



TOWARDS SUSTAINABLE ELECTION ADMINISTRATION
*The Challenge of Institutionalizing Democratic
Elections in the 21st Century*

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On November 9, 1999, the world celebrated the tenth anniversary of the collapse of the Berlin Wall, a history-making event that triggered a worldwide revolution. Adam Michnik, former Solidarity activist and current editor of Poland's leading newspaper, *Gazeta Wyborcza*, said that, "The revolution of 1989 was the most successful revolution since the American Revolution."

In the 1990's, the democracy wildfire spread to virtually every corner of the globe during a magnificent period that former Secretary of State James Baker once described as the decade of democracy. While we have seen many successes like Michnik's homeland, Poland, we have also seen how elusive building sustainable democracies can be.

The Constitutional Design 2000 Conference comes at a very critical moment. While we have seen many initial successes, countries such as Haiti and Pakistan demonstrate how difficult it can be to build a sustainable democracy. This presentation focuses on the daunting challenge of the next century to build sustainable and transparent election systems that can foster a climate of democracy based upon constitutional process and rule of law.

I look at the following issues:

1. The role of international donor assistance in promoting transparent election processes.
2. The importance of the permanent, professional, and independent election administration in building sustainable democracy.

THE ROLE OF INTERNATIONAL DONOR ASSISTANCE

The revolution of 1989 not only swept away the Iron Curtain, but also catapulted development assistance for democratic development onto the agenda for the international donor community. In April 1982, President Ronald Reagan delivered a major foreign policy speech at the British House of Commons, where he outlined plans for the establishment of the National Endowment for Democracy (NED). Prior to this, the U.S. had provided democracy assistance primarily on a covert basis, designed primarily to advance U.S. foreign policy interests in the context of the cold war.

Since 1982, the United States embraced democracy promotion as a pillar of U.S. foreign policy and has developed programs like the NED to promote democracy and democratic values overtly and transparently. Other countries have also become actively involved in promoting democracy since the early 1980's; for example, many countries send delegations of parliamentarians to observe elections in such places as the Philippines and throughout Latin America.

Germany began to target development assistance to the promotion of democracy well before the 1980's. All of the major German political parties established foundations, such as the Frederich Ebert Foundation (est. 1925/1947); the Konrad Adenauer Foundation (est. 1964); and the Frederich Nauman Foundation (est. 1958). These foundations were given the task of helping to promote the development of like-minded political parties. These German political party foundations also helped encourage the development of similar programs to support and encourage the development of political parties such as the U.S.-based National Democratic Institute for International Affairs and the International Republican Institute.

Bi-lateral and multi-lateral organizations became involved in providing technical election assistance in the late 1980's in such places as Namibia and Nicaragua. The United States Agency for International Development started providing technical election assistance on an ad-hoc basis to such places as El Salvador and Honduras in the early eighties and to the Philippines in 1986. The United Nations played a key role in the founding election in Namibia in 1989.

Another result of the U.S. Government's increasing interest in the promotion of democracy was the establishment of the International Foundation for Election Systems (IFES) in 1987. IFES was started as a private, non-profit, and non-partisan foundation designed to provide technical election assistance to emerging democracies. The Foundation was launched with the help of an initial seed grant from the United States Agency for International Development (USAID).

Since 1987, IFES has worked in over 100 countries around the world providing assistance and promoting the concept of permanent, professional and transparent election administration. Over the past three years, IFES has begun to broaden its activities and is currently successfully implementing rule of law, civil society, and governance projects.

From the beginning, IFES has worked in close partnership with USAID to assist in the promotion of professional, permanent, independent, and transparent election administration, which is one of the long-term answers to building sustainable democracies. Over the past twelve years, IFES has also received substantial funding from other donors such as the United Nations Development Program, the Organization for Cooperation and Security in Europe (OSCE), and also from many bi-lateral development agencies from such countries as Canada, Finland, Japan, the Netherlands, and the United Kingdom.

IFES has seen that international donor support for the election process has changed dramatically over the past ten years. In the early years, donors were expected to pour vast amounts of money into making the first or founding elections happen. This resulted in many countries where a great deal of money was spent in a short time, with very little to show in the way of building lasting election processes. The donor community also saw the cost of elections skyrocket. For example, the Namibian elections of 1989 cost in excess of \$800 million. Now donors are more reluctant to just pour money at the problem in hopes of solving it. Donors are becoming more sophisticated and insistent on measures to bring costs under control. This is one of the motivations behind the United Nation's support for the Administration and Cost of Elections Project that will be additional in detail later in this presentation.

During the early years, IFES was frequently expected to be on-site in a moment's notice and help countries organize founding elections within impossible time frames. The end result of these elections was that a great deal of money was spent on equipment, vehicles, and temporary personnel; but once the elections were over, there was no process left in place. Beginning in 1993, USAID began to realize the utility of a longer-term approach. IFES projects moved from a crisis mode to longer-term capacity building.

Another major shift was placing less emphasis on international election observation and more on technical assistance. The experience of massive observer missions in places such as El Salvador, Cambodia, and South Africa encouraged multi-lateral organizations such as the United Nations to start shifting more resources from observation to technical assistance. For example, the UN funded a program of domestic election observers in Mexico in 1997, instead of spending the money for an international observation team.

In an article in the October 1999 issue of *Journal of Democracy*, Marina Ottaway and Theresa Chung make the point that, "In the 1990's, however, donors began to push countries to hold elections very early in the transition, even though historically the process of democratization did not start in such a fashion. Many of these early donor-driven elections have proven to be enormously expensive. They have, moreover, established an unsustainable model of how elections must be conducted, complete with sophisticated voter registration systems, transparent ballot boxes, and ballots printed abroad."

This observation by Ottaway and Chung is, in many respects, all too true. There have been many instances where the zeal of donors wanting to support an election has resulted in election processes that are difficult, if not impossible, to replicate. For this reason, IFES has always concentrated on encouraging the notion of permanent, professional and transparent election administration as the best way to insure that election processes are sustainable. IFES encourages election management bodies to undertake training and internal capacity building and use local resources and appropriate technology whenever feasible. This is also one reason why IFES has promoted the idea of regional associations of election officials to enable election administrators to learn from their peers regarding common problems.

Fortunately, IFES has seen a dramatic change in donor focus. There is much more awareness on the part of donors about the importance of putting a process in place rather than just holding a one time election. Donors are becoming much more insistent on accountability and not just spending money. Also, there is more of a willingness for donors to leverage resources. For example, the Japanese International Cooperation Agency contributed \$160,000 toward the elections in El Salvador in 1997 to compliment funding from USAID.

Also, donors today are less likely to provide unlimited assistance in the form of sophisticated election equipment, vehicles, and computer equipment. During many of the founding elections in the early 1990's, USAID saw money spent on sophisticated equipment and vehicles. Consequently, USAID has become very cautious in allowing for expenditures of equipment and material, and other donors are also exercising the same level of caution.

On the whole, I do believe that we are seeing a dramatic shift in the way that international donor assistance is being provided to support the election process. There is much less emphasis on "one time electoral extravaganzas" and more realization that it is imperative that donors provide support for processes and institutions. The only way that electoral democracy can truly be implemented is when countries make the commitment to put permanent, professional, and transparent processes in place.

THE ROLE OF PROFESSIONAL ELECTION ADMINISTRATION

We now turn to the importance of election administration in helping guarantee that constitutional democratic systems firmly take root. While there is more to democracy than elections, the ballot box is the well spring from which democratic government derives its legitimacy. Yet for democracy to function, voters must have faith that they be permitted to vote freely, with secrecy, and without fear of retribution. Voters must also be convinced that their votes will be counted freely and fairly.

The key to building this kind of credibility is professional election administration. For far too long, election administration has been regarded as the forgotten stepchild of

the field of Public Administration. What we have learned at IFES is that it is impossible to build sustainable democracy with an ad hoc approach to elections.

“Adhocracy” undermines the faith of the voters in the validity of their vote and the sanctity of the process. It also invites the possibility that elections can be tampered with.

In a landmark contribution to the literature, entitled, “Election Commissions as Institutions of Governance,” Dr. Rafael Lopez Pintor, states, “The potential impact on the political system of having a professional and efficient electoral administration is sometimes overlooked by donors and policy makers who may not be fully aware that, with technical assistance, the political condition of the country and the quality of the regime can be improved.”

A major conclusion of the Lopez-Pintor paper is that one way to provide for sound election administration is to encourage the development of permanent electoral management bodies. One reason why decision makers do not choose permanent election structures is because of the mistaken belief that this will lead to a dramatic increase in the cost of elections. In reality, Dr. Lopez-Pintor makes the point that on the whole, permanent election management bodies offer the opportunity for more cost-effective electoral processes.

The establishment of permanent electoral management bodies and independent electoral commissions can help in alleviating a number of flash points that can imperil the integrity of an election process. For example, the lack of a verifiable and credible voter register is a problem that faces many countries. Countless election processes have collapsed in chaos because of problems with the election register. In the Dominican Republic in 1994, the country was brought to the brink of crisis due to 60,000 voters, who were left off of the official voters register. In Mexico, the adoption of a new voter registration system and a verifiable voter identification card played a major positive role in completely changing the image of Mexican elections. At least on the federal level, the Federal Electoral Institute is now highly regarded for the manner in which they conduct elections.

Page 6

The need for clear and well-delineated election laws is another factor that can have a profound impact on the integrity and credibility of the election process. It is not enough to establish election management bodies, but it is also necessary to make clear who has the ultimate responsibility to resolve electoral disputes. There is frequently confusion as to who has ultimate authority.

Russia, for example, has made great strides in the field of election administration. Since 1993, the Central Electoral Commission has evolved into a highly effective and professional election management body. Nevertheless, one of the problems that the CEC has faced has been the large body of cumbersome election regulations. This resulted in many electoral disputes being decided by the Supreme

Court during the 1996 election cycle. Frequently the Supreme Court is forced to rule on matters of which they had no expertise and they would wind up issuing rulings that undermined the decisions of the CEC.

Many countries are dealing with this problem of adjudication by creating clearly established lines of authority regarding management of the election process and adjudication of election grievances. In Peru, for example, a series of reforms implemented in 1995 resulted in the establishment of the National Office of Electoral Processes to implement and manage the election process and the National Electoral Court to be engaged in adjudication of electoral grievances. Mexico and a number of Latin American countries follow this model, and it seems to work quite well.

Electoral management bodies can also play a key role in avoiding conflict and violence. During the recent elections in Indonesia, the slowness of the vote count had the potential to plunge the country into a frenzy of violence and chaos. The Indonesian Election Commission helped to keep the peace by establishing a Joint Operations Center that regularly provided up-to-date information for the news media on what was happening. This was a key factor in helping avert problems that resulted from a cumbersome vote counting process that took almost one month before election results were released.

Turning from the structure of election administration, it is also important to focus on the tools needed to advance election administration. Over the past ten years, donor countries have invested enormous sums of money to promote electoral practices in newly emerging democracies. Yet the ultimate answer is to empower election officials and administrators with the capacity to organize and implement their own election procedures. The case of Cambodia demonstrates that after more than three billion dollars spent by the United Nations in 1993, there was no permanent election institution left behind. In 1998, the void required a totally new Cambodian election management system to be organized.

In April of this year, election administrators from around the world gathered in Ottawa, Canada for the first meeting of the Global Election Officials Network. This was a gathering of the leadership of regional associations of election officials from every corner of the planet. At one of the panels, Horacio Boneo, former Director of the UN Election Assistance Division, made the point that the field of election administration is still in a nascent stage. There is very little in the way of literature that deals with Election Administration. One of the few pieces of original work was the paper by Rafael Lozez Pintor. There is also very little in the way of formal training for election administrators apart from short courses for practitioners. Auburn University in Alabama for many years has been one of the few institutions of higher learning offering an advanced degree in election administration.

Also, at the Ottawa meeting, the Administration and Cost of Elections Project (ACE) was highlighted. This is a body of literature developed by a partnership of IFES, the United Nations, and International IDEA. It represents a joint collaboration of the

three institutions to produce the largest single body of material on the field of elections (3,000 pages of text and 2,000 pages of sample items). It deals with a wide variety of topics including voter registration, voter education, poll worker training, use and design of election commodities and materials. It has been organized on a web site that can be found at www.aceproject.org. The material is also available on CD Rom and in book form.

ACE is useful because it offers an in-depth comparative analysis of all of the elements needed for a functioning election system. By making information about all aspects of the election process accessible, ACE provides legislators, election administrators, civic leaders, and media worldwide with the opportunity to find out for themselves what best practises are being utilized around the world. ACE clearly demonstrates that for any election system to succeed ultimately requires good organization, training, and commitment on the part of the country to make the basic resources available to organize elections. Nevertheless, there are ways that costs can be contained. Encouraging the use of appropriate technology in developing election equipment can hold down costs for such items as voting screens.

Work is now underway for additional topic areas such as technology in elections and the media in elections. ACE looked very carefully at the topic of the cost of elections; and this information is already being used by election commissions interested in holding transparent, efficient, and cost-effective elections. Unless election administrators find ways to control costs, then they will always be at the mercy of governments either unable or unwilling to make the financial resources available to hold elections.

Another extremely useful tool is the organization of regional associations of election officials. The presence of so many of these associations at the GEO network meeting in Ottawa demonstrated the value of having regional networks to advance the field of election administration. As development budgets are shrinking, it is imperative that election officials look to their peers and colleagues in their own region for new ideas, new solutions, and new approaches.

The first such association was the Association of Central American Election Officials that was initiated by the signing of the Protocol of Tikal in 1985. This organization was launched with the help of the Center for Electoral Assistance and Promotion (CAPEL). Since that time, similar associations have been launched throughout this hemisphere and also in Asia, Africa, and Central/East Europe. In addition to information exchange, these associations have helped to provide practical solutions to common problems. For example joint cooperation facilitated by the Association of Central and Eastern European Election Officials providing assistance for the Russian Central Election Commission in 1996. The ACEEEO has also been actively involved in helping support and encourage the development of the associations in Africa and Asia.

CONCLUSION

The challenge of the next century will be to make sure that democracy is not just a passing phenomenon but that it truly takes root and flourishes. One way to make this happen is to support the creation of sustainable democratic election processes.

Thinking about the topic of this conference **Constitutional Design 2000**, I would argue that it is imperative that the international donor community increase its support for sustainable democratic development. It is imperative that we learn from the past. The most important lesson that IFES has learned is that there is no blueprint and that democratic process will only flourish when the people in the country have bought into the process.

IFES looks forward to continuing to advance the field of election administration as one positive way that the process can be institutionalized. In Angola in 1992, the absence of a strong, independent, and credible election commission helped to create a vacuum. When major electoral disputes arose, instead of taking them to the election commission to resolve the competing parties took the struggle back to the battlefield at a cost of more than 500,000 lives.

Scholars such as Fareed Zakaria, Thomas Carothers, and Marina Ottaway are right to ask questions about the impact of the democratic assistance that has been provided over the past ten years. In the October 1999 issue of the *Journal of Democracy*, Marina Ottaway and Theresa Chung's article entitled, "Toward a New Paradigm," discusses the tremendous cost of elections that the international donor community has had to bear and urges donors to carefully consider the cost of democratic development when offering future assistance. In the same edition, Dr. E. Gyimah-Boadi, of the University of Ghana, writes a very effective rebuttal article, and says,

"There are many problems with the Ottaway and Chung essay. A major flaw in their analysis is that while it addresses the cost of democracy assistance, it neglects the costs of not providing such assistance. Nobody said that democracy would come cheap. But what is the cost of the alternative?"

The cost of the alternative is indeed an ominous one. A 1997 study, recently cited by the InterParliamentary Union and the International Committee of the Red Cross, shows that the 20th century has been the deadliest of all. More than 140 million people have died in armed conflicts over the past century. We cannot allow the bullet to win out over the ballot. Yet, as we prepare to close this century, it is important to consider that the respected institution, Freedom House, shows that there are more democracies in the world now than at any time in human history. To make sure that this very positive trend continues into the next century, it is imperative for all of us to remember the words of the renowned Mexican writer, Octavio Paz, in his book, *Latin America and Democracy*,

“To defend democracy is to defend the possibility of change, in turn, change alone can strengthen democracy and enable it to be embodied in social life. ...the battle is a worldwide one. What is more, the outcome is uncertain, dubious. No matter; the battle must be waged.”

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