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Consociationalism and the politics of the census in Bosnia and Herzegovina and Northern Ireland

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ABSTRACT

Population censuses have symbolic and instrumental importance for ethnic, national, linguistic or religious groups and their political representatives. This is particularly apparent in deeply divided societies, where political institutions are designed to accommodate groups through forms of power sharing. Existing literature posits that consociational power-sharing institutions, which are commonly employed to manage inter-group conflict, are likely to incentivise contestation and mobilisation in relation to the census, but this claim has not been tested empirically. Employing the case studies of Bosnia and Herzegovina and Northern Ireland, this article tests a proposition about the relationship between consociationalism and the politics of the census: that it is corporate consociational designs that are likely to result in contestation of the census and mobilisation of groups during enumeration, whereas liberal consociational designs will not. The analysis offers support for this proposition, but also suggests that other features of power-sharing settlements, such as the federal nature of the Bosnian state and the majoritarian provision for a ‘border poll’ in the Northern Irish settlement, also play an important role in shaping census politics. These insights contribute to political geographic debates about the census by highlighting the influence of institutional design on struggles over how and where populations get counted, which are applicable beyond the immediate context of deeply divided societies.

INTRODUCTION

Thanks to an extensive literature, the census is widely appreciated as an institution that, rather than simply recording pre-existing realities, contributes to the production of the social world. Adopting a governmentality approach, scholars from a range of disciplines including political geography have demonstrated how censuses actively construct national populations but also categories within them (Starkweather, 2009, p. 240; Legg, 2005), by asking questions about social identities – be they ethnic, national, linguistic or religious (Hirschman, 1987; Anderson, 1991). These processes are not solely top-down, however, and often involve grassroots resistance, contestation and mobilisation, incentivised by role the census plays in conferring symbolic recognition on groups and in determining group entitlements, representation and rights (Nagel, 1994, p. 157; Kertzer and Arel, 2002, p. 30; Bieber, 2015, p. 876).

Such institutional incentives are especially evident in deeply divided societies, where the presence of power-sharing institutions potentially gives the census, as the means by which relative group sizes are measured, a key role in the determination of political representation (Visoka and Gjevori, 2013, p. 484). Power sharing – or consociationalism in the more specialised language of literature on institutional design in deeply divided societies – at its most basic seeks to guarantee that all major groups have a say in government decision-making. However, the design of consociational institutions varies significantly between places, and scholarship about census politics is yet to explore the relationship between institutional design and the census in any depth. Drawing on insights from the political science literature on consociationalism, this article makes an original contribution to political geographic debates about the census by highlighting the role played by institutional design in incentivising census contestation and mobilisation.

The article traces the impact of a key aspect of consociational design – whether power sharing follows a ‘corporate’ or ‘liberal’ formula – on the politics of the census. In a corporate consociation, power is shared between groups that are pre-determined on the basis of criteria such as ethnicity or religion. Liberal consociations, by contrast, do not pre-determine the identity groups that are to be represented, leaving them instead to emerge from elections. The article tests a core proposition relating to the impact of this aspect of institutional design: that it is the corporate form of consociation that incentivises contestation and mobilisation in relation to the census, because it links political representation to population shares.

In order to test this proposition, the article takes a comparative case-study approach, using two prominent cases where power-sharing institutions have been adopted as part of broader peace settlements: Bosnia and Herzegovina (BiH) and Northern Ireland. BiH’s political institutions, established by the 1995 Dayton Agreement, are a paradigmatic example of corporate

consociationalism. The institutions established in Northern Ireland by the 1998 Good Friday Agreement (GFA), by contrast, are frequently held up as a model of a more liberal consociation. In analysing the impact of these institutions on census politics in these two cases, the article draws on three main sources of empirical material: policy documents published by government statistical offices and international organisations; local and international media coverage; and semi-structured interviews conducted by the author with key policy-makers, politicians, international monitors and members of civil society. Policy documents and media coverage were identified through a thorough search of relevant institutional websites and major international and local news sources. Interviews were conducted with 17 participants in Bosnia and Herzegovina in October and November 2017 and with two international census monitors in March 2017 and December 2018. 12 interviews were conducted in Northern Ireland between April 2017 and September 2018.¹

The article proceeds in four stages. The first section outlines the relationship between the census and group identities, establishing the census as a site of interactions between state practices of categorisation and grassroots resistance, contestation and mobilisation. It identifies symbolic and instrumental motivations for these forms of census politics, highlighting the incentivising role of political institutions and, in particular, consociational institutions in deeply divided societies. The following section then introduces the distinction between corporate and liberal forms of consociation and its application to the case studies of BiH and Northern Ireland. The third section sets out a framework for analysing census politics, distinguishing between three phases of the census-taking process, which I term the preparation, enumeration and interpretation phases. This framework is then employed in the fourth section to explain how

¹ Most interviews were conducted in English, with a small number of those in BiH conducted in local languages with the assistance of an interpreter, who also provided additional help with media monitoring.

institutional design affects the politics of the census in the two cases. This analysis offers support for the proposition that it is not consociationalism *per se* that leads to census contestation and mobilisation, but rather corporate rules such as quotas. However, it also suggests that other aspects of the two settlements play an important role in driving census politics, highlighting the opportunities for contestation provided by the federal organisation of the Bosnian state, and the role played by a majoritarian rather than consociational aspect of the Northern Ireland settlement – its provision for a ‘border poll’ on Irish unification. The article concludes by reflecting on the implications of these findings for deeply divided societies and our understanding of the political geography of the census more broadly.

THE CENSUS, IDENTITIES AND THE POLITICS OF CATEGORISATION

In the past two decades, political geographers, historical sociologists, political scientists and others have devoted significant attention to the census, casting it not only as a source of social scientific data but as an object worthy of study in its own right. Many of these scholars have drawn inspiration from Foucault’s analysis of governmentality. As Rose-Redwood explains, “[t]echnologies of government are of central importance to governmentality studies, because they operationalize the governmental rationalities and construct the very ‘objects’ of government as in some sense ‘knowable’” (2006, p. 475). Writing in this tradition, for instance, Curtis (2001) argues that, contrary to popular understandings, ‘population’ is not a pre-existing, measurable reality, but is ‘made up’ through techniques such as census-taking. Indeed, Foucault’s own work emphasised a shift in the state’s emphasis from governing territory to governing *population* (Elden, 2007). However, political geographers have reintroduced consideration of spatial aspects into these discussions (Starkweather, 2009, p. 240). Hannah, for instance, argues that “[i]n a census more than in many other knowledge-gathering exercises, the calculable population is most clearly and explicitly indexed to calculable territory” (2009, pp. 73-74). Such an approach has demonstrated how censuses helped states both ‘master

territory' (Hannah, 2000) and consolidate nations, but a governmentality approach also helps to illuminate how censuses actively construct identity categories within populations by limiting the possible range of legible and acceptable identification (Starkweather, 2009, p. 240). Censuses have thus made the 'nation' legible but have also "helped constitute and reify boundaries *within* the enumerated population" (Loveman, 2014, p. 28).

Colonial censuses have proved to be a fruitful source of insights into such processes (Legg, 2005, p. 145). Historical studies portray the census as a key institution through which the colonial state was able to impose its classificatory schemes, in ways that coerced and incentivised people to conform (Hirschman, 1987; Anderson, 1991). Demonstrating the centrality of the census to modern governmentality, such studies emphasise the top-down nature of enumerative practices (Appadurai, 2001, p. 34). However, they also document the ways in which populations have resisted or subverted such attempts (see, for example, Cohn, 1987), with people "struggl[ing] both to change the categories and to change their distribution across them" (Kertzer and Arel, 2002, p. 27). This grassroots mobilisation can be regarded as a form of 'statistical citizenship', whereby individuals strategically participate in processes of statistical representation (Hannah, 2001, p. 516). Studies of contemporary Western states' censuses offer further evidence for the view that identity classifications are the products of state-society interactions (Urla, 1993; Thompson, 2016). Taken together, this literature suggests that the census can be regarded "a site where the state, citizens, and groups representing majorities and minorities negotiate national identities" (Bieber, 2015, p. 873).

What drives groups to mobilise in relation to the census? As Kertzer and Arel explain, there is a symbolic aspect here, as the census offers a form of official recognition to identities (2002, p. 29). Beyond official recognition that a group exists in the eyes of the state, numerical strength is important in claims to symbolic entitlement, demonstrating which groups have 'ownership'

of a state and which are minorities, and providing ethnic-based parties and organisations with political capital and legitimacy (Bieber, 2015, p. 888). Yet motives for mobilisation extend beyond the symbolic; there is also an instrumental dimension, since “in the age of the modern state as a provider of social and economic benefits, group recognition in the census entails group *entitlements* to certain rights” (Kertzer and Arel, 2002, p. 30, emphasis in original). In plural societies, census results frequently provide the basis for assessment about groups’ qualification for legal entitlements such as those linked to the recognition of official languages (Bieber, 2015, p. 887).

Societies characterised by particularly deep divisions along identity-based cleavages provide an opportunity to test the impact of institutions on census politics, since they often distribute entitlements through power-sharing institutions. Consociationalism – the most common form of power sharing in deeply divided societies – promises to manage conflict by providing mechanisms for the institutional accommodation of the interests and identities of significant groups (McGarry *et al.*, 2008, pp. 58-63). As Visoka and Gjevori argue, the adoption of power sharing “makes censuses an important measure for arranging the political representation of minorities in institutions” and determining the political influence of ethnic groups (2013, p. 484). It is in this context that the observation that “the pursuit of entitlement [to rights] translates into a contest for achieving the ‘right’ numbers” (Kertzer and Arel, 2002, p. 30) is most apt, with censuses often resembling elections (Horowitz, 1985, p. 196). The linking of population size to rights can motivate mobilisation, but might also lead to a “refusal to count”, resulting from “a group’s fear of being shown to be in the minority and therefore of losing political power” (Kertzer and Arel, 2002, p. 23). This is the case in Lebanon, where parliamentary seats are still allocated to confessional groups based on population shares from the last census, held in 1932 (Faour, 2007, p. 910). However, consociationalism is not a monolith and rules determining group representation in power-sharing institutions vary

significantly (McGarry *et al.*, 2008; McCulloch, 2014). Understanding the forms that consociationalism can take is therefore necessary to appreciate how it might incentivise census contestation and mobilisation.

CONSOCIATIONAL INSTITUTIONAL DESIGN

In bringing the concept to widespread attention, Lijphart (1977) argued that consociationalism was characterised by elite-level power sharing via a grand coalition, segmental cultural autonomy, proportionality between groups in public positions, and group veto rights over vital interests. These key features observed by Lijphart in European states that combined distinct political subcultures with peace and stability, have come to inform what he termed ‘consociational engineering’ (1977, p. 223), which is now central to many negotiated peace agreements (McCulloch and McEvoy, 2018). Meanwhile, scholars of consociationalism have refined our theoretical understanding. Recent literature differentiates between so-called ‘corporate’ and ‘liberal’ forms of consociational institutions, which are based “on logics of predetermination and self-determination” respectively (McCulloch, 2014, p. 502). Those scholars who favour adoption of consociational institutions in deeply divided societies increasingly advocate the liberal variety, in which groups “self-determine their organization and representation” and which “rewards whatever salient political identities emerge in democratic elections, whether these are ethnic, religious, linguistic, or other criteria based on programmatic appeals” (McGarry *et al.*, 2008, p. 62). Corporate designs, which instead accommodate “groups according to ascriptive criteria, such as ethnicity or religion or mother tongue” (McGarry *et al.*, 2008, p. 61), remain more common in practice, however (Wolff, 2011, pp. 1783-4; McCulloch, 2014, p. 502).

The power-sharing institutions introduced in Bosnia and Herzegovina following the 1995 Dayton Agreement rely extensively on corporate rules. The country has a collective presidency,

comprising one representative of each of three ‘constituent peoples’ – Bosniaks, Serbs and Croats – named in the constitution. Together with the Council of Ministers, the presidency provides a grand coalition government representing the ethnic groups that together make up most of BiH’s population. These groups are also represented by five seats each in the House of Peoples (the upper chamber of the Parliamentary Assembly), where decisions require an overall majority but also the votes of at least one-third of each group’s representatives, thus providing extensive veto provisions (McCulloch, 2014, p. 503). Quotas extend beyond political representation, applying for example to the civil service, where the structure of the workforce should reflect the ethnic makeup of the population (Pearson, 2015, p. 224).

Beyond its power-sharing provisions, Dayton also recognised BiH as a federal state of two entities: the Federation of Bosnia and Herzegovina (FBiH) and the Republika Srpska (RS). Despite some degree of centralisation since 1995, the entities enjoy a significant degree of autonomy, having their own parliaments and governments, which also operate according to consociational principles. The vast majority of Bosnian Serbs live in the RS, where they make up four-fifths of the population, whereas the majority of Bosniaks and Bosnian Croats live in the FBiH. The FBiH, as its name suggests, is itself a federal entity, made up of 10 cantons, eight of which have populations with clear Bosniak or Croat majorities (Merdzanovic, 2017, p. 28). BiH can therefore best be understood as a multi-national federal state (Keil, 2013).

In contrast to BiH, Northern Ireland’s institutions, established by the 1998 Good Friday Agreement, are regarded either as a liberal consociation (Garry, 2016, pp. 8-9; Nagle, 2016) or as a hybrid, combining liberal and corporate elements (McCulloch, 2014). As Nagle notes, while consociationalism in Northern Ireland is intended to recognise and accommodate British unionists and Irish nationalists, and the rules of the Northern Ireland Assembly require cross-community support for major decisions, its liberal credentials are evident in a common voter

roll, the lack of quotas for political representation, and the allocation of executive positions according to parties' electoral performance (2016, p. 859). Nonetheless, McCulloch argues that the requirement that members of the Assembly designate as 'unionist', 'nationalist' or 'other' and provisions for cross-community consent and weighted majorities "read, in some sense, as a proxy for corporate guarantees" (2014, p. 506). Cross-community voting offers a veto only to those designating as unionist or nationalist (Schwartz, 2010, p. 350), such that unionists and nationalists are accommodated more thoroughly than 'others' (McGarry and O'Leary, 2006, p. 272). The composition of the executive follows a liberal formula, however. The First and deputy First Ministers – who are joint and equal heads of the executive – are nominated by the largest party of the largest Assembly designation and the largest party of the second largest designation respectively. While all holders of this office to date have been from the unionist or nationalist designations, there is nothing in principle to prevent 'others' from being one of the two largest designations if they can outperform unionists or nationalists in elections, marking a significant difference with the Bosnian case, where the constituent peoples are guaranteed executive representation. Other positions on the Northern Ireland executive are allocated according to electoral performance, using the d'Hondt formula.

In providing for power-sharing government in Belfast, the GFA also devolved powers previously the responsibility of the United Kingdom government. Northern Ireland is therefore a regional consociation, in which "consociational arrangements...extend only to the disputed territory and the ethnic groups living there, rather than being the organizing principle for the state's institutional structures as a whole" (Wolff, 2004, p. 388). This distinguishes it from a sovereign consociation such as BiH, whereby the state as a whole is consociational (Wolff, 2004; Garry, 2016, p. 9). Rather than offering autonomy to territorially concentrated groups as in BiH, devolution makes Northern Ireland *itself* the unit of self-governance (Walsh, 2018, pp. 39-40). The GFA also recognised the right of the people of Northern Ireland to decide its future

status, by providing for the possibility of a referendum (known colloquially as a ‘border poll’) on whether it should remain part of the UK or become part of a united Irish state.

ANALYSING CENSUS POLITICS

Despite a growing literature, we lack a satisfactory way of classifying forms of census politics in deeply divided societies, with which to trace the impact of variations in institutional design such as those outlined above. Visoka and Gjevori (2013, p. 483) get closest to providing one by suggesting that censuses can be categorised by outcome, from marginally to fully contested. Contestation is marginal when most ethnic groups have no significant complaints about the census, or have their concerns addressed, whereas at the opposite end of the spectrum lie cases where the census cannot be initiated or is postponed due to significant resistance. While helpful to understand contestation of census organisation, this framework cannot account for cases where enumeration is uncontested but the results are subject to dispute, or indeed those where rather than contestation, there is mobilisation. An alternative that can capture these dynamics is to classify mobilisation and contestation according to when in the census process it takes place. Guidelines on the taking of censuses divide the process up into as many as seven phases (UN Statistics Division, 2017, p. 32) but for analytical simplicity, here I adopt the relatively simple (and intuitive) distinction between three phases of the census: preparation, enumeration and interpretation.

The preparation phase starts with the decision to hold a census, and incorporates all aspects of its planning, including decisions about the questions included and their format. In this phase, there may be disagreements between rival political parties, representing different groups’ interests, over whether to hold a census or whether and how it should collect data on aspects of identity such as ethnicity, language and religion. Civil society groups or ethnic entrepreneurs may also seek to influence the design of the census, through lobbying for the inclusion of

categories – perhaps backed by boycott threats. Decisions about the design of the census questionnaire must also take into account international and regional standards and recommendations. In post-conflict contexts, donors and international organisations often provide financial and technical support, further embedding the census in international relationships. In consociational states, we might expect debate to start on the likely implications of a new census for power sharing and, with this in mind, for political figures from groups represented in power-sharing institutions to try to shape the design of the census so as to favour maximal enumeration of those groups – for example, by favouring pre-defined ethnicity tick boxes over write-in responses. If politicians see the census as likely to be inimical to their groups' interests, they might exercise veto powers to prevent it from going ahead or to exclude identity questions.

The enumeration phase refers to the period of data collection, either by enumerators or through self-completion of questionnaires. I adopt a relatively broad definition of the enumeration phase, though, by also including efforts to influence respondents' behaviour in the run-up to the census date – in the form of official publicity campaigns but also campaigns by groups seeking to influence respondents' answers, or to encourage boycotts of individual questions or the entire census. In consociational settings, this mobilisation might be driven by representatives of different groups seeking to set the conditions to maintain or increase their political representation. There can also be an international aspect of the enumeration phase, where donors and international or regional organisations send monitoring teams.

Finally, I understand the interpretation phase as starting with the processing of census returns and the production and publication of population statistics. Typically, basic results such as the total size and spatial distribution of the population are published first, with disaggregated results, including by ethnicity, following later. This phase also incorporates discussion and

debates about the implications of census results and is in a sense open-ended, since results typically inform policies and debate at least until the next census. During this phase, results might be contested or instrumentalised by elites. In consociational democracies, debate during this phase may focus on how census results should inform changes to group-based political representation. International and regional organisations may also play a role here, through being called upon to verify the results.

CENSUS POLITICS IN BOSNIA AND HERZEGOVINA AND NORTHERN IRELAND

Preparation Phase

Unlike most European states, Bosnia and Herzegovina did not hold a census in 2001. Six years after the end of the Bosnian war, responsibility for statistics still rested with the governments of the country's two entities. While the FBiH undertook a "social mapping exercise", akin to a census, there was no equivalent in the RS, where authorities insisted on continued use of 1991 Yugoslav census data (Markowitz, 2010, pp. 77-90). By 2004, however, a state-level Law on Statistics had been adopted and international organisations were pushing Bosnian politicians to commit to participating in the 2010 global census round. The UN Development Programme (UNDP) noted in 2004 that reliable sources of data for evaluation of poverty and economic dislocation resulting from the 1992-1995 war were lacking (UNDP Bosnia and Herzegovina, 2004, p. 20), and a UNDP and European Commission joint paper subsequently anticipated the holding of a census in the 2010 round (Perry, 2013, p. 5). The main barrier was political disagreement, particularly over the inclusion of questions about aspects of group identity (Balkan Insight, 2008). The main Bosnian Serb party, the Alliance of Independent Social Democrats (SNSD), wanted to hold a census as early as 2005, largely because updated population statistics would have demonstrated the strength of the Serb demographic majority in the RS (Perry, 2013, p. 5). Bosnian Croat parties such as the Croatian Democratic Union of Bosnia and Herzegovina (HDZ BiH), however, feared that the exercise would demonstrate the

extent of population decline amongst Croats, and so were broadly resistant. Bosniak parties including the Party of Democratic Action (SDA), meanwhile, were concerned that a census would confirm significant Bosniak population loss from parts of the RS. Bosniak and Croat parties also expressed fears that census results might be used as an argument for secession of the RS (Perry, 2013, pp. 5-6). This constellation of interests, combined with the veto provisions of the Dayton constitution, stood in the way of adoption of a census law. As well as this law, a census would require the close co-operation of three statistical offices: those of the central state and each of the two entities. The former would be responsible for census design, but the latter would be charged with data collection (interview: senior Agency for Statistics of Bosnia and Herzegovina official, Sarajevo, 18 October 2017).

The potential implications of census results for political representation were anticipated in the joint UNDP-European Commission paper of 2005, which noted that “[t]he key threat remains the impact of the results on the proportionality guarantees embedded in the Dayton Accords and subsequent agreements, and the associated domestic political reaction” (quoted in Perry, 2013, p. 5). While the report noted that the Constitutional Court had enshrined representation of the constituent peoples, much of the debate nonetheless concerned potential implications of a census for power sharing. A draft census law was finally published in 2009, including provision for questions about ethnicity, religion and language. Disagreement about its adoption centred on whether the results of a new census should be used as the basis for ethnic representation in political institutions, or whether the 1991 census should continue to be used until the fulfilment of the provisions for refugee return in Dayton’s Annex 7 (interview: senior Federal Office of Statistics official, Sarajevo, 23 October 2017). Bosniak members of the Council of Ministers opposed the draft law because they feared a census would reduce Bosniak representation in the RS’s institutions, which is currently based on 1991 population shares (Deutsche Presse Agentur, 2009; Halimović, 2009). Corporate rules mean that of the 16 RS

government ministries, for example, eight are headed by Serbs, five by Bosniaks and three by Croats – whereas Serbs make up significantly more than half of the RS population. When a revised draft of the law was discussed in July 2010, it was then the Serb SNSD that refused to support it, because it specified that power sharing would continue to be based on the 1991 census (Balkan Insight, 2010). The International Monitoring Operation (IMO) for the census noted that media coverage anticipated results showing significant reductions in the number of Bosniaks and Croats in the RS, and that political parties would consequently demand increased constitutional rights for Serbs, whereas in the FBiH, representatives of the Bosniak majority would demand greater constitutional rights due to diminished Serb and Croat populations (IMO, 2012b, p. 39).

In early 2012, the parties reached a compromise and the census law was passed (Jukic, 2012). Rather than marking the end of disputes, though, the subsequent publication of the draft questionnaire led to further controversy. Civil society had not been formally consulted, and when the Agency for Statistics published the proposed questionnaire, some activists expressed concern that the three ‘identity questions’ were structured and formatted to appear as a package, apparently encouraging respondents to identify unambiguously with one of the three constituent peoples. The ethnicity question included tick-boxes for ‘Bosniak’, ‘Croat’ and ‘Serb’, followed by a ‘do not declare’ option and an ‘other’ box accompanied by a write-in field. By comparison, the results of the 1991 Yugoslav census included some 25 categories (Markowitz, 2010, p. 82). Moreover, the tick-boxes for the religion and language questions that appeared immediately beneath the ethnicity one were ordered so that ‘Islamic’ and ‘Bosnian’ were aligned with ‘Bosniak’ above, ‘Catholic’ and ‘Croatian’ were aligned with ‘Croat’ and ‘Orthodox’ and ‘Serbian’ with ‘Serb’.

Civil society criticism led the IMO, put in place to monitor compliance with European and international census standards, to recommend that this formulation be revised and that “a strictly open question should be considered, to avoid any risk of bias in the responses when some answers are proposed, but also to not describe some ethnic groups as ‘others’, which may sound disrespectful” (IMO, 2012a, p. 20). While this call for fully open questions was not met, they were revised so that each was immediately followed by an open text box, with the tick boxes relegated beneath. Nonetheless, as Hoh argues, the layout of the tick-boxes on the final questionnaire was still “made to look as if there is a clear connection between [ethnicity, religion and language] categories, and that people should stick to the preselected ethnic, religious, and linguistic answers in an ‘ethnic package’” (2017, p. 142). The revised question format was described by the IMO as an “acceptable compromise for the NGOs” (IMO, 2012c, p. 13) – although many would have preferred that the census had not included these questions at all (interview: *Inicijativa za slobodu izjašnjavanja* member, Sarajevo, 2 November 2017). At the same time, a voluntary question on ‘entity citizenship’ was added, at the insistence of Bosnian Serb politicians (IMO, 2013, p. 14; Irwin *et al.*, 2013). After a further six-month delay to allow for completion of preparations, the census went ahead with the revised questionnaire in October 2013.

While preparation for BiH’s 2013 census attracted significant attention, census planning in post-GFA Northern Ireland has been much more low-key. The secondary legislation enabling the 2001 census was adopted by Westminster in May 2000, because the devolved Assembly was suspended, whereas the order for the 2011 census was laid before the Assembly by the First Minister, Peter Robinson of the Democratic Unionist Party, and deputy First Minister, Sinn Féin’s Martin McGuinness, in June 2010 and adopted with little debate (see Hansard, 2010b). The census itself has been marked by significant continuity, dating back long before the establishment of power sharing in 1998. A question on religious denomination has been

regularly asked since 1861, in censuses first of Ireland and then of Northern Ireland following partition in 1921. It is this question that has acted as a proxy for ethno-national identities, as opposed to an ethnicity question introduced in 2001. The latter employs a similar format to that used elsewhere in the UK, with options not corresponding to Protestant/unionist/British and Catholic/nationalist/Irish identities.

Two changes have been made to recent censuses, however. In 2001, a supplementary question was added, requiring anyone not stating a religion to specify the religion or religious denomination they were *brought up in*. This question was introduced in response to growing non-response to the voluntary religious denomination question. The Northern Ireland Statistics and Research Agency (NISRA), which is responsible for conducting the census, saw this as a public policy problem, since data on the religious background of the population at the local level is required for labour market equality monitoring (interview: former senior NISRA official, Belfast, 27 April 2017). In 2011, a question on national identity was included for the first time. Following a decision by the Office for National Statistics (ONS) to introduce this question in England and Wales, Scotland and Northern Ireland followed suit. In Northern Ireland, the tick-box options include “British”, “Irish” and “Northern Irish”. Unlike the ethnic group question, then, answers for the national identity question potentially map on to the main cleavage of the conflict. Multiple response is possible, in compliance with the GFA’s requirement that people should not be forced to choose between British, Irish and Northern Irish identities (ONS, 2011, pp. 28-32).

NISRA officials have largely been left to make these decisions free from interference – or indeed much interest – from politicians. A senior official involved in development of the 2011 questionnaire explained in an interview that there was very little political interest in the decision to add the national identity question, until it came to public attention on release of the

results. The official acknowledged the question's political significance, since the inclusion of a "Northern Irish" tick-box "gives a structure to rejection" of the binary identities at the heart of the conflict. However, while census planning is devolved, NISRA prefers to keep the census form as similar as possible to that used in England and Wales – in part so that it can process the data jointly to minimise costs – and the official explained that the ONS's decision to introduce a national identity question to help satisfy a Eurostat requirement for citizenship data helped it make the case for doing the same, since it demonstrated that this wasn't "a NISRA-only decision" (interview: senior NISRA official, Belfast, 29 May 2018).

More broadly, the NISRA official reported that politicians "don't get that involved beyond standard scrutiny of the process" – something confirmed by an Assembly official (interview: Northern Ireland Assembly official, Belfast, 5 April 2018). Probably the most high-profile engagement has been from Sinn Féin's Mitchel McLaughlin. During preparations for both the 2011 and 2021 censuses, McLaughlin suggested the addition of a question on constitutional preference (i.e. whether respondents would prefer Northern Ireland to remain part of the UK or become part of a united Ireland). At an Assembly committee briefing on preparations for the 2011 census by NISRA officials, McLaughlin noted the GFA's provision for a border poll, and argued that including this question in the census would be preferable to trying to judge the likely outcome of a referendum based on the share of Protestants and Catholics in the population, as has happened following previous censuses.

The provision for a border poll is starkly majoritarian in comparison with the consociational institutions established by the GFA (Mac Ginty, 2003, p. 1), specifying that the Secretary of State for Northern Ireland is to conduct a referendum "if at any time it appears likely to him [*sic*] that a majority of those voting would express a wish that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland". McLaughlin was told by

the Registrar General that “[t]here is a predilection for censuses to avoid attitudinal questions and to record matters of fact” (Hansard, 2010a), though he renewed his suggestion in the run-up to the 2021 census (*Belfast Telegraph*, 2018). McLaughlin argues that while the GFA includes provision for a border poll, it is unclear how the Secretary of State is to judge when a majority might support a united Ireland, and that the census, having “a very significant level of credibility”, would be a better way of gauging this than opinion polls, which are subject to error (interview: Mitchel McLaughlin, Belfast, 16 August 2018).

Enumeration Phase

The Bosnian enumeration in 2013 was accompanied by campaigns that sought to influence how citizens answered the ethnicity, religion and language questions (Perry, 2013, pp. 13-16; Bieber, 2015, p. 890). Campaigns associated with each of the constituent peoples encouraged members of those groups to answer the questions in a structured way. For example, individuals and organisations representing Bosniaks came together under two coalitions, called *Fondacija Popis 2013* [Foundation Census 2013] and *Bitno je biti Bošnjak* [It is important to be Bosniak], to run campaigns encouraging people to specify their ethnic/national affiliation as Bosniak, their religion as Islam and their language as Bosnian. The campaigns also encouraged members of the diaspora to return to BiH to be enumerated, even if they did not meet the definition of ‘usual residents’ provided by the census law (Perry, 2013, p. 14), arguing that refugees had a right to be counted (interview: *Fondacija Popis 2013* member, Sarajevo, 17 October 2017).² Members of the main Bosniak nationalist party, the SDA, called on Bosniaks to identify as such, rather than as ‘Bosnian’ or ‘Muslim’ (Arnautović, 2013; Bieber, 2015, p. 890). While campaigns targeting Bosniaks were the most prominent mobilisation efforts, there were also campaigns targeting Croats and Serbs. Vinko Puljić, the Catholic archbishop in BiH, wrote to

² On the broader political geography of Bosnian refugee return, see Dahlman and Ó Tuathail (2005).

clergy to tell them that it was the “moral duty” of Catholics to declare their religion in the census, and both the prime minister and president of neighbouring Croatia, Zoran Milanović and Ivo Josipović, visited Croat-majority areas of BiH and stressed the census’s importance (Perry, 2013, p. 14). The largest Bosnian Croat political party, the HDZ BiH, called on Croats to identify as Croats, as Catholics and as speaking Croatian (Karačić, 2013). Then president of the RS, Milorad Dodik, was scornful of the Bosniak campaigns, but nonetheless encouraged residents of the Serb-majority entity to answer the three identity questions (Perry, 2013, p. 14), stating: “My message to the citizens of Republika Srpska is to declare as Republika Srpska citizens, and that Serbs should without any hesitation declare the Serbian language as their mother tongue” (RTRS, 2013). Dodik placed particular emphasis on the importance of the entity citizenship question, arguing that people “should not miss the chance to state they were citizens of Republika Srpska on the census form” (Irwin *et al.*, 2013).

Civil society activists who had criticised the draft questionnaire also formed their own campaign. Rather than encouraging structured identification with any of the three constituent peoples, this rival ‘civic’ campaign instead stressed the principle of self-declaration of identity. Some individual civic campaigners stated publicly that they would identify as ‘Bosnian’ or ‘Bosnian and Herzegovinian’ rather than as Bosniak, Croat or Serb. However, the overall message of the civic campaign was that international guidelines supported the principle of self-identification and that respondents should not feel pressured to answer identity questions in any prescribed way (Perry, 2013, p. 15; Cooley, 2019).

Whereas the 2013 Bosnian census was characterised by both ethnic and civic mobilisation, recent censuses in Northern Ireland have not been accompanied by campaigns to influence responses to the religion or national identity questions. Politicians representing unionist and nationalist traditions have generally had little to say about how people should respond to the

census at all. Where mobilisation has occurred, it has historically taken the form of boycott, as with nationalist campaigns against participation in the 1971 and 1981 censuses, rather than positive inducement to respond to the census in prescribed ways. Since 1991, nationalist politicians have realised the value of Catholics identifying as such in the census and boycott calls have ceased (Doherty and Poole, 1995), but this has not translated into any sustained campaign of the sort witnessed in BiH. Neither has there been a comparable civic campaign. While some public figures, including from the civic-oriented Alliance Party, have criticised what they see as the sectarian nature of the census questions on religion, this criticism has been confined largely to the interpretation phase, and has not resulted in mobilisation intended to influence individuals' responses.

This lack of mobilisation in the Northern Ireland case is partly explained by its different historical context. The 2013 Bosnian census was the first to feature a 'Bosniak' ethnic category (a 'Muslim' nationality category having been used in Yugoslav censuses from 1971 to 1991) and identifying as such therefore assumed symbolic importance. In Northern Ireland, a religion question with options very similar to those used today has been included since 1861. As McEldowney *et al.* (2011, p. 161) note, "the census in Ireland did not 'create' the religious categories of ethno-nationalism" – they have deeper roots, predating any modern census. In the Bosnian case, by contrast, there remains a "fluid and untested" boundary between Bosniak and Bosnian identities, and the census was an opportunity for ethnic entrepreneurs to further recognition of Bosniak distinctiveness (Bieber, 2015, p. 890). One campaigner, for example, explained that "[t]his is the first time in history that Bosniaks can freely and openly say who they are and what they are" (Anadolija, 2013). In an interview, another campaigner referred to "constant efforts [to claim] that that group does not exist" (interview: *Fondacija Popis 2013* member, Sarajevo, 17 October 2017). The significant demographic rupture of the war combined with the time taken before a post-war census was organised also meant that there

was continuing uncertainty about the ethnic composition of the population, such that the stakes were higher than had censuses been conducted at regular intervals. In this vein, an IMO official argued that “even if this census is not a perfect one, I think it’s a good one that enables the country in 2023 or something like that, to conduct a better census with probably less debates [and] discussions” (interview: IMO member, by Skype, 28 March 2017). It is also clear, however, that the corporate form of consociationalism employed in BiH incentivised mobilisation in a way that Northern Ireland’s more liberal form has not. While the majoritarian border poll provision of the GFA might be expected to incentivise nationalists to encourage religious identification, Irish unity depends not just on the holding of a poll, but the winning of it. As a member of NISRA’s Census Advisory Group argued, a situation in which the census revealed the emergence of a slim Catholic majority could be a risky one for nationalists, since it might trigger a border poll that they could subsequently lose (interview: NISRA Census Advisory Group member, Belfast, 24 April 2017).

In BiH, the fact that the constitution names three ethnic groups as ‘constituent peoples’ and guarantees representation to these groups provided an incentive to both ethnic entrepreneurs and civic activists to maximise the number of people identifying in their preferred way in the census. Ethnic campaigns saw it as important that the share of the population identifying with their group was as high as possible, in order to justify the continuation of corporate guarantees. As the smallest of the three constituent peoples, the fear was highest amongst Croats that a census demonstrating their shrinking proportion of the total population might lead to a questioning of their constitutional status or a reduction in their quotas (Hopkins, 2013). However, there was also concern amongst Bosniak campaigners that their target population might split itself between ‘Bosniak’ and ‘Muslim’ self-identification, or be attracted by campaigns to identify as ‘Bosnian’, and that this could have consequences for group-based rights. Speaking in February 2013, one of the *Bitno je biti Bošnjak* campaign leaders made

clear this perceived link, arguing that the census would have “long-term consequences for the constitutional set-up in Bosnia-Herzegovina and its future” (FENA, 2013). In an interview, a key figure in the campaign argued that “a large number of people love this country, and it seemed very logical for them to declare as Bosnians”, but that in doing so, they “[would step] outside the rights given to the constituent peoples” (interview: *Bitno je biti Bošnjak* member, Sarajevo, 2 November 2017). Conversely, results demonstrating that any of the three groups accounted for a growing share of the population could be used to bolster claims to a greater share of power. As one civic activist explained, “[e]veryone wants to create the conditions for future talks on possible constitutional changes that would alter the share of power” (quoted in Recknagel, 2016).

For civic campaigners, the prospect of a large proportion of people identifying as ‘other’ or ‘Bosnian’ in the census was also seen as an opportunity to advocate for constitutional reform. Such an outcome would have challenged the notion that BiH is a state of three distinct, internally homogenous groups, which underpins its corporate consociation (Sito-Sucic, 2013). One civic activist explained, for example, that:

I was also thinking if there is a large group of people or large percentage of people who are not belonging – who are not considering themselves as Serbs, Bosniaks or Croats – then there is a chance that you have a legitimacy to advocate for constitutional changes, of course, to provide equality for everyone. (Interview: civic activist, Tuzla, 1 November 2017)

While civic campaigners recognised the necessity and difficulty of achieving consensus in political institutions for such change, regardless of the size of the civic constituency, one noted “a hope that if you could have really a citizen option, then you can play in the medium term a different kind of game, because then you can see yourself entering inside the institutions and maybe from inside, doing things” (interview: civic activist, Sarajevo, 30 October 2017). Another interviewee argued that if a large number of people identified as ‘other’ in the census,

then this would help make the case for recognising them as a fourth constituent people (interview: *Zašto ne?* member, Sarajevo, 27 October 2017).

Interpretation Phase

Following the completion of enumeration in BiH in October 2013, initial basic results were published relatively quickly, but there was a long delay before the full results, including those from the three identity questions, were released. The main reason for this delay was disagreement between the state-level Agency for Statistics, the Federal Office of Statistics in the FBiH and Bosniak politicians on the one hand, and the Republika Srpska Institute of Statistics and Bosnian Serb politicians on the other. The dispute was primarily concerned with the question of what to do with data on non-permanent residents who were enumerated but whom the Bosnian Serb authorities argue should have been excluded from the results according to the census law's definition of 'usual residents'. Estimates of the number of non-resident but enumerated persons ranged from 196,000 to 430,000. Faced with an EU-imposed deadline, the Agency for Statistics published the complete results in June 2016, without agreement having been reached with the RS Institute of Statistics (Toè, 2016a). These results categorised 50.1% of the population as Bosniak, 30.8% as Serb and 15.4% as Croat.

The IMO concluded in its final report in October 2016 that the conduct of the census had largely met international standards and that the results could be considered valid for economic and social policy planning (IMO, 2016, p. 9), but the RS Institute of Statistics continues to contest the results, arguing that they include an unacceptable number of non-residents (interviews: RS Institute of Statistics officials, Banja Luka, 25 October 2017), and has published its own version of the results. While staff of the three statistical offices reported working well with one another on a day-to-day basis (interviews: senior Agency for Statistics of Bosnia and Herzegovina official, Sarajevo, 18 October 2017; senior Federal Office of Statistics official, Sarajevo, 23

October 2017; RS Institute of Statistics officials, Banja Luka, 25 October 2017), a member of the IMO argued in an interview that staff in the FBiH and RS institutes were subject to pressure from “political hardliners” (interview: IMO member, confidential location, 11 December 2018).

Challenges to the results have also been heard by the courts. In June 2016, the then leader of the main RS opposition party and chair of the House of Representatives (the lower chamber of the state-level Parliamentary Assembly), Mladen Bosić, appealed to the Constitutional Court, challenging the decision of the Agency for Statistics to publish the results without the agreement of the RS authorities. The court ruled in January 2017 that the issue did not fall within its competence (Constitutional Court of Bosnia and Heregovina, 2017). In August 2016, the RS Constitutional Court had ruled that the vital national interest of Bosniaks had not been violated by the separate publication of the RS results (Toè, 2016b).

This unresolved dispute about the results reflects concerns about their implications for power-sharing institutions. Bosnian Serb politicians made clear their objections to the publication of the disputed results shortly before their release, with then member of the state presidency, Mladen Ivanić, calling for compromises and explaining that he feared the Agency for Statistics’ figures would result in a reduction in Serbs’ share of employment in public administration and the armed forces. Then RS president Milorad Dodik, meanwhile, argued that the results would “disturb national balance” (Reuters, 2016). The RS Institute of Statistics argues that the total population of 3.5 million people in the published results includes “approximately 400,000 virtual residents” (mostly in the FBiH), who will be included in tax revenue allocation to local governments and “will also take part in the political life of the country through provided percentages” (Republika Srpska Institute of Statistics, 2017, p. 26). While the results themselves are not subject to formal dispute within the FBiH, the question there has been

whether results from 2013 or 1991 should be used to inform decisions about representation. In December 2018, following a ruling in a Constitutional Court case in which the Croatian National Assembly's Božo Ljubić had argued that Croat delegates to the upper house of the FBiH parliament should be elected exclusively by Croat-majority cantons, the Central Election Commission ruled that election of delegates should be based on results from the 2013 census, against the wishes of the SDA and the Federal Office of Statistics, which wanted the 1991 results to be used until refugee return is complete (FENA, 2018; Sito-Sucic, 2018).

In Northern Ireland, census results have also been used in debates about political representation, but this has taken a quite different form. Because representation of unionists, nationalists and 'others' in the Assembly is based on the relative electoral performance of candidates designated under those categories, rather than according to population-based quotas, census results do not have a direct impact on representation. They have instead been used as a proxy, to explain the outcome of elections. This was evident following the March 2017 Assembly election. Shortly after the contest, the unionist *News Letter* newspaper ran a multi-page story revisiting the 2011 census results (which had shown that by background, 45.1% of the population were Catholic and 48.4% Protestant or other Christian, with Catholics a majority in younger age groups),³ accompanied by the front-page headline "Catholic population to dwarf Protestants". The article used the census to help explain why, for the first time since partition in 1921, unionist parties had failed to win a majority in a Northern Ireland-wide election, noting that "statistics show it is something unionists must adjust to – and quickly" (Kula, 2017, p. 1).

A more prominent and persistent aspect of debates about the implications of Northern Ireland census results concerns their implications not for political representation, but for the

³ In fact, the newspaper gave more coverage to the results following the Assembly election than when they were published by NISRA in December 2012 (cf. Kula, 2012).

constitutional future of the state. When Ireland was partitioned, the border was drawn to maximise the Protestant population share in the North, based on the 1911 census results. Since then, this Protestant majority has been slowly eroded. Each census since the partially boycotted ones of 1971 and 1981 has been anticipated as demonstrating a coming Catholic majority, with the 1991 census interpreted as revealing a significant rise in the Catholic population, accompanied by speculation that Catholics would soon form a majority (Anderson and Shuttleworth, 1998). The GFA's provision for a border poll has arguably reinforced an already existing tendency to view census results through the lens of debates about Irish unification. In the run-up to the publication of the 2001 census results, unionist and nationalist politicians speculated that the results might confirm that the days of a Protestant, unionist majority could soon be over. In the end, the results appeared to show that the rate of convergence was slowing and "the exaggerated fears/hopes of a 'Catholic majority' could be postponed to another day" (McEldowney *et al.*, 2011, p. 166; see also Mac Ginty, 2003, pp. 5-6). Nonetheless, the same speculation was repeated in 2011, with Sinn Féin MLA and education minister John O'Dowd stating that "I have no doubt that those figures will demonstrate very clearly the constitutional trajectory that we are set on" (Sinn Féin, 2012).

The introduction of the national identity question in 2011 has served to complicate these debates. Reporting on the results, the *Irish Times*, for instance, noted the relatively slim majority of Protestants over Catholics, but also that the proportion of the population identifying exclusively as Irish was only a quarter and that "while there is a continuing decline in the Protestant population...this does not necessarily mean the prospect of a united Ireland is any closer" (Moriarty, 2012, p. 2). Nonetheless, census results continue to play a significant role in discussions about the constitutional future – a debate that has increased in salience because of the implications of Brexit for the Irish border (Gordon, 2018; Whysall, 2019, p. 6).

Whereas in the Bosnian case, significant civic mobilisation accompanied enumeration, the closest parallel in Northern Ireland is debate concerning religious background statistics. NISRA deals with any census returns lacking an answer to the ‘religion brought up in’ question by imputing an answer from a ‘donor’ individual who gave similar answers to other questions. Some public figures – many associated with the Alliance Party – have criticised this process. Alliance’s then leader, David Ford, argued in his 2003 party conference speech that people not answering the question should not have identities imputed (Ford, 2003). He had previously described NISRA’s actions as “a sad example of how public agencies can inadvertently promote sectarianism” (Alliance Party, 2003). The Alliance MLA Kellie Armstrong has noted that the practices Ford criticised in 2003 still exist, arguing that “if you designate none under religion, you’ll still be pigeon holed by being asked what religion you were brought up in” (Alliance Party, 2019). As Shuttleworth and Lloyd (2009, p. 216) note, libertarian and cross-community critics consider imputing a religion or community background as a potential human rights issue. NISRA officials recognise that the imputation process is controversial but argue that it is necessary to monitor and combat discrimination in the labour market (NISRA, 2017, pp. 2-3; interview: senior NISRA official, Belfast, 29 May 2018). Critics argue that the mechanism has now served its purpose, with widespread labour market discrimination against Catholics having been overcome, and that people should have the right to define their own identities and that the state should welcome rather than inhibit people opting out of ethno-national identification. Crucially though, these critics do not anticipate that an increase in the proportion of the population identifying as ‘others’ will have an impact on their representation in power-sharing institutions (interviews: civil society activist, Belfast, 30 May 2018; David Ford, Belfast, 26 September 2018).⁴

⁴ For a broader discussion of the politics of estimation and representation, see Hannah (2001).

CONCLUSIONS

Taking as its departure point the contention that the design of political institutions, and specifically how they represent identity groups, is likely to shape the forms and degrees of census politics, this article has explored the specific impact of consociational institutions in two deeply divided societies. It has provided an account intended to test a proposition about the impact of a key aspect of consociational institutional design on census politics in Bosnia and Herzegovina and Northern Ireland: that it is corporate rather than liberal consociational rules that are likely to incentivise contestation of and mobilisation around the census.

The analysis broadly confirms this expectation. In both cases, institutional rules provide politicians with the ability to contest the census, through granting veto powers to representatives of ethno-national groups. However, these features of institutional design are a necessary but not sufficient condition for contestation and mobilisation, which require incentives. Corporate rules can provide these incentives. In the Bosnian case, protracted disagreement in the census preparation phase was driven by expectations about the implications of updated population shares for corporate aspects of the country's consociational institutions, such as quotas for representation of ethnic groups at the state and entity levels. These provisions also incentivised ethnic and civic campaigns during the enumeration phase, as representatives of the country's three main ethnic groups sought to maximise their share of the population, with the understanding that this was necessary to maintain or increase the quotas allocated to them, and civic campaigners tried to demonstrate that many people rejected the premise that politics should be based on ethnic representation. Seven years after enumeration, debates about the accuracy of the results and how they should be applied to power-sharing institutions continue. In Northern Ireland, by contrast, the more liberal form of consociationalism means that political representation is based not on quotas but on relative electoral performance, and so there is much less to be gained through census contestation or mobilisation. Instead of

forming the basis of quotas for political representation, then, population shares revealed by the census have only an indirect relationship with the proportion of unionist, nationalist and ‘other’ identities represented in political institutions. They can be used to help explain the electoral outcomes on which such representation is based, but they do not determine how power is shared.

The analysis does not suggest that all aspects of census politics in these two cases can be explained by reference to the presence of corporate versus more liberal rules, however. In BiH, the census had symbolic importance – for Bosniaks in particular – and this also drove mobilisation. Other aspects of institutional design have also influenced census politics. In the Northern Irish case, the most prominent debates about the census concern the implications of results not for group representation but rather for the constitutional future of the state, linked to a provision of the Good Friday Agreement that is majoritarian rather than consociational – that for a ‘border poll’ on Irish unification. The contestation of the census and its results in Bosnia and Herzegovina has also been facilitated by the territorial organisation of the state, which required the co-operation of a state-level and two federal entity-level statistics agencies. By contrast, the territorial status of Northern Ireland as a regional consociation within the United Kingdom means that there are comparatively fewer veto points, with the census being the responsibility of a single statistical agency acting under external constraints.

These territorial aspects of census politics merit further attention, through bringing consideration of institutional design into analysis of the role of censuses in emphasising the location of the population within national borders and sub-divisions of the state (Starkweather, 2009, p. 240). Relationships between the territorial organisation of the state and struggles over the spatial distribution of populations might be found in several recent or forthcoming censuses. Ethiopia, with its system of ethnic federalism, has postponed its census several times since

2017 (Woldemikael, 2019). Macedonia, where a 2011 census was abandoned during enumeration – in part due to a dispute over the inclusion of ethnic Albanians working overseas (Daskalovski, 2013) – is trying again in 2020. This case could offer insights into how power sharing, decentralisation and census politics interact, given that Macedonia’s consociational institutions are regarded as more liberal than BiH’s but that it has territorially concentrated minorities, which are granted rights if they meet population thresholds at the local level. Moreover, these debates are not limited to societies typically regarded as ‘deeply divided’. In the United States, where the census is used to determine congressional seat allocation, authorities have previously experimented with counting American citizens living abroad, with the arguments deployed in favour of doing so demonstrating that the symbolic and representational implications of such decisions are not limited to refugee situations such as the Bosnian one (Starkweather, 2009). More recently, critics of the Trump administration’s failed attempt to add a citizenship question to the US census argued that it was motivated by a desire to change the basis of political representation from a count of population to one of citizens, or to suppress response rates amongst non-citizens (Wines, 2019). These cases demonstrate the importance of questions about who gets counted, their spatial distribution, and how they are categorised for determining political power across a broad range of political systems.

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