dispute. Where this expectation is low—that is, the horizontal accountability institution is predicted by the potential indigenous party to make an unfavorable decision—the indigenous group forgoes the legal contestation of the assimilationist challenge and forms a party. Conversely, when this expectation is high, the result is indigenous party formation after a ruling has been made by the horizontal accountability institution.

This last outcome requires that either the ruling was unfavorable to the potential indigenous party or that it was favorable but the mainstream party refused to be held accountable and moved forward with implementation of the assimilation policy anyway. If, however, the mainstream party pushing indigenous assimilation is weak—for example, by way of electoral vulnerability or expendability as a coalition partner—then it determine that the legitimacy penalty received from an adverse decision is too much to bear and accepts accountability by withdrawing its assimilationist challenge. In this case, no indigenous party is formed. It may also be the case that the main party behaves in the same way as the potential indigenous party in regards to the perception of the horizontal accountability institution's reputation. If the main party expects an unfavorable ruling, it may proactively rescind its challenge instead of risk losing legitimacy and, subsequently, votes.

Finally, the outcome of the game of indigenous party entry can change when the cohesion of the indigenous group varies. Recalling Brubaker's (2004, 12) distinction between category and group, whether an indigenous party forms is influenced by level of "groupness" constructed from the category of indigenous peoples. Indigenous peoples vary from country to country in their geographic distribution, number of tribes, the intensity of tribal affiliations compared to association as indigenous peoples across tribes,

and organizational capacity, among other attributes. To the extent that these factors

constitute a barrier to collective support for an indigenous movement, indigenous party

formation becomes less likely (and the electoral success of such a party even more so).

On the other hand, a unified indigenous population mobilized against the mainstream

party's assimilation policy is more likely to result in the formation of an indigenous party.

The Baseline Model of Indigenous Party Entry

In this part, I formalize the conceptual arguments put forth above in a game-theoretic

model of indigenous party entry.[4] Both the established mainstream party (E) and the

potential indigenous party (P) are rational players with perfect information about the rules

of the game, the set of possible payoffs for each player, and how these outcomes are

preference-ranked by E and P. In order for E to plausibly issue an assimilationist

challenge, I define E as either a having either a decisive or dictator role in the policy-

making process. Strøm (1995, 62) defines decisive actors as parties that "have the votes

or authority to produce legislative action, but they cannot necessarily prevent other

groups from effecting action they do not like" and dictators as actors whose "consent is

both necessary and sufficient for a legislative decision." Depending on how the game is

played, a third player—a horizontal accountability institution (H)—is introduced as an

exogenous decision-maker. While the consequences of H on the outcome are unknown

until the players involve the grievance resolution mechanism, the effect of reserved seats

is known *a priori*. Specifically, reserved seats, as previously described, minimize the

electoral system cost factor but do not address the costs to autonomy associated with

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[4] Mathematical proofs are provided in the appendix.

assimilation into institutional politics and the loss of group rights. In this game, therefore, P experiences a cost of entry equal to assimilation costs. Figure 1 presents the extensive form of the game, with five sequential decision points (indicated by a column of vertically aligned decision nodes) which progress from left to right. The payoffs to each player are given immediately to the right of each terminal arrow.

The game begins with E deciding whether to issue an assimilationist challenge (*c*) or not (*~c*). In the latter event the game ends at outcome I, representing the status quo, and neither player wins a benefit or pays a cost. If an assimilation policy is introduced then the indigenous group is forced to respond. P has three options: to acquiesce (*a*) to E's challenge by giving up autonomy and assimilating, to fight against the challenge by entering party competition (*f*), or to reject the challenge (*r*). As depicted in Figure 1, if P chooses any strategy besides rejection the game ends at either outcome II or III. The path to outcomes IV through VIII are realized when P rejects E's challenge, referring the contested matter to H for adjudication. The game branches depending on whether H's ruling is in favor of the established main party (*e*) or the indigenous group (*p*). In the former case, P has the final decision to acquiesce to the ruling (outcome IV) or dispute the ruling and enter into party competition to restore group rights (outcome V). In the latter event, it is E who decides to accept H's decision and give up the challenge (outcome VIII), or to reject accountability and force P to either finally give in (outcome VII) or fight by forming a party (outcome VI).

Before attempting to solve for the equilibrium outcome of the game, it is necessary to define assumptions about party types and player interests. There are two types of parties in the game, strong (*s*) and weak (*w*), differentiated by current policy-

making influence and prospective vote share. For example, a party with dictatorial

privilege and a substantial advantage in voter support over the second largest party by

vote share is clearly a strong type. On the other hand, a party with a waning decisiveness

in policy-making and is enmeshed in highly competitive elections is a prototypical weak

type of established party. Any newly formed indigenous party is necessarily a weak type

due to its minority support base and lack of party institutionalization. I therefore begin

with the assumption that E is a strong party and P, should it decide to form a party, would

be weak. Further, both E and P possess sufficient information about each other's strength

to accurately classify their opponent as strong or weak.[5] Party type is an important

distinction in the model of strategic party entry because it factors prominently into the

credibility of demands and ordering of preferences.[6] Insofar as E maintains its position as

a strong type its challenges to P are credible because E, by virtue of its type, has the

capacity to pay the costs of the challenge (c).[7]

In the game of indigenous party formation, the challenge is of a specific and

constant substance; that is, the challenge to the rights and ultimately autonomy of the

indigenous peoples is issued by E in order to gain the benefits of assimilation to regime

legitimacy, stability, or access to valuable natural resources. The costs of issuing a

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[5] Information about potential indigenous party strength may be obtained through several sources, including: census data, other demographic surveys, and registration requirements for indigenous peoples to access certain rights or services—especially special district voter rolls which require identification as indigenous in order to vote on candidates or party lists in reserved seat elections. Further, the indigenous party entry cost and probability of electoral success differentials between reserved seats and general tier seats substantially limits the expected legislative strength of new indigenous parties.

[6] Although Hug (2001) operationalizes party strength as a nominal variable, it is more accurate to think of party strength as a continuum ranging from the strongest party in the system to the weakest. However, because the parties in the model are only abstractions and therefore cannot be measured for their actual level of strength, I generally proceed with the discussion at the nominal level.

[7] In other words, a credible challenge is one in which the player making the challenge is able to float the costs of making the challenge until a net-beneficial payoff can be achieved.

challenge include expenditures on advertising, polling, signature collection, and other strategies to persuade and demonstrate supportive public opinion (Hug 2001). In addition to these general components, I add two costs particular to the assimilationist challenge: legal fees—which are included in the calculation of c—and the investment of party reputation on the issue. Because this investment can show a positive return if the indigenous group assimilates or a negative return if the challenge is ultimately unsuccessful, I define it separately as a and it is only realized on the cost side of E's payoff if E acquiesces to a rejection of the challenge. If the challenge is successful, the return on investment is included on the benefit side of E's payoff as either b_w when the indigenous group assimilates by forming a party or b_c when the group concedes to the challenge without entering party competition. In the former case, E faces costs associated with fighting the new party in elections (f) which is less or more expensive depending on the new party's strength.[8] E's ordered preferences for these benefits and costs are given by the following assumptions, respectively[9]:

$$0 < b_w < b_c \qquad (1)$$

$$0 < f_w < f_s < a \qquad (2)$$

For the potential new indigenous party, being coerced into this game by the actions of an established main party, there are only potential costs as payoffs. These costs are of three varieties: accepting the challenge and conceding group rights and autonomy (a), rejecting the challenge by referring it to a grievance resolution mechanism (r), or fighting against the challenge—and E—by forming a party and contesting the next

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[8] Fighting may occur against a weak type party (f_w) or a strong type party (f_s), though E will only fight against f_w whereas P may end up fighting either f_w or f_s.
[9] Payoffs are normalized to equal zero for a costless demand.

general election (*f*). Although both forming a party and accepting the challenge require exchanging autonomy for assimilation, the decision to fight E in elections is preferable because it holds onto the potential for restoring the status quo *ex ante* through influencing policy as a party in the legislature. The least costly strategy is represented by *r* since referring the assimilation policy to H does not require giving up any autonomy, whether temporary as in *f* or permanent as in *a*. Moreover, if H rules unfavorably, or if the H's decision is favorable to P but E refuses accountability, in choosing *r* P retains the ability to fight. Hence, these costs are related as shown in the following assumption:

$$0 < r < f_s < a \qquad (3)$$

However, because of the potential involvement of H, it is possible for P's cost incentives to be reordered. Horizontal accountability failures (occurring in the game at P's two rightmost decision-points) function as an exogenous shock on the institutional environment which raises the salience of indigenous identity and facilitates new party entry (Ordeshook & Shvetsova 1994; Tavits 2006). In this altered environment, P faces a renewed challenge from E with the following restructured cost relationship:

$$0 < (r - r) < f_s < a \qquad (4)$$

The negation of P's ability to reject and refer demands to H reflects the indigenous group's loss of its institutional safeguard against violations of its rights and autonomy. Hence, P is left with the option to acquiesce to the assimilationist demand of E or to form a party. The latter continues to be the preferred strategy for the indigenous group because, while costing a similar level of assimilation, only entering party competition can offer the indigenous group an immediate restoration of minimal autonomy through representation by an independent indigenous party in addition to the long-run possibility of restoring the

capacity of the horizontal accountability institution to protect group rights. In other words,

forming a party provides an indigenous group with the opportunity to exercise the

horizontal accountability function of the legislature against an indigenous rights-

transgressing governing party until the standing grievance resolution mechanism can be

rehabilitated and secured against future failures. In this sense, the assimilation cost

represented by f_s is at least potentially temporary whereas the same cost associated with

choosing a is comparatively permanent.

The final relevant actor is the horizontal accountability institution. Although H's

decision-making is assumed to be exogenous and random for the purposes of the game, it

still has an important effect on the outcome. This effect is transmitted through H's

potential to legitimize or delegitimize assimilation policy and, subsequently, the actors

who support or oppose that policy. Courts have the ability to influence public perceptions

of policy and actor legitimacy by their power to endorse or invalidate policy (Clawson et

al. 2001; Mondak 1992, 1994; Vanberg 2015). Hence, H confers a legitimacy (l) penalty

and reward to the loser and winner of its decision, respectively. External validation of the

challenge provides E with a benefit to its position while an adverse decision by H costs E

issue legitimacy. The opposite effects apply to P and can boost or undermine the

indigenous group's pursuit of autonomy. As with c, l is independent of any other benefits

and costs in the game, and cannot be ordered. However, these factors do influence the

order of preferred outcomes for each player as shown in Table 1.

In the baseline model, I assume H to be neutral such that there is an equal chance

of H deciding in favor of E or P (given by $\alpha = .5$, where α is the probability of H

choosing p). I also assume, for the time being, that E is strong enough that rejections of

its challenge by neither P nor H will lead E to withdraw its challenge. Under these conditions, the only plausible equilibrium outcomes are III, V, and VI. Outcomes II, IV, and VII do not occur because the indigenous group always prefers the cost mitigation strategy of fighting over acquiescing to assimilation demands ($-f > -a$). Additionally, outcomes I and VIII are not reached by definition of E as a strong type, implying that the challenge is credible and the benefits are greater than the costs. This leaves outcomes III, V, and VI with positive payouts to E and the least costly available alternatives for P. In each instance, the general effect is the same: the indigenous group forms a party and enters into electoral competition against E in order to restore its rights while the established main party wins the assimilation benefits of regime legitimacy and stability by way of P's participation.[10] In the following special models, I relax some of the assumptions of the baseline model—namely, the perceived disposition of H towards assimilationist challenges and the strength of E. The equilibrium outcomes of these special models are presented graphically in Figure 2.

Special Model 1: Unfavorable Horizontal Accountability Outcome

Adjusting the assumption about H's reputation with P so that P regards H as more likely to make an unfavorable decision by affirming E's assimilationist challenge produces very similar equilibrium results as the baseline model. In the unfavorability condition ($\alpha < .5$), outcomes V and VI are eliminated from the set of plausible results because the potential legitimacy effect from a favorable ruling by H is less likely to occur than an issue

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[10] Which particular outcome from the general baseline equilibrium set of III, V, and VI depends on P's level of risk-aversion. As P's risk-acceptance increases, it is more likely that P will reject E's initial challenge and progress the game to H, resulting in either outcome V or VI. As P's risk-aversion increases, outcome III becomes more likely.

legitimacy punishment resulting from H ruling against P. Further, from E's perspective this condition is considered favorable ($\sim\alpha > .5$) and the expected value of any outcome besides outcomes I and VIII is preferable. Because E controls whether outcome VIII occurs, and thus can avoid it by choosing to continue the challenge, E chooses to initiate a challenge at the beginning of the game. Hence, the equilibrium outcome when horizontal accountability institutions are perceived as unfavorable by indigenous groups facing an assimilationist challenge is immediate indigenous party formation (outcome III).

Special Model 2: Favorable Horizontal Accountability Outcome

On the other hand, if H is instead considered by P to have a favorable reputation and therefore is thought to be more likely to deny the legitimacy of E's challenge ($\alpha > .5$), then outcome III is instead removed from the baseline set of plausible outcomes. This is because the favorability condition produces an expected payoff wherein fighting later is valued over fighting now. Thus, when horizontal accountability favors the indigenous group's autonomy, and maintaining the assumption of E as a strong party such that the challenge is credible, the result is indigenous party formation (outcome VI). In the event that H supports E's assimilation demand, a new indigenous party again is formed, although in this instance the party enters with a relative issue legitimacy disadvantage (outcome V).

These outcomes are possible only if E does not alter its strategy in response to a change in H's disposition regarding the indigenous assimilation-autonomy issue. In contrast to P's change in optimal strategy when H moves from unfavorable to favorable, E continues to prefer initiating a challenge rather than not at the first decision point

owing to the nature of E as a strong type making credible challenges. For E, then, even when ~α < .5 the expectation of a positive utility from continuing the assimilationist challenge persists. This leads to P always taking the last turn, and given that P will always prefer to fight over accept assimilation, a game with a favorable H will end in indigenous party entry at outcomes V and VI.

Special Model 3: Varying Established Party Strength

Until now, each equilibrium outcome has resulted in indigenous party formation. However, this changes if E's strength is allowed to vary. When E is a relatively stronger party it is more likely to expect a profitable outcome from initiating a challenge and it will feel more secure in rejecting horizontal accountability following H's ruling. On the other hand, relaxing the assumption of established main party strength makes it possible for the game to end without indigenous party formation (outcomes I and VIII). As E's strength decreases (such as moving from the position of majority government to surplus coalition partner, or becoming increasingly vulnerable to electoral defeat as the competitiveness of elections rises) so does the cost of refusing horizontal accountability, and therefore the option of accepting H's ruling in favor of P increases in attractiveness (outcome VIII). The logic of this outcome is revealed through a brief examination of comparative statics. When E weakens the relative size of the legitimacy punishment l increases, as does the marginal cost of maintaining the challenge c. This is explained by a weak party having fewer resources and greater electoral vulnerability compared to a strong party. As Figure 1 shows, each continuation of the challenge increases costs to E, as does rejecting accountability after H decides in favor of P compared to just accepting

the decision.[11] A weak E therefore rationally accepts H's accountability and withdraws its challenge to P (outcome VIII) rather than pursue the more costly strategy of pressing forward with the challenge (outcomes VI and VII).

There are two additional ways in which an indigenous party can fail to form with respect to variation in E's strength. First, if H is perceived as unfavorable to E, and controlling for E's level of risk-aversion, E may not even put forth an assimilationist challenge in the first place (outcome I). In this case, E has determined that pushing an assimilation policy on P is likely to put E in a worse position than it enjoys in the status quo. Second, E may start out as a strong type making a credible challenge, but in the interregnum between E's initial move and the publication of H's decision something happens to make E weak (such as an election or a series of defections). In such an event, E may take a cost cutting approach and acquiesce to H rather than refuse accountability, leading to outcome VIII and no indigenous party formation.

Altogether, the baseline and special models imply three hypotheses related to ethnic party formation by ethnic minority groups who prefer autonomy and protection of their rights:

H1:   *If the demand for assimilation can be referred to a functioning institution of*

   horizontal accountability, no indigenous party will form until after

   adjudication.

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[11] The compounding of the legitimacy penalty from an unfavorable decision by H does not affect E and P in the same way. As noted, E's strategy of creating a failure of horizontal accountability by continuing its assimilationist challenge leads to a multiplication of E's legitimacy cost (outcomes VI and VII). However, when P is on the losing end of H's ruling and decides to fight the challenge by forming a party (outcome V), there is no such compounding effect. The reason for this difference is that P is working through existing institutions to achieve its interests whereas E is subverting them. Of course, this explanation assumes that H is perceived as legitimate by voters and that these voters will hold E accountable for its transgression.

H2:   If the grievance is decided against the interests of the indigenous group, an

indigenous party will form.

H3:   If the grievance is decided in favor of the indigenous group, an indigenous

party will form if the established party chooses to refuse the ruling but not if

the ruling is respected.

New Indigenous Party Success

Turning to the electoral success of newly formed indigenous parties, I first expect that

variation in new party success is influenced by the interaction of electoral institutions and

the geographic distribution of the indigenous group. As described near the beginning of

section two, proportional representation (PR) systems with low electoral thresholds—

marked by high district magnitude and reserved seats—in addition to permissive and non-

spatially conditioned registration requirements should be associated with higher vote and

seat shares if the indigenous group is geographically evenly distributed. Where

indigenous groups are geographically concentrated, on the other hand, majoritarian

electoral systems—especially systems with single member districts (SMDs)—are

conducive to indigenous parties winning a higher portion of votes and seats. These

relationships assume a tendency towards homogeneity in indigenous group voting

behavior in the direction of supporting an indigenous party above its competitors. For

now, I will contend that this assumption is validated by the events leading up to

indigenous party formation: the politicization of indigenous identity by mainstream

parties in their strategy to induce assimilation accomplishes the task of mobilizing indigenous groups.[12]

Further, the opposition response to the strategic failure of horizontal accountability mechanisms and subsequent entry of an indigenous party—in addition to the legitimacy penalties and rewards received by E and P—may have an effect on the electoral success of the new indigenous party. Meguid (2005) contributes a modified spatial model of niche party success which posits that the interaction of main party responses to a new niche party—of which new indigenous parties emerging under my model are a type—can influence the salience and ownership of the niche party's issue, thereby affecting its level of support in the general electorate. The three types of main party response identified by Meguid are accommodative, adversarial, and dismissive. Although Meguid's theory of main party response has been tested and found to be a statistically insignificant variable in explaining ethnic party success (Bernauer & Bochsler 2011), I argue that this result is attributable to Bernauer and Bochsler's research design which does not account for interactions between established elites and ethnic minority groups prior to ethnic party formation. My model allows me to improve upon this previous test of Meguid's theory by informing the arrangement of starting relationships. I assume that the established party which manufactured a failure of horizontal accountability signals an adversarial stance relative to the new indigenous party, given that its policy actions directly conflict with indigenous group interests.

The effect on electoral support for the indigenous party is therefore impacted by the strategic response of the main opposition party. If the opposition party is either

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[12] In the next part, I discuss the implications of heterogeneity of indigenous peoples.

dismissive of the indigenous party or joins the governing party in its adversarial

orientation, the new indigenous party should receive greater electoral support. In the

former instance, the adversarial behavior has a stronger effect on voter perception of

issue legitimacy (indigenous group rights) ownership (the new indigenous party) than the

'no-comment' style of the dismissive strategy. In the latter case, the indigenous party

should also benefit from more votes because the main parties are acting in concert to

legitimize the issue of indigenous group rights. However, if the opposition party adopts

an accommodative response, indigenous party vote shares improve when the adversarial

strategy is stronger than the competing accommodation. If the accommodative strategy

were to be stronger, it would legitimize the issue of indigenous group rights, but also

claim ownership of the issue through its more strongly established reputation and

capacity for reaching a broad audience with its own messaging on the issue. The

adversarial strategy militates against the effectiveness of accommodation because it

predates the opposition party's campaign, securing issue ownership for the indigenous

party. The effects of main party interactions are compounded or mitigated by the

distribution of legitimacy payoffs assigned during the indigenous party formation process.

 Consequently, I test three additional hypotheses, this time relating to new

indigenous party success:

H4: *Electoral success should be greater where the geographic distribution of the*

  indigenous group comports with the proportionality of the electoral system.

H5: *If the main opposition party takes on an adversarial or dismissive stance*

  towards the indigenous party, the new indigenous party should receive

greater voter support.

H6:   If the main opposition party carries an accommodative strategy which is

more persuasive of voter perceptions than the competing adversarial

strategy, the indigenous party's vote shares should decrease.

A Note on the Consequences of Indigenous Group Cohesion

Up to this point, my model has assumed homogeneity of indigenous peoples' interests

and behavior. While the assimilationist challenge of mainstream parties may work to

activate an encompassing indigenous identity as a reflection of the common experience of

colonial and postcolonial subordinations, it is also possible that this high level of

indigenous groupness is impeded by salient cleavages within the indigenous population.

Heterogeneity of indigenous peoples can lead to specific indigenous groups, such as

those constructed around tribal associations, holding differently ordered preferences

between them and therefore different optimal strategies. Lower levels of cohesion among

indigenous peoples as a whole may work against indigenous party formation since each

particular group must bear the costs of fighting an assimilationist challenge.

Consequently, it is possible that in some instances the costs of rejecting a challenge and

forming a party to contest elections outweigh the cost of accepting E's assimilationist

challenge, leading to no indigenous party entry at outcomes II, IV, and VII.

Alternatively, multiple indigenous parties may form and enter into electoral

competition. In this case, I expect that Raymond's (2015) observation that the number of

indigenous parties is effectively limited by the availability of finite resources and

constituents will prove insightful. The implication is that when multiple indigenous

parties form, they will be competing against each other as well as against mainstream parties, reducing their probability of electoral success. However, it is also possible that the design of the electoral system in terms of the geography and magnitude of districts may reduce the effect of inter-indigenous group competition if these institutional features align with the ethnic cleavages around which indigenous groups collect. For example if an indigenous population is mobilized into two different groups, a nationwide low magnitude district is likely to split the vote and lower the success of both indigenous parties. On the other hand, if these groups are concentrated in geographically distinct areas and there are multiple electoral districts drawn in coincidence with this geography, then inter-indigenous competition is more likely to be low and electoral success for each indigenous party is likely to be higher. These expectations highlight the importance of the term "group" in *H4* and its interpretation as a flexible, constructed concept.

IV. Case Studies

To test these hypotheses, I employ a diverse case study method. As Seawright and Gerring (2008) explain, maximizing the variance of the independent variables of interest in the selection of cases improves the representativeness of the sample and thus mitigating—though not completely eliminating—a prominent drawback of small-N approaches. Starting from the lists of ethnic seat reservations complied by Htun (2004) and Bird (2014), I narrowed the initial set of approximately 25 cases by eliminating non-democracies and countries lacking a reserved seat system for indigenous groups from the sampling frame. These eliminations were made to ensure that the cases studied each involved parties and potential new parties who could make meaningful decisions about their political participation, and so that the potential new parties considered had similar historical orientations towards the state and modern political institutions. Controlling for regime type and indigenous group preferences for autonomy, I then selected three cases—New Zealand, Colombia, and Taiwan—which exhibited a diversity of values along the independent variables of reserved seat system, horizontal accountability failure, geographic dispersion of the indigenous group population, and main opposition party positioning on the issue of indigenous group autonomy. The remainder of this section describes the institutional, historical, and demographic context, the strategic decisions made by each actor, and the electoral fate of newly formed indigenous parties. Each case concludes with a discussion of whether the evidence supports or disconfirms individual hypotheses. The results are summarized in Table 2.

New Zealand

Maori comprise 15.2 percent of New Zealand's population and are distributed between urban and rural areas throughout the country (Kroeber 2017). Although a common language may contribute to a countrywide Maori identity, extended family (*whanau*), clans (*hapu*), tribal institutions composed of multiple *hapu* (*iwi*), and urban Maori associations are more prevalent in day-to-day life (Murphy 2008). Nonetheless, according to White (2016, 179), the processes of colonization and urbanization have transformed the Maori worldview from one based on a relationship with land to a "pan-tribal connection that is based to a greater extent on social affiliations." White explains that this connection is underpinned by Maori cultural concepts of community and intergenerational transmission of knowledge. Thus, despite the influence of an industrialized capitalist economy on sociocultural transformations among Maori, there remains a national level groupness based on a shared history of colonial subordination along with the resilience of a common language and genealogical tradition.

In this context, contemporary Maori political orientation towards the state is generally characterized by a demand for self-determination (*tino rangatiratanga*) and engagement through direct action. Maori advocate for policies which conform to principles of collective responsibility and Maori autonomy, such as the devolution of welfare administration to Maori organizations (Humpage 2017). Further, some Maori issue "sharp criticisms of the parliamentary route to Maori empowerment," going so far as to seek "abolition of the Maori seats and for greater Maori activism and political organization *outside* the parliamentary forum" (Murphy 2008, 197, original emphasis). For instance, Bargh (2013) highlights grassroots (usually environmentally oriented)

actions are common among Maori as a way to advocate specific issues without committing support to a broad party platform.

Maori preferences for autonomy and extra-institutional forms of participation contributed to the non-development of a viable Maori party for nearly the first 140 years of the existence of reserved seats. The founding document of New Zealand, the Treaty of Waitangi signed in 1840 between Britain and Maori, established several articles enumerating the rights of Maori and forms the basis of modern Maori claims to self-determination. This aspect of the treaty provided legal justification for the creation of separate Maori electorates (Bargh 2013). Specifically, the Maori Representation Act 1867 temporarily created four seats in the New Zealand parliament to be elected by male Maori. Following an extension of the reserved seats for an additional five-year period, the seats were made permanent in 1876 after being determined highly useful to the European settlers: for one, many Maori could not vote in general elections because they did not hold private property as was required to be enfranchised; for two, even if Maori had gained property and thus voting rights, there would be no effect on nonindigenous MPs because of an 1893 law which banned Maori from participating in general tier elections at all (Geddis 2014). Only in 1975 were Maori voters allowed the choice of which electorate—the general or reserved Maori—to enroll.[13] In addition to ensuring European settlers' political dominance, Maori reserved seats were thought to facilitate "cooperation with European laws and institutions, allowing the Maori population to be assimilated

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[13] Until 1975, Maori identity, and consequently voter eligibility, was determined by blood quantum laws. As Geddis (2014, 241) explains: "For the next 82 years [from the adoption of the 1893 exclusion of Maori from general elections], ending only in 1975, an individual's participation in the electoral process was determined by genealogy: persons with greater than 50% 'Maori blood' had to vote in a Maori electorate; persons with less than 50% "Maori blood" had to vote in a European electorate; while only 'half-castes' could choose between the two."

more rapidly so that state consolidation, settlement, and economic expansion could proceed apace" (Murphy 2008, 192).

While the European settlers' motivation for implementing a reserved seat system was to bring Maori into the Europeanized New Zealand state through controlled participation in its political institutions, Maori came to associate voting with assimilation and the forfeiture of autonomy (Banducci et al. 2004; Bargh 2013). Amid declining turnout due to rising disproportionality in the conversion of vote shares to seats under New Zealand's majoritarian electoral system, a trend beginning in 1938 and peaking in the late 1970s and early 1980s, Maori voters were even less likely than European-descendant New Zealanders to vote in either the general or reserved electorates (Karp & Banducci 1999). In response, electoral reform was passed through a 1993 referendum and implemented for the 1996 parliamentary elections. The new multimember proportional system was associated with increasing voter turnout, including reducing to statistical insignificance the difference in turnout rates between nonindigenous and Maori voters (Karp & Banducci 1999).

This latter change was encouraged by the provision of population-adjusted reserved seats as a component of electoral reform. From the establishment of reserved seats in 1867 to the Electoral Act of 1993, the number of Maori reserved seats was held constant at four, all the while the general tier of the New Zealand legislature steadily expanded, effectively decreasing Maori representation (Banducci et al. 2004). The reform made the number of reserved seats dependent on the number of Maori registered on the Maori electoral roll, leading to incremental increases in the number of reserved seats from four to seven as of 2001 (Geddis 2014). The seats are elected via SMDs which

together cover the entire territory of New Zealand. Candidates for these seats may be either Maori or non-Maori, but only those Maori voters who register for the reserved Maori roll are eligible to vote in reserved seat elections.

Although these reforms increased Maori voter participation and minimized the electoral system component of the cost of party entry, a specifically Maori party was yet unformed.[14] Instead, the two major parties, Labour and National, competed for the reserved seats. Until the early 2000s, Maori were shielded from assimilation demands by the Waitangi Tribunal, a horizontal accountability institution established in 1975 to "hear claims of breached treaty rights…and may make proposals for long term restoration" (Lashley 2000, 7-8). Although the Tribunal's decisions were not legally binding, its recommendations grew in informal authority, and prompted Maori to make greater use of national courts (Belgrave 2014). The Treaty of Waitangi's guarantee of *tino rangatiratanga* forms the basis on which Maori found their claims for self-determination and restoration in the Tribunal (O'Sullivan 2008). These settlements are critical to Maori economic and social standing.

As a result of the importance of the Waitangi Tribunal and courts to Maori interests, the Labour Party's decision to override the Maori Land Court and then the Court of Appeal's 2003 ruling in favor of Maori land ownership rights prompted the mobilization of Maori voters as a cohesive indigenous group and the formation of the Maori Party (Belgrave 2014). The Foreshore and Seabed Act of 2004 promulgated by the

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[14] In fact, two nominally ethnic parties formed during the 20th century in New Zealand: the Rātana Party from the 1930s and later the Mana Motuhake Party in 1979. However, the Rātana Party was soon absorbed into the Labour Party and Mana Motuhake failed to achieve any political significance (Belgrave 2014). Moreover, Labour won most Maori reserved seat elections from 1943 to 1993 (Karp & Banducci 1999). I argue, therefore, that these parties should not be counted as ethnic parties because they made rather peripheral appeals to Maori identity and interests instead of acting as "a party that is the champion of the particular interests of one ethnic category or set of categories" (Chandra 2011, 155).

Labour government intended to nationalize lands claimed by the Maori and was a direct subversion of the Court of Appeal's 2003 decision. As O'Sullivan (2008, 327-328) notes, the legislation "removed the right to ask a Court to determine whether or not a property right exists, which clearly limits access to due legal process" and "diminished the extent to which Maori may exercise self-determination." This maneuver was not only unprecedented but also threatened the tradition of discovering aboriginal rights through the courts and the Maori strategy of using "the courts to try to assert Treaty or common-law rights" (Belgrave 2014, 208). This rejection of horizontal accountability led Labour MP Tariana Turia to defect from the party and form the Maori Party.

The opposition National Party's 2008 parliamentary election campaign took an adversarial stance towards the Maori Party, arguing that Maori reserved seats should be abolished (Tahana 2008). While Labour lost its majority and National gained enough seats to form a government, the Maori Party won five seats and was able to negotiate a supply and confidence agreement with National, giving the Maori Party influence over policy-making. The Maori Party's electoral success enabled it to achieve key policy gains including replacing the Foreshore and Seabed Act of 2004, staving off National's plan to eliminate Maori reserved seats, and the signing of the UN Declaration on the Rights of Indigenous Peoples (Humpage 2017). With the restoration of important aspects of group rights and autonomy, the assimilation cost was no longer worth paying for many Maori voters, often claiming that the Maori Party had "sold out to National's neoliberal economic agenda" by the 2014 elections (Humpage 2017, 477). This sentiment was reflected in the results for the Maori Party, which only won a single seat in the 2014 parliament.

In summary, Maori have a strong demand for autonomy which, when threatened, motivates their mobilization as a cohesive group. For over a century, however, the combination of the colonial legacy attaching itself to reserved seats and voting, the restrictive voter eligibility requirements applied to Maori, and the respect of governments for the authority of the Waitangi Tribunal and other institutions of horizontal accountability, meant that no indigenous party formed. Even after the liberalization of Maori voting rules and electoral reform to a PR system, no new indigenous party contested elections. For as long as courts were able to rule on assimilationist challenges, Maori did not act to form an indigenous party, suggesting that *H1* has merit. Once Labour refused horizontal accountability by adopting the 2004 Foreshore and Seabed Act—a move which subverted the authority of courts to rule on indigenous autonomy and pressed an assimilation policy on indigenous lands in order to gain an economic benefit—the Maori Party was formed and entered into electoral competition. This series of events provides evidence in support of *H3* which postulates that a grievance decided in favor of the indigenous group will result in indigenous party formation if the established mainstream party rejects the ruling.

In terms of indigenous party success, the case of the Maori Party in New Zealand lends support to all three hypotheses. The dispersion of Maori across electoral districts in combination with a PR electoral system, along with the restriction of the reserved seat electorate to registered Maori voters, facilitated the ability of the Maori Party to win multiple legislative seats, supporting *H4*. As for *H5*, the expectation that a new indigenous party will experience greater success if the main opposition party takes an adversarial stance is supported by the evidence in this case. The legitimacy reward gained

by the Maori Party from the court's favorable ruling provided issue credibility to the

Maori Party, and the National Party's adversarial stance boosted the Maori Party's

position. However, in the ensuing round of parliamentary elections accommodative

stances between the main parties and the Maori Party was associated with a loss of votes

and ultimately seats, giving evidence in favor of *H6*.

Colombia

Approximately 2 percent of Colombia's population is indigenous, with over 80 percent of

indigenous peoples living on *resguardos* (collective lands owned by indigenous groups

granted to them during the colonial period) that cover about one quarter of Colombia's

land area (Van Cott 2000). The indigenous population of Colombia is diverse with 81

different indigenous ethnicities (Troyan 2008). Altogether 800,000 indigenous peoples

are now living in Colombia; a number, however, which represents a dramatic decrease

from the approximately ten million indigenous inhabitants at the time of the Spanish

Conquest (Hristov 2005). Indigenous land is host to Colombia's most economically

valuable resources and has been targeted by Spanish colonizers and missionaries, to more

recently wealthy ranchers, extractive industry enterprises, drug traffickers, and the state

(Hristov 2005).

Indeed, indigenous peoples and territory has been the subject of exploitation and

violence from the moment of colonization through to the 21st century. During the colonial

period, the Spanish Crown created *resguardos* not as a benevolent guard against

displacement by Spanish colonists but in order to maintain indigenous peoples as a

source of labor, although after independence *resguardos* "were expropriated and

transformed into large rural estates privately owned by the white elite" (Hristov 2005, 93).

The independent Colombian state carried out land reforms at the direction of the two

parties which ruled together under the National Front pact. Liberal and conservative elites

negotiated this power-sharing pact to restore stability and secure their own political

influence following a period of violence from 1947-1953 (Troyan 2008). Over the course

of the National Front era, which lasted 16 years from 1957 to 1973, indigenous identity

and history was subject to erasure by the National Front as a part of its liberal project of

constructing an abstract national identity and separation from the colonial past in order to

consolidate regime legitimacy (Findji 2018). The material component of this assimilation

policy includes supporting private non-indigenous settlements on *resguardo* plots,

leading to reductions in the jurisdiction of Law 89 of 1890—a law which otherwise

provides the legal justification for *cabildo* (indigenous council which administers

resguardos) authority and indigenous collective ownership of these lands (Findji 2018).

Several indigenous movements eventually emerged out of the response to the

assimilation policies implemented under the National Front. Initially, though, the

grassroots answer to the National Front's land reform was led by youth, leftist, and

guerrilla groups such as the *Fuerzas Armadas Revolucionarias de Colombia*, or FARC

(Findji 2018). The state countered by politicizing ethnic identity in an attempt to

disempower the threat of class-based movements, and with the FARC being too dogmatic

for the preferences of indigenous groups, a specifically indigenous-led activism

developed (Troyan 2008). Hence, from the early 1970s, and despite indigenous ethnic

heterogeneity, collective mobilization led by indigenous groups in the Cauca region

worked to restore the autonomy of *cabildos* (Troyan 2008). Hristov provides the example

of the Indigenous Council of the Cauca Region (*Consejo Regional Indigena del Caucay*, CRIC), formed in 1971 by indigenous delegates from multiple regions with the goal of achieving indigenous autonomy:

> In their [CRIC's] own words, 'land means a union, from the land comes our language, our customs; in it we work, from it we derive our education, with it we clarify our ideas' (CINEP 1978, 113). Accordingly, land is seen as the basis of indigenous cultural and social institutions, way of life, identity, and therefore the object of struggle…Given the centrality of land to its membership and programme, the main form of collective action undertaken by the CRIC has been land invasions/occupations…At the start of the 1980s, the CRIC participated in 32 such land recovery actions. The taking over of haciendas that were inside a *resguardo* allowed the *resguardo* to be extended, while the invasion of *haciendas* outside a *resguardo* allowed for new *resguardos* and *cabildos* to be established. (Hristov 2005, 97-98)

Van Cott (2003) further identifies a number of indigenous organizations which developed in response to the assimilationist challenge of the government between the 1970s and 1980s, including the Colombian Indigenous Authorities Movement (*Movimiento de Autoridades Indigenas de Colombia*, AICO) formed in 1977, and the Colombian National Indigenous Organization (*Organización Nacional Indigena de Colombia*, ONIC) founded in 1982. The latter formed as an umbrella organization for various indigenous group movements with the purpose of achieving legal recognition for indigenous territorial claims as well as for indigenous self-governance in terms of the administration of justice, education, and health care (Hristov 2005).

Importantly, rather than seek to influence assimilation policy by forming into indigenous parties, these organizations were—at least until 1990—engaged in social movement employing extra-institutional strategies in their effort to secure indigenous autonomy. The assimilationist challenge posed by the National Front pact's appropriation

of indigenous land for wealthy elites and erasure of indigenous identity was severe enough to motivate collective action by diverse indigenous groups. However, the lack of reserved seats and the effective exclusion of any party from office besides those of the National Front pact rendered the electoral costs too high for indigenous party formation to be a rational strategy.

Yet without an effective institutional link between the *cabildos* and the national court system which reinforces rather than dismisses indigenous rights, what gains were made by the land reclamation movement and other strategies that eschewed participation in party politics were ultimately unstable (Van Cott 2000). On the other hand, the ethnic tensions produced by land reform grievances and the indigenous group's abstention from institutional forms of political participation threatened the legitimacy and stability of the state. In 1990, mainstream elites attempted to increase state legitimacy by holding Constituent Assembly elections and rewriting the constitution with the aim of "making the legal and political systems more inclusive and participatory" (Van Cott 2000, 211). The system used for electing the Constituent Assembly was a highly proportional single nationwide district, significantly reducing the effective electoral threshold. Now, with both low electoral system costs and facing high assimilation costs without an effective institution of horizontal accountability to protect indigenous rights from government violation, several indigenous parties entered the contest for Constituent Assembly seats. ONIC and AICO formed parties and won one seat each in the Assembly (Findji 2018; Van Cott 2003). And while the major parties (the Liberals and Conservatives) remained hostile to the newly formed indigenous parties, several indigenous candidates also

contested and won local level elections on a platform advocating the defense of indigenous rights (Findji 2018).

The 1991 constitution included a number of reforms which altered the institutional environment in ways important to indigenous groups and parties. First, indigenous representation in the Constituent Assembly allowed for indigenous interests in creating effective horizontal accountability mechanisms and securing group autonomy to be written into the 1991 constitution. The establishment of a constitutional court and, as Van Cott (2000) notes, especially Article 246 of the new constitution requiring coordination between the national judicial system and indigenous jurisdictions, improved the potential for favorable outcomes in disputes between the state and indigenous people.

Second, it led to the deinstitutionalization and greater volatility of Colombia's party system, opening up space for entry and potential success of new parties. The 'democracy through decentralization' reforms implemented by the new constitution disrupted established clientelist networks and provided public financing and media coverage to parties and movements with political representation (Dargent & Muñoz 2011; Van Cott 2003). As Ramírez and Cobos (2018) observe, these changes were complemented by people's low levels of institutional trust resulting from previous years' experience with parties catering to the interests of elites instead of integrating the demands of social movements into party platforms.

Finally, the 1991 constitution also reserved one seat in the House and two seats in the Senate for which only indigenous voters could cast ballots, as well as permitting social movements to nominate candidates without officially registering as a political party (Van Cott 2003). The reduction in electoral barriers combined with the weakening

of established national parties led Colombia's party system to expand from a bipartisan

model to a multiparty system in which visible social movements could win representation

(Ramírez & Cobos 2018). However, these reserved seats were elected from nationwide

districts and internal ethnic divisions within Colombia's indigenous population divided

votes among candidates, leading to the limited success of indigenous parties (Van Cott

2003). ONIC has since exited party competition, while the Indigenous Authorities

Movement (associated with AICO) and the *Alianza Social Indigena* (associated with

CRIC) winning few seats in Congress and struggling to top one percent of the national

vote (Kollman et al. 2018). Thus, while multiple indigenous parties formed in the early

1990s, only ASI persisted into the 21st century. The manner of ASI's viability, though,

begs the question of whether it may still be considered an indigenous party, given that it

has maintained its competitiveness by expanding its constituent base beyond strictly

indigenous communities to include peasants, urban labor, and demobilized guerrilla

fighters (Van Cott 2010).

To conclude, the high level of diversity in Colombia's indigenous population was

overcome by indigenous mobilizations in response to the severe assimilation policies of

the National Front pact. However, prior to the 1991 constitution, there was no reserved

seat system in place to provide indigenous groups representation in liberal institutional

politics nor was there any real opportunity for policy influence or gaining office due to

the power-sharing agreement between the Liberal and Conservative parties. Following

the prolonged period of horizontal accountability failures of *cabildos*, Law 89 of 1890,

and the national courts, the formation of three indigenous parties—ASI (CRIC), ONIC,

and IAM (AICO)—immediately upon the reduction of electoral barriers in the election of

the Constituent Assembly suggests that *H2* is supported by the evidence presented here. That is, the lack of support for indigenous rights and autonomy from existing horizontal accountability institutions against assimilation policies provoked indigenous party entry once electoral system costs were lowered. Because of the extended delay between the onset of the assimilation policy and the entry of indigenous parties due to electoral barriers in this case, I claim only moderate support for *H2*.

As for electoral success of the multiple indigenous parties that formed, the adversarial stances of the mainstream parties towards indigenous interests provided an issue ownership benefit to the new indigenous parties and correlated with their initial successes, supporting *H5*. However, the salience of the need for institutional recognition and security of indigenous rights decreased following the 1991 constitutional revision as indigenous organizations gained access to political representation and were supported by strengthened horizontal accountability in the form of a national court and restored *cabildo* authority. In addition, the nationwide reserved district contributed to splitting the vote between multiple indigenous parties, leaving only ASI to survive past the turn of the century—and only then by expanding its base of electoral support beyond its indigenous constituency. Hence, I find support for *H4*.

Taiwan

The complex intersection of party politics with ethnic and national identity which characterizes Taiwan has led to internal fractionalization, strategic cooptation, and general apathy of the indigenous peoples of Taiwan. Fetzer and Soper (2011) identify

three primary ethnic groups which compose the population of Taiwan: the mainlanders

who arrived from China in 1949 (about 14 percent of the total population), the native

Taiwanese who came to the island largely between the 1600s and start of the 1900s

(about 84 percent),[15] and the indigenous peoples (about 2 percent). The indigenous

population has tended to reside in their traditional homelands of the central mountains

and eastern coast, although there has been migration among younger generations to cities

for employment in industrial labor (Chi 2001). The state recognizes 14 different tribes,

yet members belong to at least 60 distinct dialect groups (Simon 2010). Orientations

towards politic participation and the state also differentiate indigenous groups. For

example, the Taroko and Seediq maintain a tradition of anti-state resistance while the

Bunun groups find agency in compliance with the state (Simon 2010). Additionally, the

design of the indigenous reserved seat system, which was implemented in 1991 as part of

democratizing constitutional reforms, splits six seats in the Legislative Yuan equally

between mountain indigenous tribes and plains indigenous tribes. This design has created

controversy between large and small tribes as the latter claim a structural disadvantage to

electoral competition over these seats, reducing their ability to gain representation (Simon

2010).

Despite these differences, scholars of Taiwan indigenous politics observe a

generally strong preference for autonomy following the severe assimilation policies

enforced by Japanese colonists and then under the authoritarian Kuomintang (KMT) from

1949 until 1991 (Fetzer & Soper 2011; Simon 2010; Stainton 2007). Under Japanese

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[15] Simon (2010) further subdivides the native Taiwanese into the Hoklo—whose ancestors came from Fujian, China, during the Dutch colonial period and make up about 72 percent of the population—and the Hakka—whose ancestors arrived from Guangdong, China, in the 1700s and 1800s and account for around 13 percent of the population.

colonial administration, indigenous people were forced to learn Japanese language and culture, and adopt Japanese surnames. These policies were replicated in the "second phase of colonialism" (Simon 2010, 730) under Chiang Kai-shek's KMT which mandated the use of Mandarin in schools and promoted Chinese culture; policies which contributed to "speed the disappearance of a number of indigenous languages" and widespread discrimination of indigenous peoples (Fetzer & Soper 2011, 101).

As a result of the common experience of colonialism and post-colonial subordination by authoritarian government, indigenous people's movement for self-government has become a constitutive part of their identity and understood as an inherent right (Stainton 2007). While some indigenous legislators have negotiated concessions with major parties, these gains have been moderate and unrelated to the core interests of political autonomy and land rights while coming at the cost of cooperation with non-indigenous elites who instrumentalize their party's relationship with indigenous peoples for electoral advantage (Fetzer & Soper 2011). For instance, the constitutional revisions made from 1991 to 1993 established the legal framework for indigenous autonomy, but the existence of constitutional principles of self-government has not necessarily led to the practical implementation of indigenous self-government (Stainton 2007). Similarly, between 1992 and 1996, Democratic Progressive Party (DPP) leaders made statements in support of indigenous autonomy and established the Department of Aboriginal Affairs within the DPP organizational structure. However, Stainton (2007) notes, the DPP at the time was an opposition party and could therefore make promises beyond which it had the ability or intent to deliver—a fact revealed when the DPP had an opportunity to deliver

on its commitment to indigenous autonomy at the 1996 National Development Conference and it failed to do so.

The KMT's and DPP's poor record of representation of indigenous interests combined with endemic corruption (locally known as "black and gold" politics for gangsters and wealthy elites) facilitated by Taiwan's electoral system (Clark 2007; Jou 2009) has contributed to indigenous peoples' antipathy towards and acceptance of institutional democratic politics. As Simon (2010, 731) observed of Taiwan indigenous groups, "while eating and drinking, they gossip about and laugh at would-be leaders of their communities who collaborate with the wider political system." Indeed, the indigenous peoples of Taiwan historically do not have a concept of a permanent leader or hierarchically structured institutions, nor is there widespread ambition to be a candidate in parliamentary elections (Simon 2010). On the other hand, Fetzer and Soper (2010) report that the KMT has cultivated a relationship with indigenous peoples through patronage by, for example, promising provisional autonomy and 32,000 new jobs for indigenous peoples in exchange for electoral support as President Ma Ying-jeou did in 2009. Consequently, there is little support for the formation of an indigenous party due to the high assimilation costs this strategy would entail. Instead, most indigenous candidates run as independents, under the party label of the KMT, or—less frequently—as DPP candidates (Stainton 2007).

A second complementary yet distinct factor contributing to the lack of indigenous party entry and success in Taiwan is the absence of an assimilationist challenge in the current democratic period. This absence is in significant part attributable to the salience of Taiwan's relationship with the People's Republic of China and the critical importance

Taiwanese national identity has in relationship to this issue (Fetzer & Soper 2010). Both

the Pan-Blue coalition (KMT, the People First Party, and the New Party) and the Pan-

Green coalition (DPP and the Taiwan Solidarity Union) have positioned themselves as

allies of indigenous peoples in order to legitimize their respective platforms with regard

to Taiwan's relationship with China. Hence, mainstream parties have been

accommodative of indigenous interests and candidates in order to boost their issue

legitimacy. The Pan-Greens advocate independence from China and strategically seek a

historical foundation for a non-Chinese identity, making indigenous peoples an attractive

and valuable symbolic ally (Brown 2004). On the other hand, the Pan-Blues are generally

accommodative of China and claim for themselves "a historical role as protector of

indigenous peoples" (Simon 2010, 732). In this context, indigenous peoples in Taiwan

tend to see their participation in formal politics as signaling complicity with the use of

their ethnic identity as a discursive tool by mainstream elites (Simon 2010).

Further deterring a robust assimilationist challenge has been the competitiveness

of national elections. Clark (2007) traces the development of Taiwan's party system:

While the KMT started out dominating in the initial years of democratic elections, their

vote share steadily declined throughout the 1990s. The 2000 presidential election was a

shock to the party system, as the independent James Soong challenged the KMT

candidate Lien Chan and the DPP nominee Chen Shui-bian. Chen finished victorious

with 39.3% of the vote over Soong's 36.8% and Lien's 23%. In the aftermath, Soong's

supporters and KMT loyalists argued with each other about responsibility for the loss,

leading to party splits and a reorganization of the party system into Pan-Green and Pan-

Blue blocs. Polarization increased between the blocs from the mid-2000s, driven by a

divided government and tight (within five percentage points) presidential and legislative elections. Thus, the symbolic value of indigenous identity to mainstream parties and the competitiveness of elections have resulted in a system of party competition which assuages mainstream parties from adopting assimilation policies. Subsequently, the assimilation cost of *non-formation* has remained lower than the assimilation cost associated *with formation* of an indigenous party.

In sum, the mainstream parties (or blocs) in Taiwan are deterred from pursuing assimilationist challenges for several reasons. These include, first, the competitiveness of legislative and presidential elections between the two blocs, and, second, the importance held for each party by their relationship with the indigenous peoples due to the symbolic value of indigenous identity for posturing on the major cleavages in Taiwanese politics— that is national identity and the relationship with the People's Republic of China. Consequently, the KMT and DPP parties have the institutional capacity to make an assimilationist challenge (i.e., they are decisive actors according to their position in the executive or legislative branches), but are effectively weak due to the aforementioned factors. Thus, either no assimilation policy is implemented or horizontal accountability in favor of indigenous autonomy is respected, reflecting the equilibrium outcomes depicted in Panel 3 of Figure 2 and providing support for *H3*.

Last, the generally synchronous accommodationist stances of both Pan-Blue and Pan-Green coalitions towards indigenous interests meant that any new party that did form would have very little success in capturing a significant number of votes. Indeed, as data from the Constituency-Level Elections Archive (Kollman et al. 2018) indicate, the Chinese Taiwan Aborigines Party consistently failed to win more than 0.1 percent of the

vote between 1995 and 2001, supporting *H6*. However, due to the Chinese Taiwan

Aborigines Party's apparent lack of importance to Taiwanese elections and party

competition,[16] the evidence in support of *H6* is only tentative. Furthermore, although the

structural and institutional conditions—numerous tribes, even more dialect groups,

divided between plains and mountain indigenous peoples, and within these populations

conflict between small and large tribes over the fairness of the current reserved seat

system—theoretically align with the expectation of low electoral success of indigenous

parties due to heterogeneity cross-cutting electoral institutions, this case study does not

provide substantial evidence one way or the other to fairly evaluate *H4* owing to the lack

of indigenous party entry.

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[16] It may be surprising to see mention of an indigenous party immediately after concluding that no such party has formed in the case of Taiwan as predicted by my model. However, I do not consider the existence of the Chinese Taiwan Aborigines Party to count as evidence against my theory for two reasons. First, existing parties and elections literature often sets a minimum threshold of 1 percent of the popular vote in order for a party to be included in the data (e.g., Ordeshook & Shvetsova 1994). Second, in none of the literature reviewed for this case study or indigenous parties generally was the Chinese Taiwan Aborigines Party mentioned. Of course this does not necessarily mean that the party is ephemeral or unimportant, but there is no evidence to the contrary while convention and vote totals provided by the CLEA compiled by Kollman et al. (2018) indicate the party is not a serious factor in elections. Its inclusion here is only intended as an example of the lack of voter demand for an indigenous party.

V. Conclusions

I have introduced a game theoretic model of indigenous party entry and developed theoretical links between the reputational effects of the strategic decisions made by the game players and new indigenous party success. Specifically, I argued that indigenous groups prefer autonomy and strong, favorable horizontal accountability institutions to secure group rights while established mainstream parties prefer indigenous group assimilation through acquiescence to the extension of state authority or, if not, then through indigenous group entry into party competition. By reconceptualizing the costs of entry to account for indigenous group demands for autonomy, my model provides an explanation for the lack of indigenous party formation even when electoral institutions are optimally designed for reducing the electoral system cost factor—as in the case of reserved seats. This research also examines the strategic balancing act performed by indigenous groups between maintaining their autonomy and supporting formal institutions which secure group autonomy against government threats. Modelling this strategic decision-making process helps to fill the gap in ethnic politics and comparative parties literature identified by Bird (2014) and Dunning and Nilekani (2013) about the interactive effects of group mobilization and institutional environment on ethnic party formation and voter behavior.

A second contribution of my model is its recognition of how established mainstream parties can strategically manufacture a failure of horizontal accountability in order to coerce indigenous groups into assimilation via party formation. This recognition

is helped by the adoption of a postcolonial lens in the review and construction of a rational choice model of indigenous party formation. In contrast to some parties and elections research which uses ethnicity as a convenience variable to represent exogenous social cleavages (e.g., Ordeshook & Shvetsova 1994), I do away with the assumption of fixed, homogenous identity groups and incorporate institutional and historical context into the study of party formation. This approach improves understanding of the motivations and available strategies to actors in the game of indigenous party formation, and therefore directly impacts the quality of theoretical models.

Finally, I theorize how main opposition party orientation towards the new indigenous party, and how whether the governing party or the indigenous party rejected horizontal accountability, affects issue legitimacy and ownership in regards to indigenous autonomy and—subsequently—new indigenous party success. Existing empirical research on party entry and success (e.g., Bernauer & Bochsler 2011; Hug 2001) prioritizes discussion of methodological concerns over the link between formation and electoral success due to the inherent selection bias in the sample of new parties (resulting from potential new parties self-selecting into or out of the pool of actually new parties). Consequently, variation in electoral outcomes is observed, but the theoretical explanations in terms of the causal factors leading to party entry are underdeveloped (e.g., Meguid 2005). My theory of indigenous party formation and success contributes to this theoretical gap in the literature by articulating a substantive relationship between the decisions made during the game of party formation and the electoral outcomes of new indigenous parties. The hypotheses implied by my theory were tested using a diverse case

study method. Overall, the results provided support for my model of indigenous party entry and success.

However, it is also worth noting some limitations of this theory and empirical approach so that the inferences drawn here are appropriately measured and to give initial direction to future research about how the model and method may be improved. First, I have not incorporated into the game of indigenous party entry conditions about the overall duration of the game and time between decision-points, nor have I attempted to explain why the established party contemplates issuing an assimilationist challenge when it does. It may be worth revising the model, for example, to account for the New Zealand Labour Party's delay until the early 2000s to initiate a strong assimilationist challenge and refusal of horizontal accountability. Additionally, despite the improvement made upon most similar and most different case study designs, the diverse case study method is still a small-N approach and cannot provide the same extent of generalizability as a large-N test. Thus, future iterations of this research would benefit from employing a large-N quantitative component to improve the external validity of the results. This may also help to control for other demographic factors such as the size of the indigenous population. Last, a more thorough investigation of the theoretical and empirical relationship between the strategic decisions leading to party entry and the electoral outcomes for that new party would be worthwhile. Although I have begun theorizing these links, the method used in this research does not test specifically for a causal relationship between legitimacy penalties or rewards and new indigenous party success. Future research could take advantage of content analysis, discourse analysis, and survey methods to explicitly test for such effects.

In closing, there are two implications of this study of indigenous party formation and success that require discussion. First, this research speaks in a critical tongue to the debate over the optimal design of democratic institutions for the purpose of maximizing regime stability. While some advocate a consociational approach (Lijphart 1977) and others focus on encouraging multiethnic electoral coalitions (Horowitz 1985), I argue—and my model suggests—that liberal democracy is terminally bound to its colonial past. Hence, the suggestion to bring marginalized indigenous groups into the fold by extending an (coercive) offer to participate in the formal institutions of liberal democratic politics is an iron fist in a velvet glove. This research provides evidence of how mainstream elites leverage democratic institutions such as reserved seats and courts to enforce assimilation of autonomy-desiring indigenous peoples in order to legitimate the postcolonial liberal democratic state. Inclusion of underrepresented groups in the centers of power must facilitate emancipatory work in order to be a genuine and empowering offer of participation.

The cases studied here present evidence of subaltern disillusionment with the liberal democratic form of politics and, on occasion, even indigenous elites as they are coopted by the neoliberal agendas of mainstream parties and the incentives inherent to incumbency in formal institutions of the postcolonial state. For example, Maori voters punished the Maori Party for doing more to represent tribal elites than impoverished urban and countryside constituents (Humpage 2017). In Taiwan, Simon (2010, 737) describes indigenous ambivalence about participation in an electoral system that "does not contribute to indigenous nationalism and may even detract from its legitimacy in the eyes of voters who see it as a form of political manipulation." It is apparent that

conventional approaches to improving regime stability and legitimacy—those that rely on the design of democratic institutions—are inadequate redress to the structural violence and marginalization still experienced in indigenous communities. This is not to say that institutions are unimportant, but that scholars must ask *who is this research for*? Future research on the topic of ethnic conflict and regime stability should thus adopt a postcolonial lens and position formal institutions and dominant ethnic majorities as the objects of investigation, rather than embark upon a teleological interrogation of how to best assimilate indigenous peoples into prefigured epistemic and institutional structures. The latter approach only serves to replicate the colonial move of justifying violence by engaging in the discourse of "civilizing" the irrational Other.

Consequently, scholars utilizing a rational choice approach in the study of ethnic minority party formation should adapt their conceptualizations and rhetorical practices to more fully acknowledge the structural inequalities inherent in the subject. My model reframes reserved seats from "an incentive" for party formation to an institution which imparts a partial cost reduction. More generally, the benefit—in the conventional language of rational choice theory—of indigenous party entry is really an opportunity to effect a harm mitigation strategy. In this sense, one cannot really speak of a "benefit" as such. Applications of rational choice models to the question of indigenous parties should demystify residual colonial oppressions embedded in modern democratic institutions, and thereby contribute to improving knowledge about indigenous party behavior, and more importantly, an emancipatory purpose.

Tables and Figures

Fig. 1. Extensive Form of the Game of Indigenous Party Entry
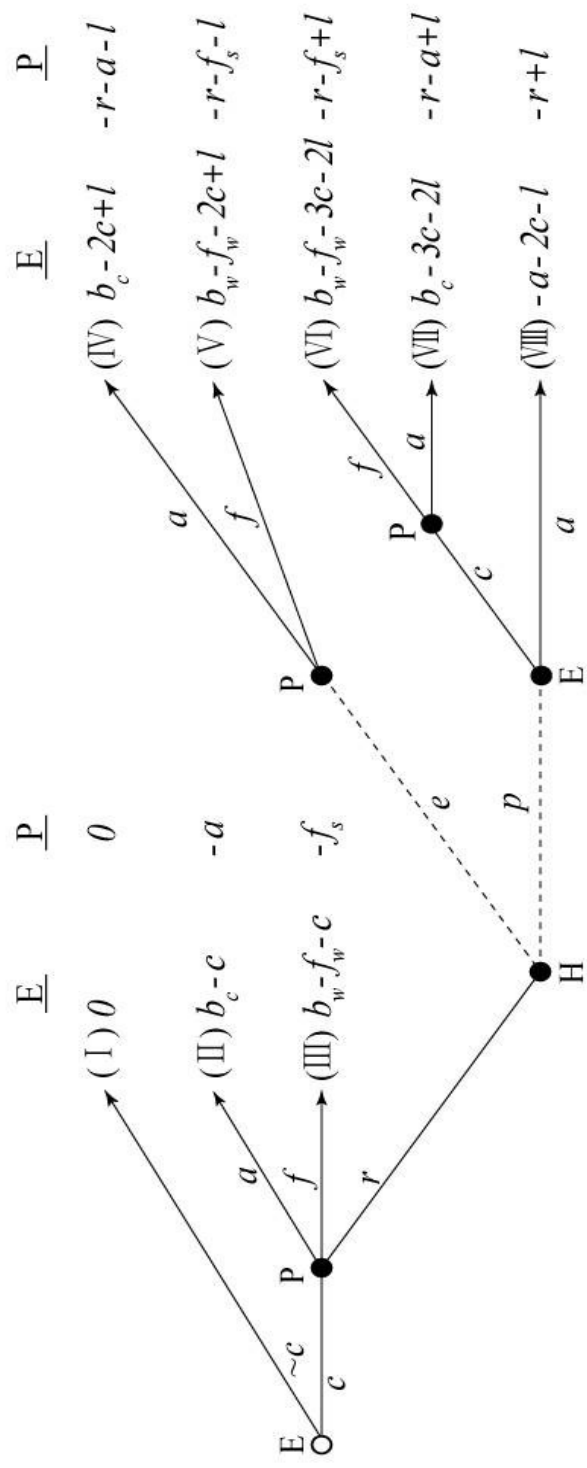
Notes
E (established mainstream party) actions are always displayed below decision segments.
P (potential new indigenous party) actions are always displayed above decision segments.
H (horizontal accountability institution) action is exogenous as indicated by the dashed line.
Outcomes are numbered using roman numerals displayed in brackets with E's and P's payoffs given in the columns to the right.

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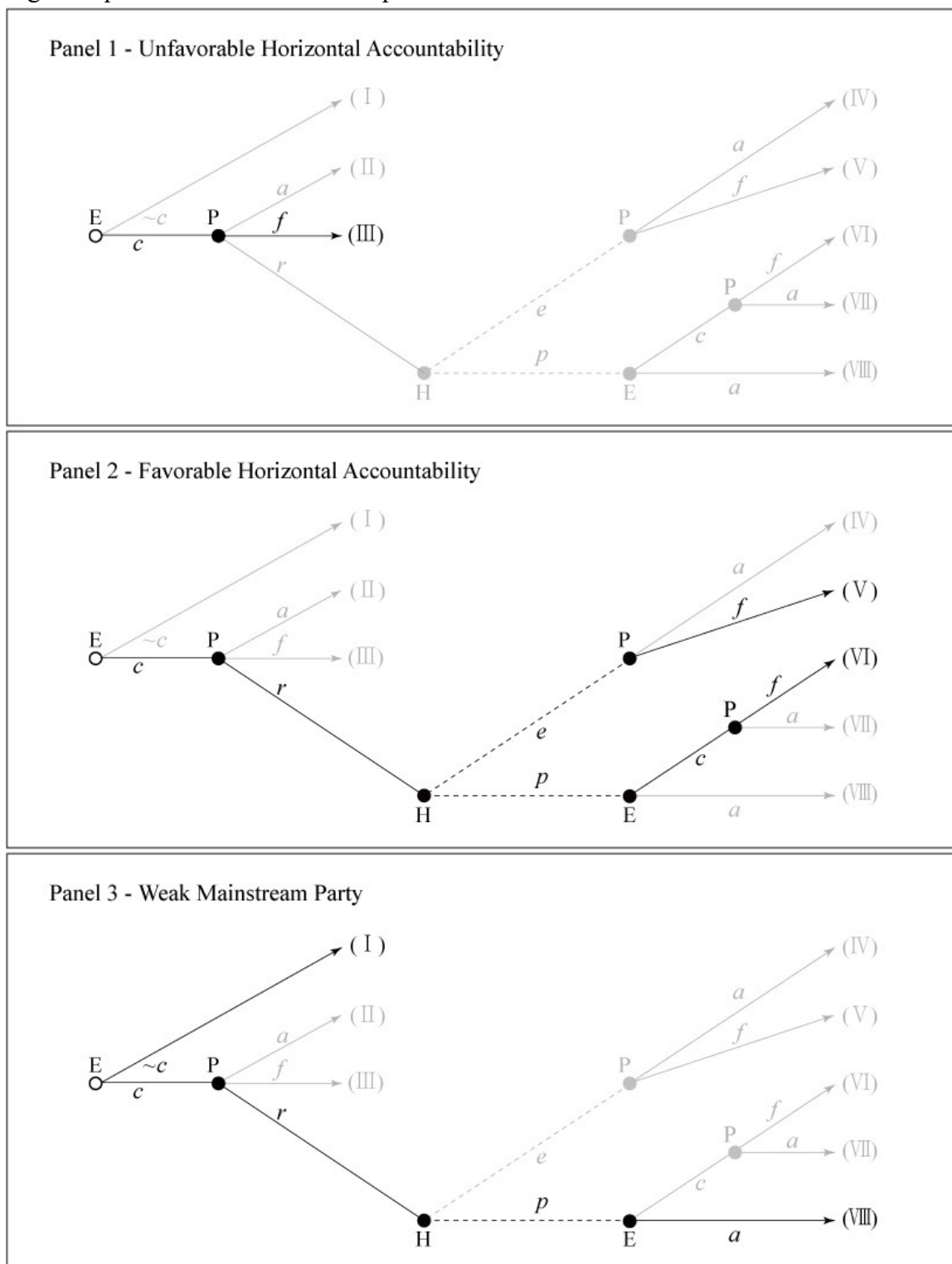Fig. 2. Equilibrium Outcomes for Special Models

Table 1. Outcomes in Order of Preference for Each Player

Preference Order	Established Mainstream Party (E)		Potential New Indigenous Party (P)			
			H: Favorable Reputation		H: Unfavorable Reputation	
Most	(II)	$b_c - c$	(I)	0	(I)	0
	(IV)	$b_c - 2c + l$	(VIII)	$-r + l$	(VIII)	$-r + l$
	(VII)	$b_c - 3c - 2l$	(VI)	$-r - f_s + l$	(III)	$-f_s$
	(III)	$b_w - f_w - c$	(III)	$-f_s$	(VI)	$-r - f_s + l$
	(V)	$b_w - f_w - 2c + l$	(V)	$-r - f_s - l$	(V)	$-r - f_s - l$
	(VI)	$b_w - f_w - 3c - 2l$	(VII)	$-r - a + l$	(II)	$-a$
	(I)	0	(II)	$-a$	(VII)	$-r - a + l$
Least	(VIII)	$-a - 2c - l$	(IV)	$-r - a - l$	(IV)	$-r - a - l$

Note: H refers to a horizontal accountability institution which adjudicates grievances between indigenous groups and the state. The left column represents the rank of outcomes if H has a history of deciding in favor of P, and the right column represents the opposite tendency.

Table 2. Summary of Case Study Results

Hypothesis	New Zealand	Colombia	Taiwan
H1: No indigenous party if challenge can be referred to horiz. accountability institution.	Support		
H2: If horiz. acct. institution rules against indigenous autonomy, a party will form.		Moderate Support	
H3: If horiz. acct. institution rules for indigenous autonomy, party doesn't form unless mainstream party rejects accountability.	Support		Support
H4: Electoral success increases if indigenous population distributed in parallel to electoral system.	Support	Support	
H5: Electoral success increases if main opposition is adversarial or dismissive towards indigenous.	Support	Support	
H6: Electoral success decreases if main opposition is accommodative of indigenous.	Support		Tentative Support

Note: Empty cells reflect the inapplicability of the case to the hypothesis under consideration.

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Appendix

Mathematical Proofs

To solve the game of indigenous party entry, I use backwards induction to derive

equilibrium outcomes. Figure 1 may prove a useful reference, as well as the assumptions

about E's costs and benefits and P's costs given by inequalities (1), (2), and (4),

respectively.

Beginning with the upper right-hand subgame, where P chooses between

acceptance at outcome IV and fighting at outcome V, the equilibrium will always be to

fight:

$$-r - f_s - l \ [?] \ -r - a - l \tag{5}$$

$$-f_s > -a$$

To solve the lower post-H subgame, note that only the signs on l are flipped positive and

hence the same direction of the inequality obtains, leading P to again prefer fighting

(outcome VI) over acceptance (outcome VII).

Next, E must decide between outcome (VI) and outcome (VIII). Assuming that E

is strong and able to make credible challenges, implying that

$$b_w - f_w - c - l > 0 \tag{6}$$

then

$$b_w - f_w - 3c - 2l \ [?] \ -a - 2c - l \tag{7}$$

reduces to $0 > -a$, making the rejection of horizontal accountability to reach outcome VI

the best choice for E. If E is weak at this point in the game, however, then the challenge

is not credible, reversing the inequality arrow in inequality (6). Whether outcome VI or VIII is preferable now depends on the relative values of E's strength and the benefits to E of indigenous party entry. As E's strength increases, the utility of accepting horizontal accountability increases and outcome VIII becomes more likely.

Knowing that either outcome V or VI will result if the game proceeds past H, it is necessary to determine whether outcome V or VI is preferable to each of E and P in order to compare the expected value of post-H payoffs with the pre-H outcome. For P, the payoffs are equivalent except that $l > -l$; P prefers outcome VI. As for E, eliminating like terms leaves:

$$-2c + l > -3c - l \qquad (8)$$

Thus, E prefers outcome V.

At this point the solution bottlenecks at H, which is an exogenous actor and whose probability of favoring P and indigenous autonomy is represented by α, and the probability of H favoring E and indigenous assimilation is given by $1 - \alpha$. Further, the pre-H decision-making of E and P depends, in part, on the expected value of post-H outcomes. In order to derive these values, I define coefficients for the constants c and l as θ and β, respectively. The values of these coefficients vary with α according to:

$$\theta = \alpha - 3 \qquad (9)$$

$$\beta = 2\alpha - 1 \qquad (10)$$

Now, given that E is a strong party, it is possible to compare the pre-H payoffs to the expected values of the post-H outcomes while varying α. The remaining sections take up this task and complete the solution to the game of indigenous party formation.

When H is Neutral

Setting $\alpha = .5$, $\beta = 0$ and $\theta = -2.5$. To start with P, outcome III will always be preferable to outcome II $(-f_s > -a)$ so the question of whether P refers the challenge to a neutral H depends on the relative values of outcomes III and the post-H expected payoff. Eliminating the like term $-f_s$, P will prefer outcome III since $-r < 0$.

E prefers to issue an assimilation challenge since as a strong type, the expected payoff is necessarily greater than zero. Thus, the equilibrium outcome when H is neutral and E is a strong type is either V or VI, depending on the random decision of H. If, on the other hand, E is weak and cannot issue a credible challenge, then outcome I is the equilibrium solution since

$$b_w - f_w + \theta c < 0 \tag{11}$$

When H is Unfavorable to P

Setting $\alpha < .5$, then for P, $-1 \leq \beta < 0$. For E, $0 < \beta \leq 1$, and $-2.5 < \theta \leq -2$. Again starting with P, outcome III is the preferred outcome since, removing like terms,

$$-r + \beta l < 0 \tag{12}$$

In terms of E as a strong type,

$$b_w - f_w + \theta c + \beta l > 0 \tag{13}$$

indicating that the expected value of the challenge post-H is greater than not issuing a challenge at all. As a result, the equilibrium outcome when H is unfavorable to P and E is a strong type is again either V or VI, depending on H's ruling.

The equilibrium differs from the neutral H outcome for a weak E, however. If

$$b_w + \beta l > f_w - \theta c \tag{14}$$

indicating that the benefits of P's entry into electoral competition in addition to the legitimacy benefit of a favorable (to E) ruling from H outweighs the costs for fighting P plus continuing the challenge, then E will issue the challenge. In this case, the equilibrium resides at outcome III.

When H is Favorable to P

Setting $\alpha > .5$, then for P, $0 < \beta \leq 1$. For E, $-1 \leq \beta < 0$, and $-3 \leq \theta < -2.5$. In this case, P decides to continue the game by referring the assimilation challenge to H if $\beta l > r$ such that

$$-r - f_s - \beta l > -f_s \tag{15}$$

As for E, assuming a strong type making credible challenges, the same condition as represented by inequality (13) holds. Thus, the equilibrium outcome for a game where H is favorable to P and E is strong is indigenous party formation at either outcome V or VI, depending on H's decision.

In the instance that E is weak, however,

$$b_w - f_w + \theta c + \beta l < 0 \tag{16}$$

and E does not issue an assimilationist challenge in the first place. In this case, the equilibrium solution is at outcome I.