




Electoral Management Bodies as Institutions of Governance

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Bureau for Development Policy
United Nations Development Programme

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This paper is the fifth in a series of Discussion Papers on governance sponsored by the UNDP Bureau for Development Policy. It was commissioned to the International Foundation for Election Systems (IFES) and was researched and written by Professor Rafael López-Pintor.

The views expressed in this paper are not necessarily shared by UNDP's Executive Board or the member governments of UNDP.

Preface

Electoral systems are the primary vehicle for choice and representational governance, which is the basic foundation for democratization. These systems must provide opportunities for all, including the most disadvantaged, to participate in and influence government policy and practice. Effective management of electoral systems requires institutions that are inclusive, sustainable, just and independent—which includes in particular electoral management bodies that have the legitimacy to enforce rules and assure fairness with the cooperation of political parties and citizens.

UNDP policy on governance for human development rests on the belief that democracy and transparent and accountable governance in all sectors of society are indispensable foundations for the realization of social and people-centered sustainable development. Articulated in a 1997 publication entitled, *Governance for Sustainable Human Development: A UNDP Policy Document*, it identifies the strengthening of governing institutions – legislature, judiciary and electoral institutions – as one of five priority areas to support in order to best achieve corporate policy goals.

In application of this policy, UNDP has had considerable experience over the past decade in supporting, managing and coordinating elections, but more limited experience in strengthening electoral systems to promote inclusive processes and effective electoral institutions within the broader context of democratic governance.

This paper focuses on the institutional dimensions of strengthening electoral systems and grapples with issues related to electoral management bodies as institutions of governance. Through a taxonomy that classifies 148 countries according to the type of electoral administration, it argues that electoral management bodies worldwide are

increasingly both permanent and independent of the executive branch of government and that this type of institutional structure proves more cost-effective than ad-hoc or temporary electoral bodies. Special attention is placed on the role and challenges of electoral management bodies in "third wave" democracies vis a vis the experience in older and more established democracies.

This paper is the fifth in a series of Discussion Papers on governance sponsored by the UNDP Bureau of Development Policy. It was commissioned to the International Foundation for Election Systems and was researched and written by Professor Rafael López-Pintor. The paper underwent extensive external and internal review in 1999, including a UNDP sponsored workshop in Mexico of electoral commissioners, representatives of international organizations, NGO's and other professionals concerned with electoral matters. Subsequently, the work has been reviewed by UNDP staff specialized in the area of democratic institutions and UNDP Resident Representatives involved in providing electoral assistance.

As the study points out, electoral management is a relatively new field of study, especially as it related to democratization in new and emerging democracies. It is our belief that this study will make a positive contribution toward the impressive ongoing work of specialized electoral organizations, national commissions, civil society, development partners and further contribute to the deepening of inclusive political processes and sustainable democratic institutions.

Comments and feedback on this discussion paper should be addressed to G. Shabbir Cheema of the Bureau for Development Policy, UNDP, New York (email: g.shabbir.cheema@undp.org, telephone 212-906-6633).

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Extremely valuable comments on several of the issues discussed in this paper were provided by the following experts in the field of international electoral assistance: Miguel Angel Abad, former Deputy Director of Elections at the Spanish Ministry of Interior; Jose Maria Astorkia, Senior Electoral Officer at the Spanish Ministry of Interior; Reginald Austin, former Director of Legal and Constitutional Affairs at the Commonwealth Secretariat and presently Director of Programs at the International Institute for Democracy and Electoral Assistance (International IDEA) in Stockholm; Therese Laanela, Program Officer at International IDEA; Joe Baxter, Special Advisor for Elections at IFES; Horacio Boneo, former Director of the United Nations Electoral Assistance Division and presently United Nations consultant; Mark Feierstein, Team Leader of the Elections and Political Process Team at the United States Agency for International Development (USAID); Jeffrey Fischer, Executive Vice President of IFES; Ronald Gould, Assistant Chief Electoral Officer of Elections Canada; William Gray, Electoral Commissioner of the Australian Electoral Commission; Peter Harris, consultant to International IDEA; Keith Jennings, Director of Civic Participation Programs at the National Democratic Institute for International Affairs (NDI); Jean-Pierre Kingsley, Chief Electoral Officer

of Elections Canada; Keith Klein, Program Director for Africa and the Middle East at IFES; Patrick Merloe, Director of the Election Processes Program at NDI; Santiago Murray, Special Advisor at the Organization of American States (OAS); Juan Rial, Director of Peitho Sociedad de Analisis Politico in Montevideo, Uruguay; Carlos Urruty, President of the Corte Electoral of Uruguay; Vadim Zhdanovich, Election Advisor at OSCE Office for Democratic Institutions and Human Rights in Warsaw; Daniel Zovatto, former Secretary General of the Instituto Interamericano de Derechos Humanos/Centro de Asesoría y Promoción Electoral (IIDH/CAPEL) in Costa Rica and presently Senior Executive Officer at International IDEA.

Special recognition and appreciation is extended for the many excellent comments and suggestions provided by participants at various meetings where earlier drafts of this paper were presented. This included: a seminar with experts from UNDP and principal United States organizations providing international electoral assistance, held at IFES in Washington D.C. in November 1998; the meeting of the Global Electoral Organizations Network (GEO Network) held at Ottawa in April 1999; and the international workshop organised by UNDP in cooperation with electoral authorities of Mexico at the Instituto Federal Electoral (IFE) and the Tribunal Electoral del Poder Judicial de la Federación (TEPJF) held at Mexico City in May 1999, for the specific purpose of discussing the draft paper.

More than one hundred persons participated in the two latter meetings, including representatives from all international regional associations of electoral authorities: African Association of Election Authorities (AAEA); Association of Asia Elections Authorities (AAEA); Association of Caribbean Election Organizations (ACEO); Association of Central and Eastern European Election Officials (ACEEEO); Pacific Islands, Australia, and New Zealand Electoral Administrators (PIANZEA); Inter-American Union of Electoral Organizations

(UNIORE); Commonwealth Association of Election Officers; International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and the International Institute of Municipal Clerks (IIMC). International organizations included: United Nations Development Programme (UNDP); United Nations Electoral Assistance Division (EAD); United Nations Department for Economic and Social Affairs (DESA); European Union (EU); Organization for Security and Cooperation in Europe (OSCE); Organization of American States (OAS); Organization for African Unity (OAU); International IDEA; and the Caribbean Community (CARICOM). Development assistance agencies included USAID, IFES, NDI, Canada, Sweden, Denmark, and Inter-American Institute of Human Rights/Center for Electoral Assistance and Development (IIDH/CAPEL). Participants included representatives from the electoral authorities of Bangladesh, Canada, Chile, Ghana, Guatemala, Haiti, Hungary, Kazakhstan, Korea, Lithuania, Mauritius, Mexico, Namibia, New Zealand, Nicaragua, Philippines, Poland, Senegal, Spain, Sri Lanka, Uruguay, and Yemen. Finally, national non-governmental organizations monitoring elections from Nigeria (Transition Monitoring Group), Philippines (NAMFREL) and Peru (Transparencia) were workshop participants.

Contents

Preface	3
Acknowledgements	5
Executive Summary	11
1. Introduction	13
The Scope of this Paper	13
The Establishment and Consolidation of EMBs for Multi-Party Elections	15
Which Type of Electoral Authority? Where Should it be Placed within the State Structure?	19
2. Classifying Electoral Management Bodies Worldwide	21
Main Structural Patterns of EMBs by Region of the World as well as by Political and Cultural Traditions	21
The Winds of Reform and Electoral Institutions	30
Latin America	32
Eastern and Central Europe	37
The Middle East	39
Africa	39
Asia	46
Movement Backwards	49
Main Structural Traits and Functions of EMBs in the Different Democracies of the World	51
Who Runs the Elections?	52
A Measure of Decentralization	54
Elections Run by Executives	58
Supervisory Bodies	59
Independent though Party-Based Electoral Commissions	62
Permanent and Professionally Staffed Electoral Commissions	65
Operational Divisions and Local Electoral Authorities	69

The Cost of Elections	71
Control over Party and Campaign Finance	81
The Use of New Technologies	83
Expanding the Culture of Elections	84
3. Developing a Normative International Umbrella for the Management of Multi-Party Elections	87
The International Legal Framework of the Organization of Elections	87
The Role of the International Community in the Establishment and Development of EMBs	89
Regional International Associations of Electoral Authorities	97
Guiding Principles for the Establishment and Development of EMBs	100
Towards Internationally Accepted Codes of Conduct and Good Practice Manuals for EMBs	101
Towards a Definition of Free and Fair Elections	102
The Electoral Authority in the Public Mind	109
4. Conclusion	119
Summary of Findings	119
Lessons Learned	122
Cost-Effective Measures	128
EMBs as Institutions of Governance: Applications of Research	130
Concluding Remarks: On the Desirability of Permanent EMBs for Enhancing the Legitimacy of Democracy, the Rule of Law, and Good Government	136
Annex: Country Case Study Reports	143
Australia	144
Uruguay	153
Botswana	166

Spain	175
Senegal	185
Pakistan	195
Russia	208
Haiti	220

References	231
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Tables

2.1 Summary Distribution of EMBs by Region of the World and by Type of Institution	25
2.2 Taxonomy of EMBs by Type of Institutional Arrangement(1) and by Region of the World(2)	27
2.3 Cost of Elections	73

Boxes

1. Independent Party-Based Electoral Authority in Uruguay	22
2. Reforming the Electoral Administration: Australia	31
3. Russia's Decentralized Electoral Administration	54
4. Cost-Saving Measures in Spain	71
5. Haiti's Challenge to International Electoral Assistance	90
6. Pakistani Record-Keeping, Reporting and Recommendations	110

Executive Summary

This paper presents two major arguments about electoral management bodies (EMBs). First, they are increasingly developing worldwide as commissions that are both permanent and independent of the executive. Second, electoral administration that relies on permanent and professional staff is more cost-effective than ad hoc electoral bodies that use wholly temporary personnel. Empirical evidence from 148 countries is gathered here to support both these ideas.

Permanent, independent electoral authorities are emerging as the preferred form of EMBs in widely different states that have undertaken electoral reform. This model is followed – though at a distance – by one in which the election is run by the government, but regulated and monitored to some extent by an independent commission that also has adjudication capacity for questions of electoral conduct. Within both these EMB models, commission membership is either party-based or includes at least a few representatives of political parties. Elections conducted exclusively by the executive tend to be products of history rather than responses to contemporary needs. This paper presents a taxonomy that classifies 148 countries by region according to their type of electoral administration.

The idea that permanent EMBs with professional staff operate more efficiently than temporary bodies is supported by evidence of variations in electoral budgets (average cost per voter) relative to the length of the country's experience in organizing elections. This paper analyzes figures from 49 countries and presents a number of lessons learned from trends in electoral administration and national experiences with cost-saving measures.

Historical evidence, coupled with conclusions by observers and advocacy by electoral professionals, almost unanimously indicates that independent electoral bodies serve democratic stability better than elections run by the executive branch and that permanent EMBs are more cost-effective than temporary ones. This view has been expressed systematically by regional associations of electoral authorities in the Americas, Central and Eastern Europe, Africa and Asia. Related documents that provide guidelines on the subject have been issued or endorsed by international organizations such as the United Nations, the European Union (EU), the Organization for Security and Cooperation in Europe (OSCE), the British Commonwealth, and the International Institute for Democracy and Electoral Assistance (IDEA). In addition, field reports from international assistance agencies such as the United Nations Development Programme (UNDP), the International Foundation for Election Systems (IFES), and the National Democratic Institute for International Affairs (NDI) in the United States almost unanimously point to these conclusions.

1. INTRODUCTION

The Scope of this Paper

If “democratization involves the construction of participatory and competitive institutions”, as a number of analysts of new democracies have concluded (Bratton and Van de Walle, 1997, p. 194 [following Dahl, 1996, and Lipset, 1959]), then electoral management bodies (EMBs) are important institutions for democracy-building. They deal directly with the organization of multi-party elections and indirectly with governance and the rule of law. This paper examines EMBs as permanent public institutions of governance in a democratizing world. It will discuss technical aspects of their sustainability, as well as their contribution to the legitimacy of democratic institutions and to the enhancement of the rule of law in a democratic state, whether on the part of the executive, legislative or judicial branch of government. Another principal theme of this paper is the role and challenges of EMBs in “third wave” democracies vis-à-vis the experience of older, stable democracies.

This paper is a policy study based on preliminary research in the new field of electoral institutions and administration. It assesses the operation of ad hoc and temporary EMBs in comparison with permanent independent electoral bodies. It highlights issues of institutional capacity-building at both the level of operations management and that of political representation. Because the research has been carried out with a view to practical application, this paper also provides a number of practical recommendations.

Electoral Management Bodies as Institutions of Governance is divided into four parts. Following the Introduction, Chapter 2 describes the structures and functions of different kinds of EMBs worldwide, as well as current trends in their development and reform.

The chapter provides a taxonomy that classifies the EMBs of most countries with multi-party political systems by geographic region according to differing institutional characteristics. It also tabulates the electoral budgets of 49 countries. Chapter 3 discusses some of the international factors that affect election management: the role of the international community in the establishment and development of EMBs; guiding principles and codes of conduct for elections; the growing role of regional associations of electoral authorities; and the state of public opinion with regard to EMBs in different regions of the world. Chapter 4 is devoted to a summary of findings and lessons learned from recent electoral experience. It also considers prospects for developing practice and applied research in this new field of study. Finally, the Annex contains eight case study reports.

The methodology used in the preparation of this paper is a combination of thematic and country-specific analysis. The major characteristics of EMBs are discussed on a statistical basis, drawing on figures from as many countries with multi-party elections as was possible within the information available and the time and budget constraints of the project. In addition, the paper provides detailed descriptions of the influence of EMBs, compiled from country cases selected according to analytic and strategic criteria. This approach derives from current conditions in this new field: the paucity of academic literature and the embryonic nature of documentation by electoral professionals, still at the stage of compiling legislation, general overviews and country case studies. Worldwide records by country with detailed descriptions of electoral administration and processes are still in the making. The research carried out for this paper is itself a significant contribution to the field.

This research included extensive documentary examinations of legislation, field reports and news material, as well as existing academic literature. In this connection, the F. Clifton White Resource Centre at the International Foundation for Election Systems (IFES) was invaluable. UNDP also wishes to thank the Regenstein General Library and

the d'Angelo Law Library of the University of Chicago, as well as the library of the International Institute for Democracy and Electoral Assistance (IDEA) in Stockholm. In addition, the author conducted a number of personal interviews and used short reports by many resource persons – consultants, elections commissioners, international officials, and scholars – with extensive experience in the field of democratization and elections. Research included not only the analysis of the available secondary information on most countries with regular multi-party elections, but conducting eight country case studies that ranged from older to newer multi-party democracies. Australia, Botswana, Haiti, Pakistan, Russia, Senegal, Spain and Uruguay were selected so as to present a wide geographic range and differing political-cultural traditions, as well as a broad scale of electorate size and democratic consolidation.

The Establishment and Consolidation of EMBs for Multi-Party Elections

As a new field of study and practice, election management has emerged from the areas of democracy-building and democratic consolidation. Had world political conditions differed significantly 30 years ago, the subject would have developed under the then-fashionable rubric of “development administration”. But multi-party elections were uncommon then in most developing countries. Moreover, in most of the older, stable democracies, the question of electoral reform was only beginning to emerge. It became a political issue in some of these latter countries as a sort of “third wave” reflex reaction. The United States established the Federal Election Commission only in 1975; Australia created its Electoral Commission as an autonomous body as late as 1984; in the United Kingdom, the desirability of introducing a general electoral authority into the country's political system is still being discussed. In both new and older democracies, arguments advocating the establishment of independent electoral bodies highlight the

importance of these structures in promoting democratic transparency and technical efficiency.

By the end of 1997, 171 nations had conducted elections (IDEA, 1997f, p.32). Although many new democracies are currently undergoing serious difficulties, an unprecedented explosion of freedom world-wide continues:

In 1974, there were only 39 democracies in the world. ...By the beginning of 1996, the number of countries meeting at least the requirements of electoral democracy had increased to 117. ...Perhaps the most stunning figure of the third wave is how few regimes are left in the world (only slightly over 20 per cent) that do not exhibit some degree of multi-party competition, whether that level corresponds with liberal democracy, electoral democracy, or pseudodemocracy (Diamond, 1996, p. 26, 30).

As indicated earlier, the evolution of EMBs cannot be separated from that of democratization processes more generally. These have produced more successes than failures in the different regions of the world over the last two decades. Transitions towards democracy have swept entire continents and multi-party elections have been organized according to guiding principles and technical developments that are increasingly shared by electoral authorities and political actors alike. Moreover, the international community has assisted recent democratization movements with varying intensity under different circumstances.

Contemporary experience in democratization (Huntington's "third wave") started in Southern Europe during the 1970s under differing conditions in Greece, Portugal, and Spain. These countries undertook re-democratization after long periods of authoritarian rule. At the time, their experiences seemed to have little relationship to the changes that took place in rapid succession over the next two decades in Latin America, Central and Eastern Europe, South East Asia and sub-Saharan Africa. The transitions of Southern Europe were encouraged by the

European Community and received technical support from political parties in other European countries. German foundations in particular assisted the organization of political parties and unions in Spain, as they were later to do in some Latin American countries.

Democratization in Latin America during the 1980s generally followed a pattern of transition from military rule that had swept aside long traditions of constitutionalism, presidential systems, and proportional representation for parliamentary elections under the management of independent, party-based electoral commissions. In addition, local governments were elected for the first time. Although not all Latin American countries have democratic traditions like those of Chile, Costa Rica, and Uruguay, democratization in the region has generally been judged favorably, despite caveats about past constraints, present risks and future challenges (Diamond, Linz and Lipset, 1996a; Kumar, 1998). The 1996 Freedom House index showed a decline in democratization in ten countries, while only six had experienced an increase (Diamond, 1996, p.29).

Of the 28 countries of Eastern and Central Europe, as well as Central Asia, just over one third were considered as having crossed the threshold of democracy, according to the 1997 Freedom House report: Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Mongolia, Poland, Romania, and Slovenia. Over another third were considered "partly free" or borderline: Albania, Armenia, Bosnia-Herzegovina, Croatia, Georgia, Kyrgystan, Macedonia, Moldova, Russia, Slovakia, and Ukraine. The remaining countries were listed as falling below the threshold: Azerbaijan, Belarus, Kazakhstan, Tajikistan, Turkmenistan, Uzbekistan, and Yugoslavia.

In South East Asia, South Korea and Taiwan experienced successful transitions to democracy in the late 1980s. In both countries, a majority of the population demonstrated a commitment to democracy both at the polls and in opinion surveys (Shin and Shyu, 1997). Far less success has been evident in Cambodia of the 1990s. Varying progress in attaining political pluralism has been manifest in Malaysia, the

Philippines, Singapore and Thailand, with their differing political traditions. In the region as a whole today, discussions of democratization tend to focus on the relationship between economic factors and the prospects for democracy.

However, the most massive and impressive movements towards democracy during the 1990s have taken place in sub-Saharan Africa, where changes during the 1980s had been viewed as both “roots of failure [and] seeds of hope” (Diamond, Linz and Lipset, 1998, vol. 2, p.1). By the late 1990s, one commentator observed:

...[t]he current round of elections holds out the possibility for the internationalization of democratic electoral systems to the extent that they are becoming the first or second in a series of regularly held contests... [M]ulti-party competitive elections are becoming the norm rather than the exception for Africa. Even in countries where the electoral process has been seriously flawed or where elections have not resulted in a change of regime...the holding of free and fair competitive elections has become the universal standard (Barkan, 1997, p.5).

As of 1994, 16 of the 42 sub-Saharan African countries (Benin, Cape Verde, Central African Republic, Congo[Brazzaville], Guinea-Bissau, Lesotho, Madagascar, Malawi, Mozambique, Namibia, Niger, Sao Tome and Principe, South Africa and Zambia) were considered as having completed “democratic transitions”. Twelve (Burkina Faso, Cameroon, Comoros, Cote d’Ivoire, Djibouti, Equatorial Guinea, Gabon, Ghana, Kenya, Mauritius, Swaziland and Togo) were characterized as “flawed transitions”, while another 12 (Angola, Burundi, Chad, Ethiopia, Guinea, Nigeria, Rwanda, Sierra Leone, Somalia, Tanzania, Uganda and the former Zaire) were termed “blocked transitions”. Finally, two (Liberia and Sudan) were rated “precluded transitions” (Bratton and Van de Walle, 1997, p. 120). By the end of 1998, four of those that had been considered “democratic transitions” had moved backwards into the “flawed” category (Niger and Zambia) or into the “blocked” class. Nonetheless, four countries (Ghana, Liberia, Senegal

and Tanzania) had moved further towards democracy, while two others (Nigeria and Uganda) show better prospects for democracy than they had earlier in the decade.

In addition to this “third wave” of more or less peaceful transitions, other movement towards democracy have emerged as a result of peace accords reached after protracted civil conflicts perpetuated by Cold War rivalries. Elections in these countries were supported and closely monitored by the international community, often with the presence of peace-keeping forces during and after the elections: Namibia (1989), Nicaragua (1990), Angola (1992), El Salvador (1993), Cambodia (1993), Mozambique (1994), Liberia (1997), Liberia (1997), and Haiti and Bosnia-Herzegovina in 1998. This type of “reconciliation election” (Lopez-Pintor, 1997b) would never have taken place without strong intervention by the international community, both through international organizations (the UN and regional organizations) and donor governments that provided bilateral assistance. Nor can they be understood outside this context. With the exception of Angola, Haiti and Bosnia-Herzegovina, where formal electoral legislation and/or its implementation are still pending, all the other countries have established new electoral commissions to replace the ad hoc administration of their first elections or have reformed their former EMBs to some extent.

The importance of establishing an independent electoral authority is suggested by several African failures to attain democracy in initial electoral experiences; had a legal independent body managed these elections, the process might have been accepted by all contenders: “The failure to establish an independent electoral commission did not advance the prospect of democracy, and may have caused some harm” (Barkan, 1997, p. 17). By contrast, Chile and Uruguay, independent EMBs played crucial roles in re-establishing democracy (see Annex and other references throughout the text of this paper).

Which Type of Electoral Authority?

Where should an EMB be placed within the state structure? In recent years, these bodies in various countries have been classified according to differing criteria. One is their recruitment. EMBs are said to follow a “governmental approach” when elections are run by regular civil servants; a “judicial approach” when judges are selected to administer elections; a “multi-party approach” when party representatives compose the electoral body; or an “expert approach”, when political parties designate by consensus a group of experienced individuals renowned for their independence (Garber, 1994; Harris, 1997). A more complex threefold classification has been formulated on the basis of structural characteristics that combine recruitment methods with functions performed: “permanent, independent national election commissions”; the “decentralized electoral system”; or the “government ministry” (Klein, 1995).

In addition, the institutional shape of EMBs varies with a country’s political and cultural traditions and its experience of democratic evolution. The main factors that condition the development of electoral systems in different parts of the world appear to be the following: a tradition of constitutionalism; a willingness by leaders to negotiate during the transition period; the scope of the economy; and the extent of mass protest (Diamond, Linz, and Lipset, 1988; Bratton and Van de Walle, 1997). Some patterns, notably elections run by the executive branch alone, remain tied to history. However, the more general trend worldwide, particularly in the new democracies, is movement towards an independent and multi-party based commission.

From a legal point of view, most EMBs are enshrined in Constitutions as mechanisms to limit sudden change by executive action or ordinary legislative processes. This is the case in most of the Latin American countries. Indeed, in Costa Rica and Venezuela, the Constitution establishes the electoral authority as a fourth branch of government with the status of the executive, the legislature, and the judiciary. Many of the new democracies of Africa and Asia have also given their EMBs constitutional status. As subsequent chapters of this

paper will show, this tends to be the case as well in countries undertaking reform of their electoral administrations.

2. Classifying Electoral Management Bodies Worldwide

Although no two countries have exactly the same type of electoral administration, three main points should be stressed. First, despite the variety among electoral bodies in democratic systems, they can be classified for interpretative and practical purposes according to a number of major patterns. Second, conducting elections in any country requires the performance of a number of fixed functions, although these can be implemented through different types of structures. Finally, in many new democracies and some of the older and more stable ones, a growing trend has been the establishment of independent, permanent and multi-party electoral commissions that are enshrined in constitutions and rely largely on donors' technical and financial assistance for their institutional development.

Major Structural Patterns of EMBs by Region of the World as well as by Political and Cultural Traditions

The table below summarizes a taxonomy for most of the countries of the world where elections are held regularly and identifies five main patterns of electoral structures. In order of frequency, the first model is an electoral commission or tribunal that is independent of the executive and has full responsibility for the direction and management of the election. This type of structure is by far the most common in new democracies and has a strong tradition in Latin America. In a second pattern, the government manages the elections with the oversight of a collective body composed of judges and members of the legal profes-

sion, political party representatives, or a mix of both. This type of electoral authority—usually termed the “French model”—generally has regulatory, supervisory and judicial capacities. It applies to about half of continental Western and part of Eastern Europe, a large number of African countries—mainly former French colonies—and various coun-

**Box 1 INDEPENDENT PARTY-BASED
ELECTORAL AUTHORITY IN URUGUAY**

Uruguay is one of the oldest democracies in the world and one of marked stability. Except for the country's military interregnum of 1973 – 1984, multi-party elections have been held without interruption since the late 19th century. It also has one of the few party-based electoral administrations with a tradition of independence from the executive. Its national electoral body, the Corte Electoral, played a major role in overturning military rule by organizing and validating the referendum through which the dictatorship lost popular approval of an effort to legitimize and perpetuate itself.

Voter turnout in Uruguay has always been very high, with an average of around 85 per cent. A largely two-party system prevailed until 1971, when a coalition party from the left, the Frente Amplio obtained around 20 per cent of the vote.

The Corte Electoral was created by statute in 1924, after successive elections rife with irregularities and fraud under limited suffrage, and enshrined in the Constitution of 1934. Of its nine members, five are considered neutral, as they are elected by a two-thirds vote by a General Assembly of senators and deputies of both houses of Parliament; the other four are representatives of political parties, directly elected at the Assembly by the two parties with the greatest number of votes. The Corte is an autonomous body in all respects, except that its budget must be negotiated with the government and approved by Parliament. It is responsible for all aspects of the conduct of elections, including the hearing of claims and complaints, for

tries in other regions of the world, including Argentina, Israel, Japan, New Zealand, and Turkey.

Box 1 (continued)

which there is no higher appellate body. Consequently, the Corte is simultaneously the supreme electoral authority, manager of elections, and supreme electoral court of justice.

The lower electoral bodies (juntas departamentales) are elected by popular vote every four years. They are composed of nine members and 18 deputy members; the candidate elected with the greatest plurality serves as the presiding officer. These juntas direct the operations of provincial electoral offices, which are administratively dependent on a national electoral office. The juntas also hear claims and complaints at the provincial level, as well as appeals from lower electoral officials. Both the juntas and the electoral offices are permanent bodies. Since 1982, the polling officers have all been public servants on five-day leave from other government bureaus.

The electoral administration employs a permanent staff of over 1000 at all levels of management. Electoral officials are not subject to the general regulations of the state civil service, but to a special statute that has remained basically unchanged since 1925. The Corte recruits and appoints its own officials at all levels through competitive public examinations, but each is required to submit evidence of party support (a certificate of “confianza partidaria”), and appointments are made in proportion to party vote.

The primary lessons from the experience of the electoral body of Uruguay represent the essence of democratic politics— involvement, negotiation, and strict adherence to the rule of law. By being party-based from top to bottom and inclusive of new parties as these arise, the Corte has permanently embodied the political pluralism of a country whose historical experience has been labeled “the politics of

Box 1 (continued)

by the Corte can easily be assumed by the parties as their own. This applies to both informal politics and to law-making. Consequently, once a decision is taken, all the parties usually implement it.

The Corte provides a further lesson — of cumulative legitimacy that stems from endurance. Because of its strict adherence to the Constitution, coupled with flexible interpretations of electoral law when necessary, the Corte came to enjoy such high public esteem that even a 15-year experience with military rule did not substantially erode its institutional capacity to act in a neutral and effective manner for the return of democracy.

co-participation” Whatever negotiations take place in the political arena influence the Corte’s decisions; conversely, decisions adopted

In a third type, elections are entirely managed by the government. This is the case in about half of Western Europe, as well as in a number of countries in South Asia and the Pacific, the Caribbean, the Middle East and Africa. A fourth pattern represents a variation of the first model of independent authority: different bodies, all independent of the executive, are responsible for the direction and management functions. Usually this entails two organizations, one of which is responsible for election administration, while the other serves as a regulatory and supervisory authority. Such is the case in Botswana, Chile, Colombia, Mozambique, and Peru, among others. Finally, a fifth group of countries has a highly decentralized electoral administration with only limited coordination and supervision by a national authority, which is

¹ Examples include Elections Canada, a federal non-collective authority which is an agency of parliament; the Federal Electoral Commission in the United States, a permanent and independent body originally responsible for party finance regulations; the Federal Chancellery in Switzerland; the Federal Commission in Germany; and the association of electoral officials in the United Kingdom and Ireland.

either independent, governmental or from a professional association.¹

**Table 2.1: Summary Distribution
of EMBs**

by Institutional Models	World Regions							Number of Cases per Institutional Model
	North America Western Europe (%)	Latin America Carib- bean (%)	Asia and the Pacific (%)	Middle East and the Maghreb (%)	East and Central Europe (%)	Sub- Saharan Africa (%)	TOTAL (%)	
Government runs the elections	43	12	30	45	—	8	20	29
Government under supervi- sory authority	43	18	7	33	33	39	27	40
Independent electoral commission	14	70	63	22	67	53	53	79
TOTAL	100	100	100	100	100	100	100	148
Number of cases per region	21	34	30	9	18	36	148	

Region of the World and by Type of Institution (Percent)

This table, based on a comprehensive survey of countries by region, reduces the five categories described above to only three by classifying countries with either an electoral commission or several electoral bodies as one group. For example, despite their different electoral structures, it classifies the United States, the United Kingdom and Ireland with other countries where elections are run by governmental bodies under a supervisory authority. According to the three-fold classification, the majority of countries has elections run exclusively by independent EMBs—around 53 per cent of all cases. The second largest number of countries, with a total of 27 per cent, has elections conducted by the government under the supervision of an independent collective authority. Finally, in only 20 per cent of the countries are elections organized exclusively by the executive.

In North America and Western Europe, elections are conducted most frequently by governmental authorities—central, provincial and local—with or without the supervisory authority of a collective body, composed either of judges or partly of judges and partly of representatives of political parties. In nine countries, elections are administered exclusively by executive authorities. In another nine countries, elections run by executives are supervised by an external authority. Only three countries—Canada, Iceland and Malta—have independent elec-

tion commissions with full responsibility for electoral matters. In Latin America, an independent electoral commission or tribunal has always been the general practice; 24 of 34 (70 per cent) of the democracies in the region currently use that system. Another six countries have government-run elections supervised by judicial bodies, and only in four countries are elections run by the government.

In Asia and the Pacific region, 19 of 30 countries have elections managed by independent commissions; in another two, elections are supervised by a judicial body. Together, these two categories account for the five most stable democracies of the region: Japan, New Zealand, Australia, India and Hong Kong. In the remaining nine countries, 30 per cent of the region, elections are run by the government. In the Maghreb and the Middle East, the few countries with multi-party elections can be divided into two groups: first, those with elections managed by an independent commission, as in Palestine and Yemen, or those in which an independent body supervises elections, such as in

Type of Institution	Region of the World: North America and Western Europe (21)
The Government runs the elections	Belgium, Denmark, Finland, Luxemburg
Government bodies in highly decentralized system	Ireland, Sweden, Switzerland, United Kingdom, USA
Government under a supervisory collective authority (largely judiciary)	Austria, France, Germany, Greece, Italy, Norway, Portugal, Spain, Netherlands
Independent commission fully responsible for the elections	Canada, Iceland, Malta
Two or more separate bodies, all independent from the government	—

Type of Institution	Region of the World: Latin America and the Caribbean (34)
The Government runs the elections	Antigua and Barbuda, Aruba, Grenada, Saint Vincent
Government bodies in highly decentralized system	—
Government under a supervisory collective authority (largely judiciary)	Argentina, Bahamas, Dominica, Guyana, Virgin Islands, Jamaica
Independent commission fully responsible for the elections	Belize, Bolivia, Brazil, Costa Rica Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Puerto Rico, Saint Lucia, Surinam, Trinidad- Tobago, Uruguay, Venezuela
Two or more separate bodies, all independent from the government	Barbados, Chile, Colombia, Peru
	Asia and the Pacific (30)
The Government runs the elections	Fiji, Indonesia, Kiribati, Micronesia, Sri Lanka, Singapore, Tonga, Western Samoa
Government bodies in highly decentralized system	Marshall Islands
Government under a supervisory collective authority (largely judiciary)	Japan, New Zealand
Independent commission fully responsible for the elections	Armenia, Azerbaijan, Australia, Bangladesh, Cambodia, Hong Kong, India, Kazakhstan, Kyrgyzstan, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Papua New Guinea, Republic of Korea, Thailand Taiwan, Tajikistan
Two or more separate bodies, all independent from the government	—

Type of Institution	Region of the World: Middle East and Magreb (9)
The Government runs the elections	Cyprus, Jordan, Lebanon, Tunisia
Government bodies in highly decentralized system	—
Government under a supervisory collective authority (largely judiciary)	Israel, Morocco, Turkey
Independent commission fully responsible for the elections	Yemen, Palestine
Two or more separate bodies, all independent from the government	—
	East and Central Europe (18)
The Government runs the elections	—
Government bodies in highly decentralized system	—
Government under a supervisory collective authority (largely judiciary)	Albania, Croatia, Czech Republic, Hungary, Romania, Slovakia
Independent commission fully responsible for the elections	Bosnia-Herzegovina, Bulgaria, Estonia, Georgia, Latvia, Lithuania, Macedonia, Moldova, Poland, Russia, Slovenia, Ukraine
Two or more separate bodies, all independent from the government	—

Israel, Morocco and Turkey; and, second, those where elections are run by the government only, as in Cyprus, Jordan, Lebanon, and Tunisia.

In Eastern and Central Europe, in practically all new or emerging democracies, elections are managed either by independent commissions (67 per cent) or by the government under a supervisory authori-

Type of Institution	Region of the World:
ty (33 per cent), which usually includes Super-Party representatives.	Sub-Saharan Africa (36)
Finally, in sub-Saharan Africa, elections are generally managed either by the Government itself	Burundi, Congo, Seychelles
by an independent commission (53 per cent) or supervised by an independent collective body (39 per cent); in only three of 36 countries	
(8 per cent) are elections managed solely by the executive.	
Government under a supervisory collective authority (largely judiciary)	Benin, Burkina Faso, Cameroon, Cape Verde, Chad, Côte d'Ivoire, Gabon, Guinea (Conakry), Madagascar, Mauritius, Niger, Senegal, Togo, Zimbabwe
1. Types of institutional arrangements correspond to increasing degree of independence of EMBs from the government, historically for the elections	Angola, Central African Republic, Ethiopia, Ghana, Guinea-Bissau, Kenya, Lesotho, Liberia, Malawi, Mali, Namibia, São Tomé-Príncipe, Sierra Leone, South Africa, Tanzania, Uganda, Zambia
2. Regions of the world are listed starting with those with a longer period of democratic experience and ending with emerging democracies.	
Two or more separate bodies, all independent from the government	Botswana, Mozambique

The Winds of Reform and Electoral Institutions

"The wind of change in favor of popular governments is blowing across Africa today". This statement marks the beginning of a declaration by 63 participants from 10 different countries at a Senior Policy Seminar on "Strengthening Electoral Administration in Africa" held in Accra, Ghana, in April 1993 under the auspices of the African

Box 2 REFORMING THE ELECTORAL ADMINISTRATION: AUSTRALIA

Since the last quarter of the nineteenth century, Australia has enjoyed one of the world's most open electoral systems. It pioneered the secret ballot, often called "Australian ballot", and introduced salaries for Members of Parliament so that citizens without independent means could hold full-time electoral office. However, until 1984, its national electoral authority was not independent of the government. As in many of the other older democracies, this independence took some time to achieve.

Under the Commonwealth Electoral Act of 1902, revised in 1918, elections in Australia were traditionally managed by an electoral officer within the Ministry of Home Affairs (after 1932, the Ministry of the Interior). Only in 1973 was an Australian Electoral Office was created as a statutory authority with a measure of autonomy, but it was still responsible to the Minister for services, equipment and supplies. As recently as 1984, upon the unanimous recommendation of a joint Parliamentary committee on electoral reform, which included members of both houses and representatives of all political parties, an Australian Electoral Commission was established as a body completely independent of the government.

Association for Public Administration and Management (AAPAM) and the Canadian International Development Agency (CIDA). The report advocates the following:

- a permanent, independent and credible electoral agency should be responsible for organizing and conducting periodic free and fair elections;
- the mandate of the electoral agency should be defined in the Constitution and should include the method of conducting elections; voter and other civic education; constituency delimitation; registration of voters, parties and candidates; formulation of electoral policies and procedures; and settling disputes on electoral matters;
- the composition of the electoral agency should include a reasonable number of members; they should be non-partisan, enjoy security of tenure, and be appointed by the head of state, subject to approval by the parliament;
- the agency should be adequately funded, with all its expenses as a direct charge on the Consolidated Fund and be granted autonomy to establish its own accounting procedures and greater flexibility in procurement procedures than the government bureaucracy; and
- legal provision should be made to allow the electoral authority to mobilize additional staff and other resources during the conduct of elections (AAPAM, 1993).

Reforms sweeping the electoral world today reflect these recommendations. Electoral authorities increasingly tend to be commissions that are independent of the executive; permanent; at least partially party-based; and staffed largely by professional civil servants. These bodies are usually nominated and/or approved by parliaments and are composed of judges and legal professionals, as well as members of political parties and individuals who represent other sectors of society. Judges

² Iceland and Malta, which have traditionally had independent electoral commissions, have been an exception to this pattern among older democracies. The Independent Electoral Commission of Malta has been in place since independence in 1964.

are generally nominated by the judiciary, while the other commissioners are often selected by members of civil society and the political parties represented in parliament.

The winds of reform have even reached some of the older and more stable democracies, where elections had long been run by governments.² The current electoral structure of Australia was established as recently as 1984, when the Australian Electoral Commission replaced the Australian Electoral Officer, a post that itself had been established only in 1973 as a separate secretaryship within the Cabinet. Prior to that time, indeed since the Commonwealth Election Act of 1902, Australian elections had been managed by the Department of Home Affairs (later Interior). In the United States, with its highly complex and decentralized electoral administration, a Federal Electoral Commission was established in 1975 to oversee political party campaign financing regulations.

Latin America

With re-democratization in Southern Europe during the 1970s, Greece, Portugal and Spain recovered a tradition of elections administered by the Ministry of Interior under the supervision of a collective body composed of judges and jurists, the latter nominated by the political parties represented in Parliament. Similarly, in the Latin American transitions of the 1980s, each country re-established its previous pattern of electoral authority, generally either an independent permanent commission or a tribunal with responsibility for the electoral process. In some countries, such as Costa Rica and Venezuela, the electoral authority is defined by the constitution as a fourth branch of government along with the executive, the legislature and the judiciary.³

³ Exceptions are Argentina, where the government organizes the elections under the supervision of a judicial committee; Colombia, where elections are managed by a secretariat (*Registraduría*) that is independent of the government, and supervised by another independent body, a seven-member party-based National Electoral Council; and Chile, with an Electoral Service that is independent of the executive but acts under the supervision of a judicial body.

The electoral authority in a number of Latin American countries

has been historically held in such high public esteem that it survived even military regimes, notably in Uruguay between 1974 and 1980, and in Chile from 1973 to 1988. In Chile, the head of the Service of Elections, a Senate appointee, has served in this position since the early 1960s under a wide range of military and civilian governments. Chile and Uruguay, along with Colombia and Costa Rica, can now be considered the most democratically stable nations in the region. In each of these countries, the electoral authority played a crucial role in the referendums by which the military rulers attempted to consolidate autocratic rule. In Uruguay in 1980 and in Chile in 1988, the independent electoral authorities organized the constitutional referendums that led to the defeat of the military governments.

Mexico

Constitutional reform in 1990 established an independent permanent electoral commission, the Federal Electoral Institute (*Instituto Federal Electoral*), with full responsibility for elections and an Electoral Court that serves as a court of appeals for election-related disputes. The Institute is a statutory body with its own permanent professional staff. It includes a General Council (*Consejo General*) chaired by a President, and an Executive Committee (*Junta General Ejecutiva*) under an

Executive Secretary. There are also councils at the local and district levels that act as regulatory bodies appointed only for the electoral periods. Additionally, Observer Committees (*Comisiones de Vigilancia*) exist at the different levels to monitor voter registration; they consist largely of representatives from the political parties. The General Council is composed of a varying number of members (currently 18), depending on the number of parties with parliamentary representation.

Since the legal reform of 1996, nine councillors are appointed by a two-thirds majority of the Chamber of Deputies from a list of candidates agreed among the political parties represented in Parliament. It

also includes two councillors from the Chamber of Deputies and two from the Senate—one from the majority and the other from largest opposition minority group of each body. There is also a varying number of councillors directly appointed by political parties, one per each (five at present). All these nine “partisan” councillors have a voice, but do not vote at the Council meetings. The Council was initially chaired by a representative of the executive branch (the Secretary of the Ministry of Interior), but all ties to the executive were removed by the legal reform of 1996. The Executive Committee includes an Executive Secretary and one director each for the following functions: Administration, Registry of Voters, Election Organization, Political Parties, Professional Service of Elections, and Electoral Training and Civic Education.

Among the major innovations of the Mexican reform are the inclusion of judges as members of the Council; the establishment of the Professional Service of Elections; the updating of the lists of voters on a yearly basis (though registration does not take place *ex officio*, but upon application by voters); and the Observer Committees.

Paraguay

Reforms in 1996 provided for a measure of independence of the electoral authorities after having them removed from the executive and placed within the high court of justice. The new electoral administration, a Supreme Tribunal of Electoral Justice (*Tribunal Superior de Justicia Electoral*) is party-based, and includes a number of sectional (regional) commissions.

Venezuela

Although a largely party-based commission existed until 1998, legal reform has since established the appointment of all commissioners by Parliament from among non-party affiliates and the selection of poll workers by universities and other non-political institutions. In 1998, too, a permanent, automatically updated register was established, so

that individual voters need not apply continuously for registration. Electronic counting and transmission of the voting took place through an international firm for the December 1998 Presidential and Parliamentary elections as an additional mechanism to avoid party manipulation of the ballot.

Brazil

Electronic voting was established as a mechanism to avoid party manipulation of the ballot. In past elections, one-third of the polling places was machine-operated. For the October 1998 elections, electronic voting was extended to two-thirds of the electorate, and a fully automated ballot is expected by the year 2000. This new development will test public confidence in modern technology as much as the technical efficiency of the country's electoral management.

Honduras

The new electoral law of 1991 includes measures to strengthen the independence of the National Electoral Tribunal, which consists of one member appointed by the executive branch from nominees by the Supreme Court of Justice and of one member each chosen by the legally registered parties. The new law also updated the register of voters, who should now be able to vote at the polling station nearest their homes. The Registry is to be staffed by career civil servants (recruitment is currently party-based) with an inspector general as the new supervisory authority on elaborating and updating the lists of voters. The new law also established a Department of Electoral Planning and Training within the Tribunal. In addition to the training of electoral officials, this new department will be responsible for training party affiliates as well as secondary school students on electoral matters.

Haiti

Haiti is the only democratizing country in the Caribbean in which elections are still run by ad hoc electoral authorities. Eight Provisional

Electoral Councils have been appointed since 1987. The Permanent Electoral Council, established by the Constitution in 1987 to serve a nine-year term, has not yet been appointed. As of mid-1998, only three of the nine members of the current provisional Council were in place; the other six had resigned in September 1997 following controversies about the role of the Council in the April 1997 elections. That Council had provoked criticism after it moved to destroy ballots amid charges that unused ballots had been counted as blank. In May 1999, the eighth Provisional Electoral Council was appointed.

Colombia

Recent constitutional and legal reforms have reinforced the independent character of Colombia's electoral administration. The National Electoral Council has seven members, three from each of the two main parties and one from a third party, all nominated by the Council of State and appointed by the Supreme Court of Justice for a four-year term. The Council supervises the conduct of the elections and the counting of the vote in the Presidential election. Its budget is approved by the National Civil Registry (*Registraduria Nacional del Estado Civil de las Personas*), the organization in charge of managing the elections. The Registrar is appointed and removed by the Election Council and must be a person from the main opposition party. There are six directors in charge of different activities within the Registry: elections; civil registry; citizen identification; electoral registry; administration; and computerization.

Eastern and Central Europe

In Eastern and Central Europe, most countries have adopted independent permanent electoral commissions with full responsibility over the electoral process, although a few—Albania, Croatia, the Czech Republic, Hungary, Romania and Slovakia—have adopted the pattern of government-run elections supervised by an election commission.

According to legal provisions, in 1998 Romania and Bulgaria seemed to be the only countries in the region working with temporary electoral bodies.

Romania

Distrust and the poor efficiency of the electoral administration have led to a consensus among political parties and government officials that a permanent electoral body is needed (IDEA, 1997b, p. 150). Up to now, the executive branch has been in charge of managing the elections through a Central Technical Secretariat and lower county secretariats, as a part of the Department of Local Administration and the prefectures, respectively. A Central Electoral Bureau and lower bureaus at the constituency and polling station levels have supervised the conduct of elections. All those bodies are established anew for each election. Expert opinion holds that many of the technical problems that existed between the elections of 1992 and 1996 could have been avoided or better solved had a permanent electoral body been in place. Some have argued that such an independent body should integrate the representatives of all major political parties represented in Parliament and be staffed by a permanent body of election administration professionals. This body should also have full responsibility for all aspects of elections, thereby absorbing the tasks currently performed by the government secretariat (IDEA, 1997b, p. 151).

Macedonia

The country's most recent electoral reform took place in 1998 with the creation of an 11-member commission appointed by Parliament for a four-year term: three members are selected from among judges of the Supreme Court, three from the Courts of Appeal, and five from representatives of political parties, all of them nominated by the Election and Appointment Committee. All the commissioners must be law graduates. There are also District Commissions and Electoral Boards.

Russia

Given an electorate of more than 108 million, more than a million electoral officers worked to organize the 1996 Presidential elections, which were administered by commissions at four levels: a Central Election Commission located in Moscow; subject electoral commissions for each of the 89 regions, or subjects, of the Federation; about 2,700 territorial electoral commissions; and some 95,000 precinct electoral commissions. A more detailed description of the Russian electoral administration can be found in the case study annex.

More recently, numerous newly independent countries of the former Soviet Union have established permanent and independent election management bodies. A permanent Central Election Commission was established in Georgia in 1995 to replace the temporary commission of 1990. In Central Asia, Kazakhstan and Kyrgyzstan have permanent EMBs with full-time staff. Tajikistan and Uzbekistan recently established permanent commissions, but they are not fully staffed on a permanent basis. Turkmenistan has a permanent Commission, but most of its members work in other governmental bodies. Ukraine, Azerbaijan and Moldova also enacted the creation of independent EMBs in 1998, the former having experienced a boycott of the 1998 Presidential election by opposition parties in part because of lack of consensus on the composition of the Central Electoral Commission. It now consists of 24 members, 12 of whom are appointed by the President, and the other 12 by Parliament.

The Middle East

Yemen

Yemen is unique within the Arab world for having an independent permanent Supreme Elections Committee, established to replace an ad hoc commission after the first Parliamentary elections in 1993. (Morocco has a temporary electoral commission that shares election administration duties with the government). The Committee has since been given full responsibility for administering and regulating all aspects of the electoral process. It comprises seven members, each of whom serves a four-year term; they represent the parties sitting in Parliament.

Parliament must approve each Committee member by a two-thirds vote after nomination by the President. The Elections Committee comprises 18 five-member governorate committees; 301 three-member constituency committees; 3,761 voting center subcommittees; and 9,752 ballot box committees. The Committee is financially and administratively independent and is staffed permanently by civil servants.

This Committee did a remarkable job in mobilizing the citizenry, in particular, in increasing the registration of women by 30 per cent. There are now more than 4.5 million voters (3.3 million men and 1.3 million women). The Committee also mobilized more than 10,000 domestic monitors.

Africa

In Africa, a number of countries have maintained the election management structure used during the single-party era. In some cases, as in Algeria, Cameroon, Djibouti and Tunisia, the election administration exists within the Ministry of Interior or the Territorial Administration. In others, such as Nigeria, Sierra Leone and the Gambia, a commission has been in place since independence; or, as in Zimbabwe, a commission plus other bodies with some responsibility for elections has been retained. However, in recent years, changes in electoral administration have almost always moved towards introducing independent permanent electoral bodies—either full or supervisory commissions. Some countries, such as Ghana, Kenya, Tanzania, Uganda, Zambia and Liberia, recreated the commissions they had after independence, which had been dissolved by one-party or military regimes. In other countries, wholly new EMBs have been created, as in Angola in 1992, as well as in Botswana, Ethiopia, Malawi, Mozambique and South Africa. In still other countries, electoral commissions that share election administration duties with the Ministry were established either on a permanent basis—as in Côte d’Ivoire, Senegal and Guinea—or as temporary supervisory bodies—as in Benin, Burkina Faso, Madagascar and Mali.

South Africa

The ad hoc commission that supervised the first South African general elections of 1994 was replaced by a permanent Constitutional body in 1996. The Constitution Act of 1996 defines the Electoral Commission as one of the “state institutions supporting democracy”. It is accountable to the National Assembly and is required to report to the Assembly at least once a year. The ensuing Electoral Commission Act restates that the objective of the Electoral Commission is the strengthening of constitutional democracy. It is to be composed of five members, all of them South African citizens, appointed for a seven-year period by the President on the recommendation of a committee of the National Assembly, which submits a list of candidates prepared by a panel of representatives from such institutions as the Human Rights Commission, the Constitutional Court, the Commission on Gender Equality and the Public Protector.

The Commission is fully empowered to conduct any election for the national, provincial and local legislative bodies. It is required by law to maintain communication and cooperation with political parties, to conduct research on electoral matters and to continuously review electoral legislation. In addition, it declares the results of elections, adjudicates disputes, promotes voter education, appoints appropriate administrators for the conduct of elections, and ensures the demarcation of wards in the local sphere in conjunction with an independent authority yet to be legislatively determined. More specifically, the 1996 Act provides for the appointment of a Chief Electoral Officer as the head of the Commission’s administration. It also provides for the establishment of an Electoral Court, which will have the status of a High Court, and whose members shall be appointed by the Judicial Service Commission. This court has the power to review any decision of the Electoral Commission relating to electoral matters (Fick, 1998).

Botswana

Since its independence in 1966, Botswana has had uninterrupted

democracy and periodic elections, first organized by a Permanent Secretary in the Office of the President. In 1987, a degree of autonomy was introduced into the system with the creation of the office of Supervisor of Elections. Most recently, a Constitutional reform of 1997 created an Independent Electoral Commission with seven members, chaired by a judge from the Supreme Court and a deputy, another legal professional, both of whom are appointed by the Judicial Service Commission. The other five members are appointed by the Judicial Commission from a list of persons recommended by an All-Party Conference attended by all registered parties. A Secretary of Elections, entrusted with managing elections, exists as a body separate from the Commission and is appointed by the President.

Namibia

Under the Electoral Act of 1992, a permanent Commission replaced an ad hoc election administration created in 1989. Namibia's 1992 local and regional elections were conducted by this body, as were the 1994 Presidential and Parliamentary elections. Parliament appoints the five-member Commission to a five-year term based on a list submitted by the President; the Chair is a judge from the High Court; the other four Commissioners must be non-partisan.

The Directorate of Elections, which still has full electoral administration responsibilities, is part of the Office of the Prime Minister. However, a 1998 legal reform moved towards EMB independence from the executive, giving the Electoral Commission full responsibility for the conduct of elections and making it directly responsible to Parliament. The Directorate is staffed by a director, a deputy, and more than 10 employees from the civil service. By contrast, the posts of Electoral Commissioners and Director of Elections under the 1998 reform are to be staffed through public competition.

There are more than 26 regional registration officers and 102 returning officers, as many as Namibia's current constituencies, which may vary in the future according to changes in size of population. All

these officers serve only during elections. Presiding and polling officers are appointed by the Commission from a list of applicants from the public submitted by the Directorate. They are all paid as temporary employees.

Central African Republic

A Constitutional reform of 1998 established a commission with members from the political parties and civil society. Until that time, elections were run by the government.

Mali

An Independent Electoral Commission, though temporary or ad hoc, was established in 1997; its 30 members who were largely representatives of the political parties and sectors of the civil society. The Commission operates with the support of the Ministry of Territorial Administration.

Tanzania

The first multi-party election in Tanzania took place in 1995 under two commissions, a National Electoral Commission and a Zanzibar Election Commission for the island. They are permanent and independent of the government and of each other, each with seven members, all judges who are appointed for a five-year term, but serve on a part-time basis. According to the National Electoral Commission, the government still owes the Commission the equivalent of US\$5 million from the 1995 elections. As the Tanzanian Commission is not party-based, it may be legitimate to question whether funding would have been so delayed had the political parties been represented in the Commission.

Senegal

Since 1997, Senegalese elections have been the National Observatory of Elections (ONEL), a body created by the Ministry of the Interior (under

considerable pressure from opposition parties and the civil society) to supervise electoral management. ONEL has ten members and is chaired by a general, whose deputy is a university professor. Most of the remaining members are professors or legal professionals, some of them from the judiciary. All are non-partisan appointees of the President. ONEL represents the latest movement towards an independent electoral commission demanded by opposition parties since the early 1980s as part of the democratization process. The new EMB structure comprises regional and departmental offices (OREL and ODEL respectively), whose members are appointed by the president of ONEL.

ONEL's work in the May 1998 Parliamentary election was positively assessed both the parties and electoral observers, despite its location in the Ministry of the Interior.

Côte d'Ivoire

After controversy in the wake of the October 1995 Presidential election, boycotted by a number of opposition parties, Cote d'Ivoire established a National Supervisory and Arbitration Election Committee as an oversight committee. Only after its creation did opposition parties agree to participate in the 1995 legislative elections. Composed of members from political parties and civil society, and charged primarily with reviewing and updating voter lists, the Committee was not given the resources to carry out that mission (IFES, 1997b).

Ghana

Both the Supreme Court and the Electoral Commission have demonstrated increasing independence from Ghana's ruling party. The Commission and its Chairman played an important role in mitigating mistrust among the parties and in persuading them to participate in all the stages of the pre-electoral and electoral process. Two years before the 1996 elections, a new Inter-Party Advisory Committee worked closely with the Commission with support from the international community, paying particular attention to the registration of voters and, in

the process, calming the fears of parties and activists regarding electoral procedures. The commission “treated them all seriously and put in place multiple measures to reassure the opposition that any attempts at fraud on election day would be detected . . . The Electoral Commission, political parties, and donors demonstrated that years of serious work prior to an election are critical to its success” (Lyons, 1997, p. 72).

Lesotho

The first multi-party election after long military rule in Lesotho took place in 1993 under an expatriate hired as Chief Electoral Officer. In September 1997, a three-member Independent Electoral Commission was established by Constitutional reform with full responsibility over the electoral process. Commissioners are judges and jurists, non-party affiliated, appointed by the Council of State (a collective supreme body over which the King presides in the presence of the Prime Minister and main Chiefs) for a five-year term, renewable for another five. The Commission has a budget approved by Parliament and its own permanent staff, all civil servants, some 20 of whom worked at the central office, 20 as area officers and 80 as returning officers. Following the military and constitutional crisis of 1998, the Commission was suspended and a national interim authority was established with a mandate to hold a new general election in 1999.

Zambia

Elections in Zambia were traditionally conducted by an Electoral Office attached to the Office of the Vice President, until an Independent Electoral Commission was established by law in 1996. It consists of five members, appointed in consultation with political parties, and is fully responsible for the conduct of elections. The Commission has absorbed the administrative apparatus of the former electoral office.

Burkina Faso

Elections have been run since 1965 by the Ministry of Territorial Administration and supervised by a party-based National Commission for the Organisation of Elections and a Supreme Information Council in charge of media access. These bodies both work on a temporary basis for each election. After the May 1997 elections, some analysts pointed out the need for establishing a permanent electoral commission that would optimize the efficiency and effectiveness of electoral administration of elections by institutionalizing an “electoral memory” (IDEA, 1997d, p. 106).

Ethiopia

In post-Mengistu Ethiopia, a multi-party National Election Board was established before the 1992 regional elections, generally judged by observers as less than free and fair (Harbeson, 1998). Multi-party democracy is not considered fully established, despite the drafting of a new Constitution and the celebration of Parliamentary elections in June 1995 (Harbeson, 1998).

Nigeria

Following General Abacha’s death, the new military government called for multi-party municipal elections in December 1998 and Presidential elections in February 1999 under an Independent National Electoral Commission (INEC) composed of temporary commissioners appointed by the President for conducting those elections alone.

Asia

Thailand

A 1998 Constitutional reform established an electoral commission with full responsibility for elections. Earlier, Thai elections were managed by the Ministry of Interior. The new Commission has five members appointed by Parliament, two from a list of five candidates submitted by the Judiciary, the other three from a list of five submitted by the

political parties and rectors of universities meeting in a joint assembly. The Commission will appoint a secretary-general as the chief executive of elections.

Cambodia

A National Election Commission was created in February 1998 to conduct the general elections held that July. The Commission has eight members: a Chair and Vice Chair, one member from each of the three parties in Parliament, two members from the Ministry of Interior, and one member from the non-governmental organization (NGO) sector. All are appointed by royal decree after approval by majority of the Assembly upon a proposal from the Ministry of Interior.

The Commission is a permanent body that employs a staff of about 9,000 distributed among central, departmental and communal levels. Few former recruits of the UN Transitional Authority in Cambodia (UNTAC) in 1993 were hired, except those who worked at the polling stations. A new register of voters was formulated, following the 1993 procedures, and registration offices were located all around the country in the same locations as the polling stations. An electoral budget of around US\$26 million was largely funded by the European Union (which contributed US\$15 million), Australia, Canada, Japan and the Cambodian government, but not the United States.

The main institution-building effect of UNTAC has probably been civic education and the mobilization of voters; turnout in 1998 was almost as high as in 1993, with more than 80 per cent of registered voters.

According to UN estimates, the raw cost of UNTAC's electoral component amounts to a figure between 10 and 15 times that of standard elections in countries of Cambodia's size. A conservative estimate of Cambodia's 1993 election budget puts it at US\$200 million, the equivalent cost of \$45 each for the country's 4.7 million electors that year. The major donor countries were prepared to contribute whatever was deemed necessary for peace-building at that time (Austin, 1999). By contrast, the 1998 election had a budget of \$26 million and 5.5

million registered voters, which amounts to US\$4.70 per voter — probably a standard cost for transitional elections.. Pre-electoral conditions in 1998 were basically the same as those of 1993 in terms of political factors, the preparations of voter lists, logistics and so forth.

Nepal

A five-member Election Commission, appointed by the multi-party Constitutional Council, has been generally reputed for its integrity and independence. However, its staff is recruited by the government, and electoral work in the districts is performed by civil servants under the supervision of a district judge, and the Nepalese bureaucracy is generally considered politicized.

The Nepalese generally compare their electoral administration to that of neighboring India, but consider the Indian civil service more professional. Nepalese electoral authorities, political leaders and intellectuals also point out that the Indian Election Commission has full power to recruit, train, and discipline its employees. Consequently, in 1997, the leaders of all Nepalese parties agreed in Parliament on a bill to ensure greater independence for the Election Commission, abiding by a new Code of Conduct issued by the Commission to curb election expenditure (IDEA, 1997a).

Bangladesh

The Election Commission is a permanent constitutional body that currently consists of a Chief Election Commissioner and two Election Commissioners, all of whom are appointed by the President for a five-year term and are largely responsible for conducting elections. Election Commissioners can only be removed by the President for incapacity or gross misconduct on the report of the Supreme Judicial Council.

A full-fledged Secretariat has five Divisional Offices, 83 District and 2164 Thana (sub-district) Election Offices. Unlike Pakistan, where a “caretaker government” rules in the interim between the call for an

election and the appointment of a new Prime Minister, a Bangladeshi Constitutional reform of 1996 has provided for the appointment of a “caretaker cabinet” by and at the discretion of the President only if the National Assembly is dissolved sooner than the expiration of its term.

Philippines

Elections in the Philippines are run by an independent permanent Commission on Elections comprising seven members appointed by the President with the consent of the Commission on Appointments. These members serve on rotating terms: three members serve for seven years, two for five years, and two for three years.

Indonesia

The establishment of an independent electoral commission is one element of the package of broad reforms to which Indonesia committed itself in 1999 after its transitional elections. In 1998, the President had appointed a reform team at the Ministry of Home Affairs to take charge of drafting new laws on key elements of the political system, including electoral laws. The major provisions of the electoral reform are legalisation for a multi-party system (as only three parties have been permitted until 1999); and the establishment of an Independent General Elections Commission with different bodies at the national, provincial and local levels.

This new Commission has now replaced the government-dominated General Elections Institute, chaired *ex officio* by the Ministry of Home Affairs. Its members at all levels are appointees from three different groups: government officials, representatives of political parties and members of the community agreed upon by both. The national body has 15 members, while the provincial and local bodies have nine.

Solomon Islands

The Parliament of the Solomon Islands intends to establish an Independent Electoral Commission as a result of the Fiji Conference of the South Pacific Electoral Administrators in 1998. There, the Chief

Electoral Officer of the Solomon Islands received support from his colleagues for this reform and transmitted the concept to Parliament (Gray, 1998).

Mongolia

Since 1990, Mongolia has been considered “one of the least likely cases” to have undergone a successful transition. It has had three successive elections (the latest in 1996) and multiple turnovers of power under an independent permanent General Election Commission composed of 15 members, all of them appointed by Parliament. One major flaw identified by analysts in this emerging democracy is that the electoral system has been modified before each of the three elections. This may not contribute to stabilizing the expectations of the political elites within the new system or enhance popular confidence in the political process (Fish, 1998, p. 138).

Movement Backwards

Despite the trends noted above, some winds have worked against the worldwide movement towards permanent, independent EMBs, notably in Malawi, Niger, Togo, and Slovakia.

Malawi

By July 1998, President Muluzi had appointed a new nine-member Electoral Commission to prepare for Malawi’s Presidential and Parliamentary scheduled for 1999. He dissolved the former Commission in June, four months before the expiration of its constitutional four-year term, amid protests from human rights groups and opposition parties. He also moved the new Commission closer to the executive and away from Parliament, by legislation stating that the President may appoint an undetermined number of commissioners at his discretion, to be confirmed by the Public Appointment Committee. The new law further states that the Commission will appoint a chief electoral officer as its main executive for the conduct of elections, and

that the funds for the commission shall be appropriated by Parliament. (The former chief electoral officer was the Clerk of Parliament, under whose supervision the first multi-party general elections were conducted in 1994.)

Although officials have tried to justify the recent electoral legislation as promoting the independence and professionalism of the electoral administration, the law includes no specific provisions for a fixed term of office or for the establishment of a permanently staffed electoral body. The previous Commission played an important role in Malawi's first multi-party elections and afterwards had pushed for legal reforms that would strengthen it. One positive development of the new Commission is that it has established a permanent secretariat of its own.

Niger

Although Parliamentary elections were held in Niger under a National Independent Electoral Commission in 1994, the President dismissed the Commission during the 1996 presidential election while it was counting ballots on the first day of a two-day vote. A new commission was appointed for the counting of the second day, which was conducted at the barracks with favorable results for the incumbent.

Togo

Togo's presidential election of May 1998 was "stolen" by the incumbent after the counting of the ballot was ordered stopped at evidence of unfavorable results. The five-member Electoral Commission resigned, but the counting continued under the Ministry of Interior, which declared a 52 per cent majority, making a run-off election unnecessary. Reports from international observers indicate that the law of the country has not been followed.

Slovakia

The role of Slovakia's supervisory commission was significantly diminished when an electoral reform adopted in June 1998 ceded substantial

authority on electoral matters from the Electoral Commission to the Ministry of Interior and other organizations of the executive branch (including the Bureau of Statistics, for the counting of the vote), and to the courts (shifting of electoral appeals from the Commission to the Supreme Court). Other limitations on the exercise of a free and secret ballot were also enacted, including a ban on publishing voter lists, a ban on handing them out to the polling stations up to a few hours before voting starts, and limits on media access.

As a whole, the reform may introduce instability and uncertainty into the electoral process and may be difficult to justify, given that the 1994 Parliamentary elections were satisfactorily handled under legal provisions that were better attuned to extensive practice in Continental Europe, with the Ministry of Interior managing the election under effective surveillance of a collective independent electoral body.

Main Structural Traits and Functions of EMBs in the Different Democracies of the World

Two major factors determine the effectiveness of independent electoral commissions and both concern political control of the electoral process. First, in most democracies, elections are still conducted under the aegis of the executive branch, most frequently by the Ministry of the Interior or of Home Affairs. The second factor is the recruitment of the commissioners, whether party-based or non-partisan, and the establishment of a permanent staff.

Who Runs the Elections?

Elections managed exclusively by the executive branch remain the residue of history, an element of the developmental pattern of democracy. Of the 27 most stable democracies identified by analysts in the second half of the 20th century (Lijphart, 1994), only seven countries retain this type of electoral authority. All of them are in North-western Europe (including Switzerland), and they constitute 25 per cent of all the older democracies. A different pattern emerges among the remaining 121

countries covered by this paper. Democracy came later to these nations; in a number, democratic transitions are still under way.

Of this latter group, only 21 (18 per cent) have elections run exclusively by the executive branch. In contrast to countries with a longer democratic tradition and a centralized government—that is, in continental Europe, the British Commonwealth and former French colonies, particularly those with a legacy of centralization—government-run elections are relatively uncommon in new democracies. Further, as the survey above shows, electoral reform in new democratizing societies and in some older democracies as well is almost invariably moving towards establishing independent electoral commissions either with full responsibility for the electoral process or with a supervisory role in elections run by the executive. These trends are evolving independently of the historic political traditions in these widely diverse countries.

In earlier times, both in Europe and in the colonies that became independent during the 1960s, running elections was considered a public service operation best carried out by the state administration. The electoral service developed as an office of the executive, which had an upper hand in post-colonial administrations. In continental Europe, the power of both parties and parliaments evolved slowly. Democracy frequently grew out of competition between parties for votes: in England, the Conservative Disraeli spurred the extension of the franchise to millions of working-class men in the Great Reform Bill of 1867 largely to edge out the Liberal opposition. Labor upheavals and other political turmoil — including revolution and the formation of new states — as well as two international wars also contributed to the spread of democracy. Prosperity gradually spread to the majority of Western workers after World War II . The development of the welfare state, made possible largely by this phenomenon, also allowed for an unprecedented strengthening of civil service machinery in all branches of national governments—and, at the same time for increasing control by political parties over the executive through parliamentary action and the use of the mass media.

These developments simply did not take place outside Europe, the

USA, Japan and the Commonwealth “settler” colonies of Australia, Canada and New Zealand. However, regardless of a country’s history, universal late 20th century trends towards mass society, mass consumption and mass media are transforming the processes of state- and democracy-building today. And democracy-building invariably entails the building of electoral systems with an electoral authority as one of the institutions of government.

Given the different models of election administration, it must be remembered that no two countries are identical. Nonetheless, evident similarities as well as differences emerge, allowing for a better understanding of the actual functioning of electoral bodies. The main difference is that where Anglo-Saxon or common law prevails, electoral administration has followed a more decentralized pattern than in countries that have followed a predominantly Roman or civil law tradition, in which central governments have concentrated authority.

As indicated earlier, elections were traditionally considered a public service. The expansion of mass democracy after World War II and the more recent wave of democratization have called into question the legitimacy of the executive in playing the role of “referee” in the competition for power. In this connection, it is no accident that (a) some democracies as stable as the United States and Australia established independent electoral commissions as recently as the 1970s and 1980s respectively; (b) most of the countries where elections used to be managed by the government have progressively established supervisory bodies with or without representatives of the political parties; and (c)

Box 3 RUSSIA’S DECENTRALIZED ELECTORAL ADMINISTRATION

After centuries of centralized government, the new Russian Federation is highly decentralized system, comprising 89 subjects (regions) and 21 autonomous Republics. Moscow has devolved roughly 40 per cent of its former power to the regions.

Box 3 (continued)

In December 1993, President Yeltsin issued a decree establishing the Central Election Commission of the Russian Federation (CEC), a permanent body with a staff of 160 directed by 15 Commissioners, five of them appointed by the President of the Federation, five by the Duma (the lower house of Parliament), and five by the Federation Council. These Commissioners in turn elect their Chair, Deputy Chair and Secretary from their own membership. The first task of the CEC became the drafting of Federal electoral legislation.

The Federation has 89 subject election commissions, 225 district election commissions, 3,000 territorial election commissions, and 92,000 polling station commissions, all appointed by the respective authorities at the different levels. In addition, each of the 21 Republics has its own electoral authorities. The CEC and the 89 Subject Election Commissions are permanent, but those at the lower levels are temporary bodies. Each at its level is charged with registering voters, parties and candidates, conducting the elections and adjudicating complaints. The regulatory power of the CEC resides in providing guidance on the procedures established by the new electoral laws and by monitoring the compliance of the regional electoral authorities so as to ensure citizens' voting rights. The CEC also gives organizational and technical assistance to the local electoral commissions.

The Subject Election Commissions are the nexus for interaction between the CEC and governmental bodies within their geographic areas. They also coordinate the activities of subordinate election commissions within those boundaries and hear complaints, adjudicate disputes, reverse the decisions of lower commissions, when warranted. The Subject Commissions are responsible for the printing and distribution of ballots in the format developed by the CEC.

Polling operations are fairly decentralized manner. Polling sites are established by local administrations in coordination with the relevant territorial commissions. Overseas and absentee voting is allowed in Russia. Lawmakers and election authorities have made a determined

Box 3 (continued)

effort to permit Russian citizens abroad or working at remote sites to vote. The counting of the ballots takes place at the polling stations, the protocols being physically handed to the territorial election commissions, where the results are tallied, then transmitted to the 225 district commissions, which in turn send them on to the 89 regional commissions. Finally, the information is forwarded to the CEC for aggregation by computer before the results are publicly announced.

the more recent thrust of change favors the establishment of independent electoral commissions, usually composed of representatives of political parties.

A Measure of Decentralization

At the present time, it would be an overstatement to define any electoral administration as highly centralized, particularly in the case of stable democracies, but also in complex societies undergoing democratization. Whatever the model of electoral administration as formally defined by the law, two major factors necessitate a degree of decentralization: first, the sheer massiveness of democratic elections, and second, the holding of local elections in almost every democracy. Regardless of a society's economic and cultural development, universal adult franchise tends to be the law, and elections have therefore reached massive proportions even in countries that have only titular democracy. This calls for a dispersion of decision-making for managing electoral services with even a semblance of efficiency. Second — and more importantly — local elections have become a universal phenomenon, requiring relative autonomy for local and regional electoral bodies. Today's democracies demand the popular election of political authorities at all levels. In most of Latin America, for example, mayors and governors were first elected by direct popular vote as recently as the 1980s. In the new democracies of Africa and other regions of the world, local elections are being called soon after the first general elec-

tions — sometimes even prior to them.

A few further considerations on decentralization are pertinent here. First, there are a number of examples of successful decentralized management of elections, not all of which should be assessed by the same criteria. For instance, the United Kingdom, the United States, Ireland and Sweden—all of them countries with old, stable democracies and a tradition of large state machineries and strong political parties—have highly decentralized election administration systems. Indeed, some stable democracies have always had a measure of electoral decentralization. Uruguay's regional electoral bodies are popularly elected and derive their authority directly from the citizenry. Other older democracies later introduced reforms for decentralization, Australia in 1984. In both instances, efficient nation-wide public administrations and political party organizations existed. Either or both of these elements—stability and efficient nation-wide systems—are missing in most of the new democracies in Africa, as well as some in Latin America and in Asia. And some countries have large state machineries, but few nation-wide party organizations to counterbalance particularistic local forces and interests by bringing to the local scene a measure of the broader national interest. This pattern prevails in some countries in Eastern Europe and most of the former Soviet republics.

Second, in most of the new democracies, decentralization would better serve the cause of democracy-building and the rule of law if approached from a managerial rather than from an organic perspective, simply because democracy-building has more to do with decentralized activities than with autonomous regional or local organizations. In this regard, the historical experience of state-building since the 18th century in the more stable democracies is instructive. A socio-political construct such as the modern state—with a capacity for equal treatment and delivery of security for all of its subjects, as well as of basic social

services for the weaker—was made possible only by counteracting the particularism of local bosses and local interests. In the case of electoral bodies, a mix of centralized authority and decentralized management seems to be more promising in moving towards an electoral administration that can be effective nation-wide and that can also give all parties equal and neutral treatment. As elections deal with the massive use of resources during a short period of time and are subject to deadlines, a need for some decentralized management is strong.

Finally, some recent examples of successful decentralization of particular operations of the electoral process should be mentioned. In the Russian Federation, the printing of ballots by Subject Electoral Commissions and their distribution by territorial commissions has been considered a success. South Africa, learning from past experience, decentralized the management of local elections in 1995 and found that they went better than in 1994, when they were not decentralized. A similar result emerged in Lesotho in 1998. In 1993, all training and the handling of electoral materials was centralized, but in 1998, registration and polling officials were trained by returns officers in each constituency, and the distribution of materials was also organized in a decentralized manner. Thus, 1998 was more effective and probably less costly than previous elections.

In Spain, substantial cost reductions were achieved during the 1990s by the regional printing of ballots after a public competition among a large number of firms. In Haiti, after the negative experience of the 1995 elections, the Provisional Election Council encouraged decentralization, allowing its operation division and lower bodies to make decisions at the local level, and improvements were acknowledged (Nelson, 1998, p. 85). In Namibia and Botswana, voter registration became continuous in 1997, carried out by part-time registration officers at the constituency and ward levels, who are paid a fixed amount but also receive an incentive bonus according to the number of forms completed. The registers are aggregated on a monthly basis into the local and national registers. Training in these two countries is also

decentralized (returning officers are trained at the national level; they in turn train presiding officers, who train all other election officers). The distribution of electoral materials is likewise decentralized. All these measures have proved cost-effective.

Elections Run by Executives

Elections run exclusively by governments—for example, those in Belgium and Denmark—usually rely on an administrative apparatus of regular district and municipal offices at which a number of special officials are temporarily appointed by the Ministry of Interior for the purpose of elections. This usually involves judges and other legal professionals. A special permanent office in charge of electoral affairs is part of the Ministry. In some countries, an agency outside the Ministry of Interior or of Home Affairs is responsible for administering elections. In Sweden, the National Tax Board is the central electoral authority, while the actual conduct of electoral operations is the responsibility of 280 local municipal committees. In very decentralized Switzerland, the federal chancellery is the general coordinating authority of elections, but state chancelleries in each of the 20 cantons and six half-cantons are responsible for the actual conduct of elections. In all cases, though, the regular courts of justice adjudicate electoral disputes.

A still more decentralized pattern exists in the United Kingdom and in Ireland, where elections are managed by local authorities under the coordination of a voluntary body, each country's national association of electoral officials. In each case, this association produces electoral regulations and develops standard procedures and guidelines for the entire country.

In the UK, individuals who wish to become electoral officials must pass a public examination established in 1997. The nominal electoral authorities are the Home Office in England and Wales, the Scottish Home and Health Department and the Northern Ireland Office. Nonetheless, the head of the Association of Electoral Administrators

has an increasingly important voice. Elections are the responsibility of government offices in the various local authority areas. In each parliamentary constituency, certain officers perform electoral duties until their term of civil service ends — the sheriff of a county, for county constituencies; the chairman of a district council, for borough constituencies; and the mayor of the borough, for the London borough constituencies. This traditionally rooted system of election management has not been immune to criticism and demands for reform. A recent report by the Hansard Society Commission on Electoral Campaigns recommended that the United Kingdom consider following the Australian and Canadian examples and change its structures and levels of institutional independence (Goodwin-Gill, 1998, p. 55).

In Ireland, the nominal chief election authority is the head of the franchise section of the Department of the Environment. The chair of the Association of Returning Officers and Electoral Administrators of Ireland also has a say, as mentioned above. Each returning officer is responsible for electoral activities within his or her constituency and reports results to the Department of the Environment. Returning officers are the sheriffs of the counties or the county registrars. The Association of Returning Officers is a voluntary body that provides electoral information and advises officers on electoral concerns.

Supervisory Bodies

The “French model” of electoral administration, traditionally been considered centralized, is in fact anything but centralized – and has served as a paradigm in countries where elections are administered by the executive under the supervision of a collective judicial body. In France, the general management of elections is a responsibility of the Ministry of Interior under the surveillance of two different collective judicial bodies, depending on the kind of elections: the constitutional court (*Conseil Constitutionnel*) for presidential and parliamentary elections, or an administrative court and its local branches (the *Conseil d’Etat*) for

regional and municipal elections. Election offices at those councils have some administrative responsibilities during the elections, like the official counting and the announcement of results. The *Conseil Constitutionnel* consists of nine members, three of whom are appointed by the President of the Republic, another three by the President of the Senate, and the remaining three by the President of the National Assembly, each for a nine-year term. Since 1998, the register of voters has been permanent and automatically updated; citizens above the age of 18 are given a voting card. As in Spain and other countries, drawing up voter lists is a responsibility of administrative committees in the municipalities, but they are consolidated at the National Institute of Statistics. Claims and complaints are decided by the councils; however, appeals of a council's decision must go to the ordinary court of appeals.

When the possibility of creating independent commissions as an alternative to the "French model" is discussed in Francophone Africa, one often hears the argument that independent electoral bodies would be incompatible with the legal concept of administration; and that no governmental body can be independent because the sovereign authority of the state is indivisible. However, the judiciary in all these states is theoretically independent of the executive, without any encroachment on state sovereignty or its legal status. An independent electoral authority is therefore perfectly feasible theoretically as well as practically.

Following the French pattern, Spain has developed a still more complex electoral administration, as required by the 1978 Constitution for a quasi-federal state. This administration is described in some detail in the case study section of the paper. As in most of the continent, general elections are administered by the Ministry of Interior and supervised by a collective body composed of judges and law professors appointed by Parliament with the consensus of political parties. A political party component in the supervisory bodies of the "French model" of electoral administration also exists in Austria, Germany, Netherlands, Norway, Portugal and Spain, (in Germany, party repre-

sentatives are included in the different electoral governing bodies, as there is no supervisory authority). But the supervisory bodies have a judicial character in France, Italy and Greece.

The structures of electoral bodies generally stem from their functions, whether they are responsible only for the supervision of executive-run elections or fully responsible for the electoral process as a whole. A close look at the specific supervisory functions of each type of institution (some regulatory, surveillance and adjudication capacity) gives rise to the question of whether purely supervisory bodies are as effective in their monitoring role as full-fledged commissions. The former tend to be temporary bodies that operate only during the electoral period. Moreover, they tend to be composed of judges, legal professionals and political party representatives, frequently changing from one election to the next and therefore often unable to develop real expertise in the field of election administration. They also tend to depend administratively on office and technical support from parliament or the ministry in charge. These managerial and technical limitations should be viewed in tandem with criteria of political neutrality and transparency in the conduct of elections. From this latter perspective, the effectiveness and efficiency of supervisory commissions is closely tied to the ability of political parties to take part in all stages of the electoral process, either through membership in the supervisory commissions or by their presence during each of the different electoral operations, from registering voters to counting ballots to announcing results. In other words, supervisory bodies with a limited permanence and organizational strength can nevertheless develop a capacity for supervision and control directly related to the strength and effectiveness of the political parties and other monitors of the electoral process. Conversely, in the absence of political party agents and other monitors at the different levels of the electoral operation, the leverage of supervisory commissions is lower than that of full-fledged commissions in supervising and controlling elections.

Independent though Party-Based Electoral Commissions

Are independent party-based electoral commissions equivalent to non-partisan electoral bodies? The former frequently imply that the recruitment of the commissioners becomes a party-based activity, either wholly or partially. It also implies that commissioners who hold office for a fixed term cannot be dismissed except for malpractice or crime, which can be determined only after investigation. Consequently, multi-party based commissions basically require confidence among the parties and between the parties and the government. By contrast, a non-partisan commission calls for the availability of a non-partisan career civil service.

A neutral professional civil service is rare in most democratizing countries in either the developing world, where a solid state apparatus is rarely in place, or in former one-party states. The latter may have had an efficient, but party-based administration that is unlikely to be trusted by all contestants in truly competitive elections. Yet there are countries where both situations exist – where a professional civil service has long existed, but where elections have never been run by commissions independent of the executive (that is, most of continental Europe and some Commonwealth countries, like Australia until 1984). Others, like Uruguay, may have strongly party-based electoral commissions together with a solid civil service tradition. It is the absence of political confidence that generally explains developments towards independent commissions, usually with a party component that is either fully formalized or implied in the process of nominating and appointing commissioners.

Politicians, practitioners, analysts and consultants increasingly state that, especially in transition politics, party-based electoral commissions play a key role in consensus-building and good governance. They can contribute significantly to the three main assets of democratic governance: participation (because EMBs help articulate processes for mobilization of voters and administer the balloting); policy-making

(through negotiation and consensus among the different actors of the electoral competition); and rule of law (specifically in the realm of exercising those political rights associated with the vote).

Among the few older democracies where elections are run by independent commissions, Canada and Australia are the main examples without a party-based electoral administration. Elections Canada is an independent, non-party based institution, a permanent body of 295 returning officers (one for each electoral district) whose chief is appointed by Parliament and serves until retirement. The Australian Electoral Commission is also a non-party based, independent and permanent administration, accountable only to Parliament, but headed by three commissioners, only one of whom is a full-time employee. The commission employs around 800 officials on a permanent basis in all the different constituencies. (See Annex for a more detailed description.)

In most countries, political parties constitute part of the electoral commissions, as many laws mandate that a number of commissioners be nominated by political parties or by parliaments upon party consensus. Among stable Western democracies, this is the case for the electoral commissions constituting the U.S. Federal Election Commission, as well as those of Malta and Iceland. It is also the case for the supervisory electoral bodies in Austria, Germany, Holland, Norway, Portugal, and Spain, among countries with a “French” type of electoral administration. Other Western European countries with the same model have commissions or councils strictly composed of judges, as in France, Italy and Greece.

Curiously, most Latin American countries did not follow a “Spanish model”, but one in which commissions are party-based or have a party component, are independent from the executive and have a highly centralized character. Party-based commissions exist in most of Latin America (Bolivia, Colombia, Ecuador, El Salvador, Guatemala, Honduras Mexico, Nicaragua, Panama, Paraguay and Uruguay), and some of these countries—notably Uruguay—are among the most sta-

ble democracies of the world. In Latin America, the only country following the “French model” is Argentina, with a commission composed only of judges. Non-partisan commissions also can be found in Brazil, Chile, Costa Rica and Peru. In the Caribbean, the most common pattern is a commission appointed by the President after consultation with the Prime Minister and the leader of the opposition; these can be seen in Bahamas, Barbados, Dominica, Saint Lucia, and Trinidad and Tobago. The participation of political parties is clearly established in countries like the Dominican Republic, Guyana, and Jamaica.

Upon achieving independence, Latin American countries tried to distance themselves from European traditions. They followed a North American pattern by adopting federalism, the institution of the presidency, and a separate election for parliament — all of these, however, shaped within a tradition of centralized government. National electoral commissions or tribunals did not exist in North America. Latin American countries generally established them by constitutional reform during the first half of the 20th century. Yet at the end of the 20th century, most of new democracies both in and out of the Americas are adopting a similar pattern of electoral administration: independent permanent multi-party based commissions. Like the constitutional ban on the reelection of the president, which is now common in much of sub-Saharan Africa as well as Latin America, independent but party-based electoral tribunals have been designed as a safeguard of the franchise in an atmosphere of political mistrust and of excesses by executive power. Similar institutions seem to arise in the presence of similar problems.

Most African electoral commissions and supervisory bodies (Benin, Botswana, Central African Republic, Cote d’Ivoire, Liberia, Madagascar, Morocco, Mozambique, Senegal, South Africa, and Zambia) fall into this category of independent party-based tribunals.⁴ So do those of most of Eastern and Central Europe (Russia, Ukraine, Hungary, Albania, Macedonia, Czech Republic, Slovakia, Romania,

⁴ The supervisory authorities of Lesotho Namibia, Tanzania and Uganda have a judicial character.

Bulgaria, Georgia, Estonia, Latvia and Lithuania). Poland and Croatia have commissions composed only of judges. In the Central Asian republics, most central commissions have members appointed by the President with approval by or from names submitted by Parliament. It seems that whatever political pluralism exists in the assembly may be assumed by the electoral commission. But because party affiliation and organizations are so loose in that region (with the partial exception of Kyrgyzstan), the composition of commissions basically reflects political sectors supportive of the government, specifically in Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan.

In most of Asia, commissions and supervisory bodies are party-based; this is true for Cambodia, Japan, Korea, Mongolia, Nepal, Taiwan, and Thailand. Non-party based Asian commissions exist in Bangladesh, India, Malaysia, Pakistan and the Philippines; and, in the Pacific region, in Australia and New Zealand. In the Middle East, the commissions of Yemen and Palestine also have a party component.

Permanent and Professionally Staffed Electoral Commissions

Another trend is the increasing introduction of permanent professional staff to support electoral bodies. Although political confidence and neutrality are the reasons most often invoked in support of creating a permanent electoral administration, reasons of technical and administrative efficiency have equal importance. The issue of the permanent character of EMBs is at the core of the possibilities for institutional capacity-building and sustainability. Most experts believe that electoral commissions in new democracies have frequently been slow in delivering efficient service largely because election administration continues to be a temporary and/or part-time assignment more often than not. The establishment of a professional and full-time staff has evolved slowly in many countries; one frequently finds electoral administrations staffed by a number of permanent employees (rather than by civil servants) who have been recruited and trained by the commission itself according to professional civil service criteria.

The main reasons for the slow pace towards permanently and professionally staffed commissions stem from the inertia of the methods of the single-party era and the persistence of institutions from the colonial past. More important, ruling parties often fail to act because they do not want any institution to have autonomy. This problem can arise with regard to the powers granted to the electoral body by the law, the method of appointing the electoral authorities, and the degree of financial control over the electoral administration by the government. All these factors also have direct impact on the effectiveness of a permanent electoral authority as a public institution and on its organizational and technical strengths. Generally, the problem lies with the dominant political force rather than the opposition. Equally important, governments still tend to perceive elections as only temporary phenomena rather than a permanent feature of political life. In many countries, permanent electoral bodies have been accepted with increasing government recognition of the need for ongoing voter registration and for the administration of local elections and by-elections.

Although a legally established permanent authority is not the equivalent of a body with full-time employees throughout the term of the legislature, this legal provision has been made in an increasing number of countries and should be considered a first significant step in the development of a permanent electoral administration. The issue here is not so much a permanent autonomous body as the establishment of a permanent secretariat for an electoral commission so that it does not have to engage temporary personnel who are inexperienced in electoral processes. This in itself is often a challenge within the challenge of establishing a permanent electoral authority. Some long-standing commissions, such as that of Kenya, do not yet have their own secretariat; others, such as that of Lesotho, have a secretariat, but it is not fully empowered. By contrast, late in 1998, the Malawian commission created its own secretariat, and in Benin the elections secretariat, which had been located in the Ministry of the Interior, was granted independent status as the permanent secretariat to the temporary electoral

supervisory commission and was put under the authority of the Constitutional Court. In all cases, the challenge of establishing a secretariat must be met before an independent commission can be fully effective.

Still, a permanent electoral administration that carries out operations continuously need not be viewed as a sizeable bureaucratic apparatus. Usually, a full-fledged commission has a core staff at its central headquarters and deploys small contingents at its regional offices and/or constituency offices. During elections, it hires temporary personnel as needed at the local level. This is true of both non-partisan and party-based commissions. The latter can be very efficient if staff is trained in accordance with civil service regulations. Uruguay provides a good model in this regard; its party-based electoral authority has rested solidly on a highly professional civil service staff for almost a century.

Ad hoc commissions can be found in countries where peace-keeping authorities operate: Namibia in 1989, Cambodia in 1993, Mozambique in 1994, Palestine in 1996, Liberia in 1997, Haiti since 1990 and Bosnia-Herzegovina under the Dayton Accords. None of these should be considered models of cost-effectiveness and efficient planning, given the uncertainty of the political environment and the high costs of peace-keeping operations. Most of these ad hoc bodies moved towards permanence after the first election, except in Palestine, Haiti and Bosnia. In Palestine, an ad hoc commission was established for the second time by end of 1996 for anticipated municipal elections that did not take place. In Bosnia-Herzegovina, a Provisional Election Commission supervised by the head of the OSCE mission for the 1998 local, parliamentary and presidential elections. Under the Dayton Accords, the establishment of a permanent electoral administration is scheduled for the immediate post-transition period. It is expected to include representatives of the political parties at all levels, despite the fact that the number of parties exceeds the number of parliamentary seats. Only the three ethnic or nationalist parties had participated in the

commission under the provisional authority. In Haiti, the Permanent Election Commission envisaged by the Constitution has not yet been appointed. Other transitional countries have moved quickly from ad hoc towards permanent commissions: Georgia in 1995, both South Africa and Yemen in 1996, and Lesotho in 1997.

Countries that have held second- or third-cycle elections with ad hoc commissions are rare and their example should be considered risky. Benin, Burkina Faso, Madagascar, Mali and Romania have had commissions with only supervisory responsibilities, although Bulgaria's is fully responsible for elections. The argument that ad hoc structures are more cost-effective than permanent ones remains to be demonstrated. As the expatriate chief electoral officer of Lesotho in 1993 stated in her post-election report:

The arrangements recommended for a well-structured election machinery will no doubt be a costly exercise to implement, specially in the initial stages. Thus one may be tempted to accept the establishment of an electoral office with personnel put together in an ad hoc manner to carry out a very technical exercise whenever the need arises, simply because it may appear less expensive on paper. It should be borne in mind, however . . . that the conduct of elections is a very expensive exercise, whatever the system of operation. Hence the question to consider is whether the exercise should be one of expediency with all its associated problems or whether there should be put in place an efficient election machinery and consequently an effective electoral process. (Chief Electoral Officer, 1993)

Operational Divisions and Local Electoral Authorities

Most of the election operations performed by EMBs are carried out through their permanent staff with the assistance of temporary officials hired at the time of elections. Normally, different functional divisions are established as an electoral administration develops. All or some of

the following structures are found in a given well-developed electoral administration: a personnel division for the recruitment and training of electoral officials; a financial division to manage the budget; a legal division for drafting regulations, developing procedures and evaluating complaints; a logistical division responsible for communicating and distributing election materials; a data processing division for estimating quantities of materials and for tabulating results and statistics; and an information and publicity division to develop education programs and to disseminate information from the commission. Sometimes, a liaison division has the task of relating to the government and other agencies (Garber, 1994; Harris, 1997).

The importance of local government officials (whether at the provincial, municipal or district level) in conducting electoral operations should not be underestimated. This has important operational and cost implications. They can in effect control elections, especially where higher-level electoral authorities are not permanent bodies, simply because these officials have some permanent staff at their command, whereas the electoral bodies do not. Additionally, a large proportion of the electoral costs incurred by local governments are normally absorbed by their ordinary operational budgets and never quantified by central electoral authorities; they therefore do not constitute a part of the national electoral budget approved by the government or parliament. This is a major reason for the apparently low cost per elector in countries like Pakistan; it also accounts for the fact that costs per elector in most of Europe are only rough estimates by electoral officials according to their assumptions of what local governments may spend for elections.

Apart from the electoral functions performed directly by the electoral administration, it is standard practice to contract out a number of operations to external services or firms—particularly those activities unfamiliar to civil servants or not regularly carried by the machinery of state. Among these tasks are the printing of ballots; the totalling of the vote after the counting of ballots at the polling stations; or the distribu-

tion of electoral materials. In today's multi-national economic system, the traditional practice of a state's engaging firms that employ only its own nationals has given way to one in which governments must deal with domestic contractors that unavoidably have dealings with foreign firms and may even be their partners within the broader network of multi-national corporations. A number of traditional suppliers of electoral materials in the UK, Canada or the USA are now linked to new partners in other countries with stable or new democracies in Europe,

Box 4 COST-SAVING MEASURES IN SPAIN

After almost 40 years of authoritarian rule, Spain re-established democracy in 1976 through a negotiated transition between reformers of the old regime and the opposition. The first multi-party general elections took place in May 1977 and a Constitution was approved by referendum in December 1978. Parliamentary as well as regional and municipal elections have been held ever since according to the Constitutional calendar.

The management of elections during the last 20 years has allowed the Spanish electoral authorities experience with a number of actual and potential cost-effective measures:

- Decentralized printing of ballot papers since the late 1980s (party lists are different in each of the 52 provinces) and widening the bidding to a larger number of firms. Savings of 50 per cent or more have moved the cost per ballot from 1.6 pesetas to 0.60 per ballot, this one item resulting in a reduction of approximately US\$2 million per election;*
- Increasing competition for contracts to tally the vote, one of the most expensive electoral operations, along with per diems to polling officers and security agents. The resulting savings of some 25 per cent amounted to around US\$1.7 million per election;*
- Limiting voter information campaigns by the Ministry to the state-owned media, where air time is free. Expenditures were reduced*

Box 4 (continued)

from 1.3 billion pesetas (approximately US \$13 million) to around 100 million (US \$1 million), the cost of creating messages;

- *Decentralizing procedures for preparing and implementing the budget, making each agency formally accountable for its own budget and accounting;*

- *Substituting disposable ballot boxes for the current hard plastic boxes, which reduces both storage and production costs, since about 30 per cent of all boxes are irrecoverable after an election; this type of cost-effective measure has already been taken in Australia;*

- *Substituting a single ballot model for the current multiple ballots (there are as many ballots available as there are party lists), with subsequent savings on the printing of ballots and a more rational organization of the polling space, where ballots for each list must be distributed.*

Latin America or South Asia.

In Africa, for the time being, sensitive election materials must be purchased overseas, because the private production facilities of most countries are still too limited. Indeed, buying basic electoral materials abroad at high cost has been frequently criticized. In addition to the mistrust among political parties, discussed elsewhere in this paper, two other issues involved in these criticisms deserve separate consideration. The first is the cost of high-quality paper or other materials, which can be lowered by reducing the desired standard of the product, and of course—if politically advisable—having these materials produced at home. The second is the issue of how these materials can be domestically produced and by whom. Where there are no state facilities or private firms that can do this—that is, if industries are entirely local or multi-national, which is usually the case—out-sourcing production to foreign firms is the more expedient and effective way of meeting needs.

If recent trends in the more stable democracies of the industrial

world and of developing countries are to prevail in new democracies, more joint ventures and the merging of local and foreign firms will take place in the near future; this should generally prove cost-effective for electoral administrations. As in the case of Spain, considerable savings can be realized simply by widening the scope of competition among local contractors (which tend not to be “local” any longer in this, as in other fields of the economy). In no case, however, does it seem that the

Country and Election Year	Election Budget (US\$ million)	Registered Voters (Millions)	Cost Per Elector (US\$)
Canada 1997	145	19.6	7.4
U.S.A. 1996	146.2	146.2	1.0
Belgium 1995	11.5	7.2	1.6
Denmark 1994	9.0	3.9	2.3
Finland 1995	5.5	4.0	1.4
Germany 1994	61.7	60.4	1.0
Netherlands 1994	12.0	11.5	1.0
Norway 1997	16.1	3.3	4.8
Spain 1996	66.0	31.0	2.1
Sweden 1994	8.1	6.5	1.2
Switzerland 1995	25.1	4.6	5.4
UK 1997	35.1	43.7	0.8

government is the most cost-effective producer of electoral materials and services, as these are not needed on a daily basis.

Country and Election Year	Election Budget (US\$ million)	Registered Voters (Millions)	Cost Per Elector (US\$)
Bosnia-Herzegovina 1996	24.0	2.9	8.3
Georgia 1995	1.3	3.2	0.4
Russia 1995	800.0	108.5	7.5

Country and Election Year	Election Budget (US\$ million)	Registered Voters (Millions)	Cost Per Elector (US\$)
Brazil 1994	220.0	94.7	2.3
Costa Rica 1994	3.0	1.9	1.7
Chile 1997	10.0	8.1	1.2
Dominica 1995	0.38	0.57	6.5
El Salvador 1997	9.4	3.0	3.1
El Salvador 1994	11.8	2.7	4.1
Haiti 1995	14.5	3.6	4.0
Guatemala 1996	6.6	3.7	1.8
Nicaragua 1996	18.0	2.4	7.5
Nicaragua 1990	21.0	1.7	11.8
Mexico 1997	305.0	52.0	5.9
Panama 1994	9.3	1.5	6.2
Paraguay 1998	6.7	1.8	3.7
Uruguay 1994	8.3	2.3	3.5

The Cost of Elections

The cost of organizing and managing elections varies with the conditions under which they are held. Because this issue is extremely com-

Country and Election Year	Election Budget (US\$ million)	Registered Voters (Millions)	Cost Per Elector (US\$)
Palestine 1996	9.0	1.0	9.0

plex, both conceptually and methodologically, this paper attempts only a gross comparative quantification. Yet this analysis is important because even rough estimates developed from the scant information

available adds to our knowledge of the democratic process. Sample

Country and Election Year	Election Budget (US\$ million)	Registered Voters (Millions)	Cost Per Elector (US\$)
Australia 1996	37.0	11.9	3.2
Bangladesh 1996	9.6	56.7	0.17
Cambodia 1998	26.0	5.5	4.7
Cambodia 1993	200.0	4.7	45.5
India 1996	600.0	592.0	1.0
Nepal 1994	4.8	12.3	0.4
Pakistan 1997	26.0	56.6	0.5

references for 49 countries are provided in Table 2.3 below. However,

Country and Election Year	Election Budget (US\$ million)	Registered Voters (Millions)	Cost Per Elector (US\$)
Angola 1992	100.0	4.5	22.0
Benin 1996	4.0	2.5	1.6
Botswana 1994	1.0	0.37	2.7
Burkina Faso 1997	4.8	4.9	1.0
Ethiopia 1992	5.0	13.5	0.6
Ghana 1996	6.0	9.2	0.7
Kenya 1997	33.3	8.9	3.7
Lesotho 1998	6.0	0.83	6.9
Liberia 1997	4.6	0.75	6.1
Malawi 1994	8.0	3.8	2.1
Mali 1997	24.5	5.4	4.5
Mozambique 1994	64.5	6.3	10.2
Senegal 1998	12.8	3.1	4.1
So. Africa 1994	250	22.7	11.0
Uganda 1996	26.9	7.2	3.7

these figures are not always comparable. Items differ from one electoral budget to another. Nor do the statistics take into consideration varying costs of living in different countries, or conversion and adjustments of exchange rates for different years. Since the data belong to a five-to-seven-year time span, the figures in this and subsequent chapters are expressed in current U.S. dollars at the time of a given election, as opposed to in real dollars, unless otherwise specified. Given these caveats, the table furnishes an empirical picture of variations in gross magnitude among some countries of widely varied political situations in the different regions of the world. A detailed citation of the sources of budget figures for the 49 countries can be found at the beginning of the References chapter.

Table 2.3: Cost of Elections

North America and Western Europe

Eastern and Central EuropeEast and Central Europe

Latin America and the Caribbean

Middle East

Asia and Pacific

Africa

In view of the cost variations, a world average would have little real meaning. Costs fluctuate significantly within as well as between regions. The average cost per registered voter ranges from around \$0.50 in Ethiopia, Georgia and Pakistan to around \$10 and more in Angola, Bosnia-Herzegovina, Mozambique, Nicaragua, Palestine and

South Africa. Most of the remaining countries lie somewhere in between, around three main clusters: those with costs per elector close to \$1 like the United States, most Western European countries, some of Latin America and Africa; those with costs close to \$3, like most of Latin America, some of Africa, and some of Asia and the Pacific; and, finally, countries with costs of \$5 to \$6, like Switzerland, Mexico, Cambodia in 1998, Kenya and Liberia.

A very significant factor in explaining cost variations is duration of previous experience with multi-party elections. Significant cost differences exist between routine elections in stable democracies, elections in transitional democracies, and elections during special peace-keeping operations. In countries with longer multi-party democratic experience, elections are consistently less costly than in countries where such elections constitute a new undertaking. This trend cuts across regions, levels of economic development and even interruptions of electoral practice by military breakdowns. Low electoral costs, approximately \$1 to \$3 per elector, tend to be manifest in countries with longer electoral experience: the United States and most of the Western European countries; Chile (\$1.2), Costa Rica (\$1.8) and Brazil (\$2.3) in Latin America; Benin (\$1.6), Botswana (\$2.7), Ghana (\$0.7) and Senegal (\$1.2) in Africa; India (\$1) and Pakistan (\$0.5) in Asia; and Australia (\$3.2).

In most countries that have less multi-party electoral experience, costs tend to be higher, even taking into consideration elections that have taken place as part of peace-keeping operations, where the cost per elector is highest. Mexico (\$5.9), El Salvador (\$4.1) and Paraguay (\$3.7) can be mentioned in Latin America; Lesotho (\$6.9), Liberia (\$6.1) and Uganda (\$3.7) in Africa; and Russia (\$7.5) in Eastern Europe.

Thus, duration of electoral practice is in itself a cost-reducing mechanism, perhaps the most important during the stage of democratic consolidation. Since a longer-term perspective is by definition difficult when assessing election costs in new democracies, the above findings offer strong support for the claim that efforts at capacity-building in electoral administrations are probably cost-effective in the longer

term. These findings also support the idea that establishing and consolidating a permanent electoral administration as the repository for managerial capacity development with regard to elections — within both the political and the administrative systems — is a cost-effective practice.

As might well be expected, elections held as part of broader and longer-lasting peace-keeping operations are the costliest of all. Nicaragua in 1990 (\$11.8 per elector), Angola in 1992 (\$22), Cambodia in 1993 (\$45.5), Mozambique in 1994 (\$10.2), Palestine in 1996 (\$9) and Bosnia-Herzegovina under the Dayton Accords (\$8) are cases in point. This is not to say that a cost-effective approach cannot or should not be used for special operations, but that it would function to a much more limited extent than in simple transitional electoral politics, or, indeed, in routine periodic elections. In the Cambodian case, in which donors subsidized both elections, it would be hard to demonstrate that the high-cost elections in 1993 (at \$45 per elector) were better organized or produced a more positive political outcome than did those of 1998, which were run at costs closer to the standard of the politics of democratization (\$5). Somewhat less dramatically, both Nicaragua and El Salvador also demonstrate that second elections after peace-keeping operations can be run significantly less expensively: costs dropped from \$11.8 in 1990 to \$7.5 in 1996 in Nicaragua; and from \$4.1 in 1994 to \$3.1 in 1997 in El Salvador. Consequently, elections as part of special peace-making and peace-keeping operations should be considered separately for both analytical and strategic policy purposes.

The evidence from the eight case studies included in this paper (see Annex) corroborates the findings above that elections run by ad hoc or newly established commissions are more costly than those administered by more experienced permanent bodies: note Russia at \$7.5 per elector and Haiti at \$4.0, compared to Uruguay, Australia and Botswana at around \$3, Spain at \$2, and Pakistan at less than \$1. The fact that elections in some of these countries were run at lower costs by governments under the supervision of an independent commission (as

in Spain) or without such a body still in operation (as in Senegal and Botswana) does not affect the working hypothesis about the permanence of an electoral administration. In Spain and the two African countries, such an administration exists within the executive branch. This differs from elections run exclusively by executives – an historical residue that has largely disappeared during the last decade as dysfunctional for transparency and neutrality in the conduct of elections.

The Administration and Cost of Elections (ACE) Project, a joint venture of the United Nations Department of Economic and Social Affairs (DESA), the International Foundation for Election Systems (IFES), and the International Institute for Democracy and Electoral Assistance (IDEA), includes a number of guidelines on budgeting for voting operations in a cost-effective manner. Because elections are now a worldwide activity, there is plenty of scope for comparing costs and seeking out the most effective use of resources, despite the present paucity of electoral budget information and the shortcomings in the data now available. However, even if international comparisons are difficult with regard to costs of materials and services, as well as the method of organization, in-country comparisons can be very useful if proper records are kept. Finally, the skills and responsibility of the electoral manager will vary greatly depending on the type of process; the distinction between routine and special electoral processes is particularly relevant.

In all cases, however, good budget management is essential as an instrument of planning. In the words of the director of elections of Namibia, “The budget is probably the best policy tool . . . Whenever a budget or the costing of elections is construed, goal-setting becomes fundamental and functional. Goal-setting must, however, be rationally related to financial resources available” (Totemeyer, 1997, p. 123).

Among the most interesting itemized costs are those related to boundary delimitation, registration and vote-counting. Boundary delimitation is not generally an activity included in general electoral budgets, as it does not usually take place before every election. In elec-

toral systems of majority rule in single-member constituencies, it is customary to revise district boundaries approximately every five to ten years following new population updates and censuses. In systems of proportional representation, constituencies are usually established in the Constitution as well as electoral laws (as in Spain and most of Latin America), following administrative divisions and the creation of provinces, departments or similar geographic entities that do not change easily or frequently. In either situation, boundary delimitation is an expensive activity; whenever it is undertaken, it usually receives resources specifically allocated for this purpose. In some countries, a special boundary delimitation commission exists or is put in place when the occasion demands, but more frequently, this is a responsibility of the independent electoral commission. The ACE Project includes five case studies on this issue: Australia, Canada, Germany, New Zealand and the United Kingdom. In Germany, for example, a special delimitation commission is appointed by the President at the beginning of the legislative term to make recommendations on boundary changes nationally. In some cases, Parliament accepts these recommendations; in others, no action is taken. By contrast, in the UK, four boundary commissions, one for each of the provinces, have been appointed on five different occasions since 1947. In Australia, what is called “redistribution” within a state can take place every seven years for any number of reasons, and it is done by special commissions basically composed of electoral officers from the central and the provincial levels.

Apart from party and campaign activities, the costs of voter registration may be among the highest in the electoral process, particularly for new elections. Two caveats are pertinent here, one substantive and the other methodological. First, national electoral budgets in stable democracies do not usually include registration costs; registers tend to be kept and updated on a permanent basis and are usually a responsibility of offices other than the electoral administration proper —local authorities, a national statistics office, or a combination of both. Although registration costs in this type of system are hard to calculate,

they belong to routine activities of the state administration and must therefore be considered significantly lower than the costs of massive registration undertakings for the purpose of a given election – particularly a first election and/or a post-war election that involves displaced populations, along with damaged communications systems and transport infrastructures.

Second, for international comparisons, it is appropriate to include the cost of special registration operations as part of the electoral budget, for both interpretive and strategic reasons. As an activity, such special registrations constitute an integral element of the entire democratic mobilization process; they involve personnel, materials and international assistance. Moreover, because these registrations require the allocation of special resources, the costs of registration are the first to be considered by international donors. ACE makes the following general recommendations for cost-effectiveness: First, do not reinvent the wheel; instead, adapt models that have proved successful elsewhere. Second, use existing databases if possible. Finally, strive for a sustainable process that is constructed for using the data again.

If results are to be delivered in a timely fashion after polls close, the cost of counting the vote is likely to be high. It involves hundreds, perhaps thousands of reporters and complex computer operations. However, the benefits in transparency and public confidence provide manifold justifications for these costs. Rapid counting and transmission of the tally clarifies the political scene, fosters acceptance of the results, and leaves little room for uncertainty, rumors and post-polling competition among contenders. The ACE Project describes vote-counting processes in four countries (Burkina Faso, Ghana, Spain and Sweden). It also includes material on counting costs, giving several guidelines and recommendations, such as using existing infrastructure and making a cost-benefit analysis of alternative technological solutions before a decision is taken. Whatever these alternatives may be, the greater the continuity from one election to another, the higher the savings in material and training costs.

Control over Party and Campaign Finance

Closely related to the issue of the direct costs of elections is the thorny issue of party funding and campaign financing. This paper provides some limited evidence, which may point to several policy directions in this area. The main findings are the following:

First, political parties tend to receive public funding largely on the basis of electoral returns. In the case of Western Europe, public funding is more frequently provided to support current party operations than to support specific election campaign activities. Belgium and Spain are exceptions in that they also provide separate funding for elections. This is also the case in about half of the Latin American countries, including Argentina, Brazil, Colombia and Mexico among the larger nations (del Castillo and Zovatto, 1998, Annex I). Public funding to parties for campaigning is the rule in the United States, but does not exist at all in Chile or the United Kingdom. In most of new democracies of Central and Eastern Europe, Africa and Asia, some public funding of parties is provided for electoral operations.

Second, as public funding usually does not preclude the private financing of parties, ceilings on campaign expenditures, as well as the obligation to submit income and expense reports to the electoral authorities, are increasing in both old and new democracies. The election authorities of new democracies frequently complain that political parties do not comply with this reporting obligation properly or quickly. In the older democracies, too, the election authorities sometimes lose full control over campaign financing and political party expenses. The United States Federal Election Commission was established as recently as the mid-1970s to control campaign financing. In addition, in most Western democracies, scandals tied to corruption in party financing have exploded during the last decade, seriously damaging the public image of parties and opening controversies as to whether the private funding of parties should be ruled illegal.

Third, in comparison with direct costs of elections, public funding made available to parties for campaign purposes usually amounts to as much as the entire direct electoral budget. This is independent of other indirect public funding like free postage, access to state-owned media, or the use of public facilities for rallies and other meetings. When public campaign funding for parties is included in electoral budgets, the cost per voter rises \$2.1 to \$2.7 in Spain; from \$1.6 to \$4.1 in Belgium; from \$1.7 to \$8.8 in Costa Rica; from \$5.9 to \$11.2 in Mexico; and from \$3.5 to \$8.7 in Uruguay.

This illustration of the enormity of campaign costs in contemporary democracy appears to be only the tip of the iceberg of party finance, both public and private, direct or indirect. Some illegal funding of parties usually takes the form of more intense use of public resources and facilities by the ruling party, especially through contractors' commissions financed by the public treasury (leading to most Western corruption scandals), and, in some emerging democracies, through outright inflationary policy decisions on prices, taxes and salaries prior to elections. Such practices damage confidence among many citizens in older and new democracies alike. Because both candidates and parties seem incapable of self-restraint in spending, it is increasingly difficult to determine clear limits – which seems only to stimulate increased expenditures. For these reasons alone, there is debate on whether to limit party campaign spending to public funding and whether to tighten the control mechanisms on party expenditures. However, these kinds of reforms would not in themselves resolve current problems.

The Use of New Technologies

Decreasing computer costs and increasing informatics capacities have made the use of modern information and communication technologies desirable worldwide. In general, few complaints are heard about the

usefulness and cost-saving effects of these technologies on electoral operations, whether the compilation of voter lists, voting, aggregate tallies or the internal management of election administration. Nevertheless, decisions concerning the adoption of new technologies should take into consideration the specific conditions of the country, both economic and technological, as well as the potential use of alternative technologies that could better fit the needs of the nation.

Technologies are expanding quickly and have had a crucial impact on older office equipment and patterns of organization. In the Philippines, for example, computer technology has been recently introduced into the compilation of voter lists all over the country, along with optical scanning technology for the counting of votes, which was pilot tested in the 1996 elections in the Autonomous Region in Muslim Mindanao (ARMM), with very encouraging results. Moving in this direction is considered desirable for making elections cost-effective. Traditionally, the electoral process has been not only paper-oriented and highly manual, but also expensive in terms of administration (Maambong, 1997, p. 29). In Brazil, about 60 per cent of the electorate was able to vote electronically during the presidential elections of September 1998. In Venezuela, a system of electronic transmission of the ballot and computerized counting was introduced and implemented in the general elections of 1998. In 1994, Elections Canada started exploring the uses of technology to create new efficiencies in electoral administration and by 1998, the organization routinely used information technology, automated business systems and integrated planning. In the near future, electronic voting may become a common practice, based on positive experiences in the limited number of countries that have so far used this technology, among them Australia, Botswana and Spain. In Uruguay, the compilation of electoral lists is already computerized, as is the selection of polling officials in the department of Montevideo, which includes almost half the entire electorate.

As in other areas of public administration, the use of new technologies in the electoral process should be considered cost-effective.

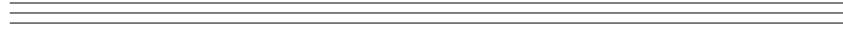
Although start-up costs may be high, costs are generally amortized in the mid- or longer-term. According to one expert, "The costs associated with introducing information technology as a way of more professionally managing electoral information can be tremendous. The costs of taking risks with applying computer technology can be even greater. Trying to avoid the information revolution could prove to be the costliest option of all" (Neufeld, 1994, p. 9). Nevertheless, as in many other areas of innovation, judgement is necessary. Among other caveats on cost and sustainability, "it is important to recognize that although these technologies can be of significant benefit, they can also be the cause of serious difficulties both in the short term and the long term, if all the implications are not explored prior to making a decision as to whether to adopt any particular technology" (Gould, 1997, p. 26).

Expanding the Culture of Elections

Voter information and civic education constitute major responsibilities of EMBs so as to extend the practice of voting, as well to enhance the political culture of democracy. Even when conducting non-partisan voter education programs is not part of their mandate, electoral authorities sometimes carry out or encourage them. In this domain, a number of organizations of civil society are actually sharing responsibilities for developing a democratic culture, most notably human rights advocates and associations of domestic electoral monitors. In addition to the strict management of elections, the electoral authorities of a number of countries also conduct ancillary activities that appear to help in developing a culture of elections and democracy, among these civic education programs and other activities in schools. In Costa Rica, children take part in mock elections at the time of real elections; the same practice has recently been established in Mexico; and in Paraguay, new electoral legislation since 1991 mandates that electoral authorities conduct election education programs for secondary school students and political party affiliates on a permanent basis. In some countries, the electoral author-

ities help conduct elections that are not political. They may have a legal responsibility to conduct industrial and other elections, as in Australia; they may attend or informally preside over school elections, as in Costa Rica, Mexico and Uruguay; or they may lend electoral materials like ballot boxes for the conduct of schools or industrial elections and fundraising campaigns by some non-governmental organizations, as in Spain with Red Cross elections.

Finally, in some countries, such as Colombia, Nicaragua and Venezuela, the civil registration of citizens and the delivery of citizen identity cards is a responsibility of the electoral authorities. In these instances, an important additional element becomes associated with elections and democracy: that of the basic identity of individuals. The private person becomes increasingly aware that he or she is also the public citizen – and perhaps even that the two roles complement and reinforce each other.



3. Developing a Normative International Umbrella for the Management of Multi-Party

Elections

The International Legal Framework of the Organization of Elections

The existing consensus on how to organize multi-party elections is not solely the outgrowth the end of the Cold War; it stems from earlier provisions of international law. International agreements provide guidance in this field and should be considered a universal regulatory framework on elections and on the right to vote. The 1948 Universal Declaration of Human Rights (itself rooted in much earlier documents) established in Article 21 the basic premise for “election rights”. These were further developed in Article 25 of the 1966 International Covenant on Civil and Political Rights (ICCPR), which states:

Every citizen shall have the right and opportunity, without any of the distinctions mentioned in Article 2, and without unreasonable restrictions: a) to take part in the conduct of public affairs, directly or through freely chosen representatives, b) to vote and to be elected at genuine periodic elections which will be by universal and equal suffrage which shall be held by secret ballot, guaranteeing the free expression of the will of the electors.

The European Convention on Human Rights of 1950 underscores these rights. Article 3 of the First Protocol declares, “The high contracting parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature”. The United Nations General Assembly in Resolution 46/130 of December 1991 affirms, “It is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their

Constitution and national legislation.”

The Conference on Security and Cooperation in Europe, meeting in Copenhagen in 1990, declared in Section 7 of the basic agreement document that the 56 participating states:

[w]ill hold elections at reasonable intervals as established by law; permit all seats of at least one Chamber of the National Legislature to be fully contested on a popular vote; guarantee universal and equal suffrage to adult citizens; ensure that votes are cast by secret ballot or by equivalent free voting procedure and that they are counted and recorded honestly with the official results made public; ensure that law and public policy work to permit critical campaigns to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and their candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussion or from casting their vote free of fear from retribution.

The 1969 American Convention on Human Rights (Pact of San José, Costa Rica), ratified by almost every country in the hemisphere, states in Article 23 (“Right to Participate in Government”):

1. Every citizen shall enjoy the following rights and opportunities:
 - a) to take part in the conduct of public affairs, directly or through freely chosen representatives; b) to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and c) to have access, under general con-

1 Three internationally supervised polls have taken place in Bosnia-Herzegovina under the Dayton Accords since the end of the fighting, and new elections were held in 1998.

2 Examples of electoral authorities being composed primarily of expatriates include UN officials in Namibia and Cambodia and the OSCE chairman in Bosnia’s Interim Electoral Commission.

ditions of equality, to the public service of his country.

2. *The law may regulate the exercise of the rights and opportunities referred to in the preceding paragraph only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings.* (Goodwin-Gill, 1994)

The Role of the International Community

Box 5 HAITI'S CHALLENGE TO INTERNATIONAL ELECTORAL ASSISTANCE

Given the instability of Haitian politics during the 1990s, nine different Provisional Electoral Councils have been formed over the last decade and a permanent body has yet to be established. Nonetheless, several elections have taken place in a peaceful manner since 1988 and some political problems at a basic level have been successfully handled through the intervention of electoral politics and some credit is due to those who managed the electoral machinery.

As an observer group stated after the 1997 elections, "It is important to remember that Haiti is not an experiment in nation-building; rather, it is a nation, but one uniquely ill-served by many of its leaders and among the international community" (IRI, 1997, p. 4). Haitian democracy remains a work in progress. The declining participation rates and continuing irregularities clearly suggest not that Haitians reject democracy, but that they refuse to participate in an unresponsive and fraudulent electoral process.

Restrictions on voter registration, arbitrariness at candidate registration, persistent boycotts by opposition parties, continuing procedural breakdowns particularly at the communal level, and failures in vote counting and ballot security constitute serious obstacles to the development of an electoral system and administration in Haiti that

Box 5 (continued)

would meet international standards of good practice. Though Haiti has not yet found a method of including the political losers, who systematically boycott the elections, clear signs exist for creating an effective sustainable electoral administration to contribute to the building of democracy: Military rule has been absent for almost a decade; the level of violence diminished dramatically with the demobilization and disarmament of the old army and police; elections continue to be a part of the political agenda according to a Constitutional calendar; and the international community remains committed to assisting in the democratization process.

in the Establishment and Development of EMBs

Intervention by the international community has generally been considered effective in assisting both the democratization process and the establishment of electoral management bodies (EMBs) in particular. In some cases the international community has literally taken over the organization of the election, as was the case in Namibia in 1989, Cambodia in 1993 under the authority of the United Nations Transitional Authority in Cambodia (UNTAC) and Bosnia-Herzegovina in each of the elections held under the administration of the Organization for Security and Co-operation in Europe (OSCE).¹ In these particular cases, the electoral authorities were totally or basically composed of expatriates.² In others, the international community has played an important role in the organization of elections within the context of the application of peace accords, as was the case in Angola, El Salvador, Haiti, Mozambique, and Nicaragua. Without the intervention of the international community, those elections would have not taken place (Kumar, 1998).

In Nicaragua, the national electoral commission frequently requested the opinions of the international observers, who attended its meetings on a daily basis, although they had no voting power. Similar circumstances obtained in Liberia in 1997 and Mozambique in 1994. In Mozambique, the international community also provided three of the four judges of an International Electoral Court, which, however, presided over only two cases throughout the electoral process.

Nonetheless, the complexities of peacekeeping have led to other tasks whose scope remains undefined legally: "As the UN reaches its 50th year, it also facing its most testing times. Not only are the demands upon it increasing in volume, but also in comprehensiveness. It has had to move rapidly to adjust from a well tried and tested pattern of peacekeeping to tasks of peacebuilding and peacemaking which it has had to make up as it went along" (Austin, 1995).

A second, more common type of situation involves international financial and technical assistance to national authorities for the organization of elections. These cases, can entail limited participation by international officials in EMBs. For example, the chief electoral officer in Lesotho 1993 was an expatriate, as were a number of commissioners in South Africa in 1994. Her role was critical to the conduct of the first multi-party elections in Lesotho (as was the presence of international observers in South Africa during the 1994 elections). In other cases, such as that of Mozambique, the international presence has been largely formal.

In some countries, international technical and financial assistance

³ Some examples of detailed assessments by international organizations and donor agencies include especially the periodic reports by the UN Secretary General on peace-keeping missions; extensive mission reports by observer groups from organizations such as OSCE, the Organization of American States (OAS), the British Commonwealth, the Organization of African Unity (OAU) and European Union (EU); and assistance agencies like the International Foundation for Election Systems (IFES), the National Democratic Institute for International Affairs (NDI) and the International Republican Institute (IRI).

has been decisive, in others a generally positive element. This emerges

not only from the post-election international observer reports, but from more detailed reports by both international organizations and donor agencies.³ The bulk of the evidence from this literature also reflects support for assistance to EMBs both for elections and during inter-election periods. The recent extensive evaluations sponsored by the U.S. Agency for International Development (USAID) focus on eight countries: Angola, Cambodia, El Salvador, Ethiopia, Haiti, Liberia, and Nicaragua. These studies conclude that in all cases, a large amount of technical and financial assistance was made available to the democratizing country and that this assistance played a decisive role in making the elections possible.

However, the path to democracy after the elections is another issue: it was either blocked by a return to fighting, as in Angola, or made difficult by the unwillingness of the incumbent government to deal with the opposition on an equal basis, as in Cambodia, Ethiopia or Haiti. In short, elections are a necessary, but not sufficient condition for democracy.

As to the specific the effect of assistance upon the EMBs, USAID studies reveal the following major findings:

In El Salvador, international pressure mounted for the improvement of the electoral administration before and after the 1993 elections. This facilitated a significant increase in voter registration. Before polling day, each of the two leading presidential candidates agreed that, whatever the outcome, he would implement residential voting, a new electoral registry, a single document for all citizens and administrative reform of the Supreme Electoral Tribunal. By 1998, some

progress had been made on this issue, and donors continued to offer assistance to Salvadorans to help develop a more equitable and accessible system of elections (Baloyra, 1998, p. 33).

In Nicaragua, under continuing international assistance after the 1990 elections, the Supreme Electoral Council remained a well-constructed institution of government. Although faulty organization and a number of irregularities marred the second election in 1996, an effort was made to develop a permanent registry of voters based on a new civil registry and a single national identification document. By the 1996 election, two-thirds of the citizens had been included in the new system. Another important effect of international assistance was the enhancement of a network of voluntary civil society associations to carry out programs of civic education and electoral mobilization. Party, labor, business and human rights groups were all involved in these activities (López-Pintor, 1998, pp. 48, 50).

In Haiti, despite recurrent political turmoil, the human rights situation has improved since the 1995 elections (legislative and local in June, presidential in December), owing to an intense international presence, both civil and military. Partial legislative and local elections were held in April 1997 with a very low voter turnout (5 per cent) after a boycott by some opposition parties that continued to call for a constitutional conference to negotiate power-sharing. As of mid-1998, the Provisional Electoral Council remained half-empty, following the resignation of some of its members. All this reveals a political environment of uncertainty in which no method has been found to include the political losers in a democratic process. Nevertheless, violence has been substantially reduced, the old armed and police forces have been demobilized, and civilian government is the norm. At a more technical level of the electoral administration, recent experience calls for a better management system and sustainable electoral machinery (Nelson, 1998, pp. 83, 85).

The Cambodian elections of 1993 do not appear to provide a good example for international assistance: "In its scale, cost, and duration, [UNTAC] was without precedent in international peace-keeping, and today it is hard to imagine the UN undertaking a peace mission of similar proportions" (Brown, 1998, p. 102). The same observer also notes, "The United Nations' cumbersome administrative apparatus and

ingrained bureaucratic procedures compounded the difficulty of getting UNTAC operational" (Brown, 1998, p. 104).

In post-Mengistu Ethiopia, 23 donors and eight international bodies contributed to the organization of the 1992 regional elections, which were generally judged – with different degrees of critical intensity—as less than free and fair, because of the deficiencies in the campaign and the election process, as well as the flawed strategic planning and preparations for the elections. The armed government coalition, the Ethiopian People's Revolutionary Democratic Front (EPRDF) held legislative elections in 1995, but maintains political and military hegemony over the other parties. Nonetheless, international assistance has been considered a key factor in conducting elections in the country and the development of a career electoral administration has been recommended as a way of building an independent and permanent EMB (Harbeson, 1998, p. 129).

The role of technical assistance in 1992 in Angola has been judged successful, despite its undermining by the political conditions of the country. Nevertheless, technical problems will need to be addressed in the future; among these, insufficient training for elections officials for the counting of the ballot—the weakest part of the election process—and a lack of clear guidelines concerning the handling of the void ballots (Ottaway, 1998, p. 148).

Comprehensive international assistance was provided to both the electoral administration and the political parties in Mozambique, which received technical and financial support to be able to compete in the elections. This assistance has been considered "essential for credible free and fair elections and for final acceptance of the results by the two parties" (Turner et al., 1998, p. 156), although little capacity-building of the electoral institution has followed the 1994 election in terms of the organization of a permanent electoral body, the updating of voter lists, or civic education. Although elections moved the country from a one-party rule to the rule of law, they did not subsequently receive much attention. Although a new Commission was established for the

preparation of the 1998 local elections, the multi-party balance of the ad hoc 1994 Commission with an independent Chair was altered by the government, resulting in a rejection of the new institution by the main opposition party.

In Liberia in 1997, at least ten international assistance agencies contributed to the organization of elections. The Interim Electoral Commission relied heavily on their support for both operational planning and daily activities. They all had to work on a tight schedule for voter registration, the hiring and training of registration and election officials, as well as the deployment of people and electoral materials. The main logistical and security support came from the UN and the Economic Community of West African States' Military Organization (ECOMOG), provided military support, which proved essential for making the assistance mobilized by the American agencies and the European Union operational; this involved both people and materials. Consequently, only minor problems occurred during the campaign period and voter registration process and on election day (Lyons, 1997, pp. 185, 191).

Although the time span covered by all the studies cited above is not sufficient for drawing definitive conclusions, observers agree that electoral management bodies are now tending to improve their organization and operations. In many instances, the direct hands-on involvement of international electoral experts has diminished or disappeared completely and, increasingly, international experts have served more as advisors or technical specialists supporting initiatives and activities managed directly and fully by national EMBs. Although many coun-

4 The core international observer groups and organizations include some international organizations with a direct mandate to observe elections, such as the United Nations, and the OSCE Office for Democratic Institutions and Human Rights (ODIHR). Other examples are the Commonwealth Secretariat, the European Commission, the Democracy Promotion Unit of the OAS, and the Centre for Electoral Assistance of the Inter-American Institute of Human Rights (IIDH/CAPEL). Among the international NGOs involved in observer missions, IFES, NDI, IRI, and the Carter Center in the United States can be mentioned.

tries of the world appear to continue to depend on financial and material assistance from the international community, there is clearly a decreasing dependence with regard to the need for administrative management and operational support.

In addition to the influence of international electoral assistance at the technical level, election observation by large numbers of international and domestic monitors is another salient aspect of new elections. These are “elections that look as if they will be pivotal to the country’s democratic prospects”, which therefore attract the attention of the international community (Carothers, 1997b, p. 17). The basic functions of international observers have been detecting and deterring electoral fraud (Philippines in 1986 with Ferdinand Marcos; Panama in 1989 with Manuel Noriega; the Dominican Republic in 1994; Haiti in 1995; and Armenia, Albania and Azerbaijan in 1996). The presence of international observers has also encouraged skeptical politicians to participate in the electoral process. They have contributed more generally to the dissemination and strengthening of the standards of election administration among politicians and election officials (Carothers, 1997b, p. 20).

Nevertheless, international observers should not be considered a panacea for the problems raised by new elections. Indeed, after a decade of such experience, one analyst argues that large international missions are not the most effective way to monitor elections (López-Pintor, 1997b, p. 55). Another maintains that “the single most obvious solution to many of the problems of international election observation is a reduction in the number of international observer groups” (Carothers, 1997b, p. 28).

Among the main international observer groups and organizations with a long-term commitment to electoral assistance,⁴ several have

developed handbooks. That of the OSCE has gone through four editions (OSCE, 1999). Assessments of the roles and requirements for electoral observer missions are constantly made by donor and assisting

agencies because past experiences demand re-evaluation in the light of new developments in democratizing countries. Under the auspices of the European Commission alone, three workshops on the subject were organized within a seven-month period (in Copenhagen under the direction of International IDEA in October 1998; in Seville with the Focus Foundation in February 1999; and in Stockholm with the Swedish Foreign Ministry in April 1999). A discussion paper on the subject, drafted by Patrick Merloe of the Washington-based National Democratic Institute for International Affairs (NDI), was also published in 1999. Electoral monitoring should be viewed as a long-term endeavour, comprising assessments of pre- and post-electoral situations.

A growing number of experts and practitioners believe that the scope and size of observer missions should correspond to the circumstances of the particular electoral environment, whether a post-conflict, transitional, consolidation or regressive situation. On the whole, the presence of international observers is important in creating an atmosphere of transparency and public confidence in the system. Observer activity reinforces the capacity of the electoral bodies to conduct elections neutrally and effectively – an effect preserved and enhanced by the presence of domestic monitors as well. Domestic monitors have certain comparative advantages and complement international observers, particularly when they develop into permanent associations within civil society in advocacy for human rights, youth and women.

Regional International Associations of Electoral Authorities

Regional and international associations of electoral authorities are currently expanding. In addition, EMBs of particular countries, such as Australia, Canada, Spain and Uruguay, have begun to provide assistance to other EMBs both through institutional initiatives and through the contribution of high-ranking electoral officials as resource persons within the context of international missions. In the Americas, such

organizations include the Association of Electoral Institutions of Central America and the Caribbean (*Asociacion de Organizaciones Electorales de America Central y el Caribe*), created under the Protocol of Tikal; the Association of Latin American Electoral Tribunals, created under the Protocol of Quito; and the Inter-American Union of Electoral Institutions (*Union Interamericana de Organismos Electorales*), which integrates both these associations and includes Canada, Mexico, and the United States as well. In democratizing countries of Central and Eastern Europe, as well as in Africa, associations have recently been created under the auspices of the International Foundation for Election Systems (IFES): the Association of Central and Eastern European Elections Officials (ACEEEO), established in 1991, and the Association of African Election Authorities (AAEA), which was endorsed by 14 countries of the region and established in 1997. In Asia, there is the Association of Asia Election Authorities (AAEA); in the Pacific, the Association of Pacific Islands, Australia and New Zealand Electoral Administrators (PIANZEA). In addition, there is a Commonwealth Association of Election Officers, two US-based international bodies (the International Associations of Clerks, Records Election Officials and Treasurers [IACREOT], and the International Institute for Municipal Clerks [IIMC]). All these associations have been active in organizing regional conferences for election officials.

Electoral authorities from different regions of the world frequently attend workshops and conferences such as those sponsored by the Commonwealth Secretariat in Oxford, England, in 1993; in the Solomon Islands, Windhoek, Namibia and Accra, Ghana, in 1995; in Gaborone, Botswana, in 1996; and in Manila, Philippines, in 1997. The Commonwealth Electoral Management Workshop of March 1996 in Gaborone was attended by 16 of the 19 Commonwealth African countries, as well as by resource persons from Australia, Canada, India, and Namibia. Participants urged the Commonwealth Secretariat to continue to strengthen its assistance in the area of election management training (Dundas, 1997, p. 204). The Electoral Institute of South Africa (EISA) held a Roundtable on Electoral Commissions in Southern Africa

in Harare, Zimbabwe, in December 1996; 24 participants from 12 countries discussed papers on the role and functioning of independent electoral commissions. In Latin America, there have been a number of workshops organized by the *Instituto Interamericano de Derechos Humanos/Centro de Asesoría y Promoción Electoral* (IIDH/CAPEL), as well as those sponsored by the Spanish Ministry of Interior with Latin American electoral authorities in Madrid in 1992, and in La Paz, Bolivia, in 1995 and 1996. In addition, the International Institute for Democracy and Electoral Assistance (IDEA) has hosted a yearly conference with the electoral authorities of its member countries since 1997.

Beyond their networking function, these associations have played an important role in the diffusion and consolidation of standards of electoral practice worldwide, and therefore in the enhancement of EMBs as institutions of governance. The papers that have emerged from some of the workshops of the Commonwealth Secretariat or IIDH/CAPEL, as well as the resolutions adopted by some of the conferences of these associations also indicate the expansion of what might be considered a world "culture of election management".

Sustaining this culture demands active leadership on the part of each centre and proactive secretariats that should also have fund-raising capabilities as well the capacity to launch and carry out initiatives. A permanent secretariat is most likely to function well when it focuses on organizing periodic activities, such as conferences and workshops, and when it serves as a focal point for assistance and research projects that affect a number of affiliated countries or officials. If it also functions as a repository of databases, resource centers and rosters of experts, it can support a broader spectrum of actors involved in international cooperation, such as governments, aid agencies, academic institutions and the media.

In this connection, such secretariats can contribute significantly to enhancing the general culture of democratization. The information at their disposal can benefit a wide range of users, including potential

fundes of the associations they serve: legislation, field and election reports, organization handbooks and training manuals, as well as databases that contain directories of electoral authorities and specific information for budgeting, including the evolution of cost per item or area. Equally important, through their activities with EMB officials, the secretariats of these regional and sub-regional associations could prioritize emerging issues in new democracies. Among these, democratization and government at the local level is increasingly prominent. Accordingly, these secretariats could eventually provide basic research and assistance programs for people in charge of local government elections.

Guiding Principles for the Establishment and Development of EMBs

A number of principles relating to the organization and conduct of elections have been established and increasingly disseminated internationally. Elections are public events with the following particular characteristics:

Elections are both national and local events. They require a centralized effort that is able to reach into every nook and cranny of a country . . . Elections are high pressure events. Once an election date is set, election administration is nothing but meeting a series of deadlines . . . Elections are high stakes events. The credibility of elections is tied to national stability . . . Elections are high budget events. The administration of elections requires that a lot of money be spent quickly and in a very decentralized manner . . . Elections are periodic events . . . Election administration . . . requires the ability to downsize efficiently between elections to the point where the election authority is appropriately staffed for its between-election tasks. Election administration is much more public-oriented than many other government functions. It touches—and must reach—all voting-age citizens . . . [and]

also requires that the election authority interact on a daily, productive and open basis with groupings within society, particularly with political parties and other non-governmental organizations. Election administration is specialized... It requires the mobilization of tens of thousands of people on a precise and unforgiving timetable. It also requires moving a myriad of forms and other supplies and equipment to thousands of different locations. Boundary demarcation and voter registration, often additional duties of the election authority, are also specialized, technical tasks. (Klein, 1995)

Principles guiding the work of electoral authorities can be summarized as inclusiveness, by obtaining support from all parties involved; transparency at all the stages of the electoral process; accountability before the legislature and the public; and responsiveness to public needs for voter information and civic education and a cost-effective approach to management. These principles are considered the best guides for meeting the needs of organizing elections. They have been phrased and expounded in different ways by various authors and organizations and should be considered the ethical backbone for the conduct of elections and the operation of EMBs (Klein, 1995; Harris, 1997; Dundas, 1993 and 1998).

Towards Internationally Accepted Codes of Conduct and Good Practice Manuals for EMBs

Codes of conduct and good practice guidelines stem from fears that the elections may not be conducted properly, particularly in view of the uncertainty inherent in periods of regime change and democratic transitions. Concerns such as the following are frequently expressed: that the electoral officials be linked to a community rather than imposed from outside; that electoral structures be permanent in nature and not transient entities that come and go according to changing circumstances; that electoral officials have the proper training and discipline; that there exist a speedy, efficient and impartial adjudication system for

complaints; that costs be kept to a minimum and that waste and fraud be avoided; that one party may dominate the process; that coordination between national, provincial and local electoral bodies is needed (Harris, 1997). Codes of conduct and related conceptual constructs have developed during the last decade as mechanisms to address these problems. Their strength lies largely in the fact that they are consensus documents that are agreed upon by all the parties involved in the electoral process rather than established by a legislative authority alone (Goodwin-Gill, 1998, p. 59).

Towards a Definition of Free and Fair Elections

As a general concept, the criteria of “free and fair” imply freedom from coercion and fairness as the correlate of impartiality. An international consensus exists on a number of dimensions of these concepts: it serves as a guideline for both election observation (Carothers, 1997b; Elklit and Svensson, 1997; IDEA, 1997c; Goodwin-Gill, 1998) and the management of elections by electoral officials (Dundas, 1993; IDEA, 1998; *Union Interamericana de Organismos Electorales*, 1996; Commonwealth Secretariat, 1997a; Goodwin-Gill, 1998).

Before polling day, the concept of “free” elections implies freedom of movement, speech, assembly and association; freedom from fear in connection with the election; unimpeded candidate registration; and equal as well as universal suffrage. The “fairness” concept includes a transparent electoral process; the absence of discrimination against political parties; no obstacles to voter registration; an independent and impartial election administration; impartial treatment of candidates by the police, the army and the courts; equal opportunities for political parties and independent candidates; impartial voter-education programs; an orderly election campaign in which a code of conduct is observed; equal access to publicly controlled media; impartial allotment of public funds to political parties when this is relevant; and no misuse of government facilities for campaign purposes.

On polling day itself, the “free” standard implies the opportunity to vote. The “fair” standard implies access to all polling stations by representatives of the political parties, accredited local and international observers and the media; a secret ballot; no intimidation of voters; effective design of ballot papers; proper ballot boxes; impartial assistance to voters if necessary; proper counting procedures, treatment of void ballot papers and precautionary measures when transporting election materials; and impartial protection of polling stations.

After polling day, the “free” standard requires legal recourse for complaints, and the “fair” standard calls for the official and expeditious announcement of election results; impartial treatment of any election complaints; impartial reports on the election results by the media; and acceptance of the election results by everyone involved (Elklit and Svensson, 1997, p. 35).

In 1998, International IDEA published a Code of Conduct on Ethical and Professional Administration of Elections that has been formally endorsed by the electoral authorities of 40 countries and that calls on electoral administrations to honour the following principles: They must (1) demonstrate respect for the law; (2) be non-partisan and neutral; (3) be transparent; (4) be accurate; and (5) be designed to serve the voters. A recent Draft Working Document on Good Commonwealth Electoral Practice has been discussed among chief electoral officers from 33 Commonwealth countries and includes a number of guidelines for good practice. First, the EMB should be legally established and protected to preserve its independence and impartiality. This is best ensured by a Constitutional provision. According to Carl W. Dundas:

An electoral body, however styled, is responsible for more than staging of a poll on election day; it is the custodian of the integrity and legitimacy of a key phase in the democratic process. It must therefore act with impartiality and a maximum of transparency, consulting on a meaningful way with interested parties, before decisions are taken on important matters and being prepared to give reasons for such

decisions.

Members of the electoral body should be appointed in a manner that ensures the confidence of public and political parties alike; they should be served by a secretariat accountable entirely to them (Dundas, 1997, pp. 208, 209). The electoral body should also be adequately funded and should manage its affairs in a cost-effective manner, with due attention to staff development and the introduction of modern methods of resource management. In budgetary matters, it should not “become subservient, or under the control of the executive which is providing it with its funds and which could make pliability a prerequisite for adequate funding” (Dundas, 1997, p. 210).

Political parties should participate in all phases of the electoral process. They should be consulted before important decisions are taken, including the appointment of members of the electoral body. The electoral body should regularly inform them of all relevant matters. Parties and independent candidates should be free to campaign on an equal basis under the law, exercising rights of free speech and assembly and fair access to the state-owned media. The procedures for the nomination of candidates should be acceptable to parties and the public at large. Any threshold imposed for the reduction of the number of candidates to manageable proportions, such as monetary deposits or number of voters required to support nominations, should be reasonable and should be supported by political parties and the public. Requirements should exist for the disclosure of the income and gifts received by parties and individual candidates and expenditures incurred; these should be strictly enforced by the appropriate authorities.

The electoral body should be responsible for all phases of the electoral process, including the registration of voters, the distribution of any voter identification cards and the compilation of the voters roll. The EMB should also be responsible for continuous revision of the voters roll and for ensuring its reliability through adequate submission to

public inspection well in advance of any poll. Party agents should be encouraged to participate in the registration process. At least one copy of the voters lists at the constituency level should be given free of charge to each party and to each independent candidate. With regard to the determination of electoral districts, “gerrymandering” should be excluded so that each vote will have equal weight to the extent possible.

For the conduct of the campaign, the EMB has a responsibility to help create an atmosphere conducive to holding a peaceful, impartial and valid poll. In this connection, it is usually useful to develop a written “code of conduct” to which all parties contribute and subsequently subscribe in a formal undertaking to abide by its terms. When an electoral body is not responsible for issuing permits for political rallies and marches, or does not have jurisdiction over the public media, it should still monitor the performance of the relevant authorities.

In organizing the poll, an EMB should be responsible for the recruitment, training and disciplining of all polling personnel, the procurement of all election materials, planning the number and positioning of polling stations and, where security may be an issue, the provision of security during the campaign and the poll. Polling stations should be situated so as to avoid unnecessarily long journeys by voters. Appropriate steps should be taken to ensure the secrecy of the ballot, with particular attention to assisting disabled and illiterate voters. Appropriate steps should also be taken to ensure the security of the ballot papers, the ballot boxes and other polling equipment at all stages. When boxes are transported to counting centers, provisions should be made to enable party agents to travel in the same vehicles as the boxes. Whenever possible, counting should take place at the polling station immediately after the conclusion of voting. Results should be verified by party counting agents, who should be asked to sign the results and should be given a copy of the form signed by the presiding officer and party counting agents. At the post-election stage, adequate electoral planning should provide for the conduct of a post-poll appraisal to

determine the quality and cost-effectiveness of the polling services and to draw any lessons for future elections.

In helping to develop a democratic culture, the electoral bodies should carry out or, if not in their mandate, encourage the conduct of non-partisan voter education programs. They should also strive continuously to improve the quality of the services they offer to the electorate and to promote public understanding of the democratic process. Finally, electoral observation by both local and international monitors should be encouraged by the electoral body, as it helps to inspire confidence in the electoral process. All observers should operate within the laws of the host country and liaise with the electoral body. Any complaints received by observers from political parties, candidates or individuals should be brought to the attention of the electoral body (Dundas, 1997, pp. 210–217).

The guiding principles for the conduct of free and fair elections set out in the formal declarations of the regional associations of electoral authorities from the Americas, Eastern and Central Europe, Asia and Africa are useful points of reference. At its third conference in Mexico in 1996, the Inter-American Union of Electoral Institutions adopted by consensus a number of resolutions by consensus that constitute the blueprint for developing permanent independent electoral bodies and enhancing a democratic culture. The following elements merit particular attention:

- constitutional reforms for the strengthening of the autonomy of electoral authorities vis-à-vis other state powers;
- career development of a highly professional electoral staff by enacting a special law on this issue;
- the creation of an electoral high management program to be handled by the Union's secretariat;
- the development and standardization of civil and electoral registries, as well as the establishment of a single identification document to be used for all activities of civil life including the elections (the Union's secretariat requests conducting an inventory on this issue);

- improvement of the system for counting the ballot and issuing its results; and

- the promotion by electoral authorities of civic education and the values of democracy through different means, including influencing the drafting of school texts and encouraging the holding of democratic elections of student representatives at schools, as well as through promoting internal democracy of political parties.

The Union also adopted resolutions to promote horizontal cooperation between the different associations of elections officials; to send technical observer teams to the different elections in the region; and to encourage the secretariat to conduct basic comparative research in the field of party and campaign financing, as well as to the continue efforts to develop a Database and Roster of Experts for electoral assistance. The secretariat was also assigned the responsibilities of financial resource management for all the activities in which the different associations of the Union may engage. Most of the principles and guidelines of these resolutions were restated by the Union at its Ottawa conference in August 1998.

It is also worth quoting extensively from a more recent declaration that contains all the elements identified as necessary for good practice. The Charter of the Association of African Election Authorities (AAEA), approved in Accra, Ghana, in August 1998, states in its first chapter:

“The Association shall have the following purposes:

- a) the promotion of free and fair elections in Africa;
- b) the promotion of independent and impartial election organizations and administrators;
- c) the promotion of public confidence in election processes through open and transparent electoral procedures;
- d) the promotion of participation by citizens, political contestants and non-partisan NGOs in electoral processes;
- e) the development of professional election officials with high integrity, a strong sense of public service and a commitment to democracy;

- f) commitment to the creation of a democratic culture and an environment in which elections can be held peacefully;
- g) exchange of experiences, information, technology and literature pertaining to elections among election administrations and other organizations;
- h) cooperation in the improvement of electoral laws and practices;
- i) the development of civic education program and systems designed to motivate citizen involvement and electoral participation;
- j) the development of simple and functional registers and registration procedures;
- k) the development of training programs and manuals for poll workers, political parties, journalists and observers;
- l) the exchange of views on methods of investigations and electoral complaints and adjudication;
- m) exchange of information relative to the production and procurement of electoral equipment and material;
- n) establishment of a resource center for research and information;
- o) cooperation in the identification of external financial sources, the evolution of systems for conducting efficient but low-cost elections and the achievement of self-reliance by African election management bodies; and
- p) the promotion of the welfare of its members in the pursuit of their professional duties.” (AAEA, 1998)

In another approach, a “Model Code of Conduct for Elections” has been proposed from the Inter-Parliamentary Union’s specialist, Guy Goodwin-Gill, which states the overall purpose of the electoral administration in the following terms:

Elections should be organized and administered by independent, impartial and trained officials, within a national election commission or other competent institution. Election administrators should be free

from interference by government or parties and should be provided with sufficient funds to allow them to fulfill their responsibilities. The principles of openness and accountability, transparency and disclosure, apply equally to the electoral administration as to political parties and candidates. (Goodwin-Gill, 1998, p. 68)

The Electoral Authority in the Public Mind

The question of the public image of EMBs has not yet been introduced in opinion polls of the most stable democracies—probably because they are generally are not considered controversial in those countries—and it has barely been introduced in opinion polls of new democracies. Nevertheless, data can be gathered in this respect either directly or indirectly, generally through polls on the conduct of elections. Some empirical evidence is available from certain countries of Western and Eastern Europe, South and Central America, Central and East Asia, India and Africa. Australia, India and Spain have furnished information on the public perception of the conduct of elections by EMBs. The Australian Electoral Commission regularly conducts opinion polls as a tool for corporate planning; the results have been very favorable. The electoral authorities of Spain, too, have recently carried out opinion surveys on the organization of elections for planning purposes and found very positive reactions. (See Annex).

In India, a nation-wide opinion survey conducted in July 1996, after the general elections, by the Centre for the Study of Developing Societies, revealed that the electoral commission was the most highly regarded of the nine political and state institutions listed. Asked which institutions inspired “a good deal of trust”, respondents answered as follows: election commission, 62 per cent; judiciary, 59 per cent; state government, 59 per cent; local self-government, 58 per cent; central government, 57 per cent; representatives, 40 per cent; political parties, 39 per cent; bureaucracy, 37 per cent; and police, 28 per cent. This response was interpreted as a public endorsement of the electoral com-

mission as independent, fair, effective and a contributor to the promotion of representative democracy (de Souza, 1998, p. 52). Voters also approved the Indian commission's political representation —a further indication of the “vibrant” nature of representative democracy in that country (de Souza, 1998, p. 53).

Box 6 PAKISTANI RECORD-KEEPING, REPORTING AND RECOMMENDATIONS

In contrast to the political instability of the country, the Election Commission of Pakistan has demonstrated considerable learning capacity in record-keeping and reporting, perhaps because of the relatively permanence of the electoral administration and the country's pervasive civil service tradition. Since Pakistan's first elections in the 1960s, the country has kept remarkable electoral records. Its archives include blueprints for the electoral operations (operational planning); sample voter rolls (albeit too old to be practicable); and the systematic preparation of post-electoral reports. The Pakistani tradition of quality reporting is unusual among electoral authorities from both stable and new democracies, comparable in its detail and timely nature to Australia, Canada and Mexico.

Although the Election Commission of Pakistan (ECP) depends on the government both financially and administratively, it has a measure of independence and autonomy that stems from the Pakistan's political structure. The Commissioners are judges. Pakistan's judiciary has retained relative independence vis-à-vis the army and the bureaucracy, unlike the country's other representative institutions — notably the political parties, Parliament and the Presidency — which lose strength during the country's frequent caretaker regimes between elections.

Box 6 (continued)

The relative autonomy of Pakistan's electoral body is reflected in the Commission's post-electoral reporting and its recommendations after the 1997 Parliamentary elections:

- *keep to the necessary minimum the reforms of electoral legislation before elections, as "some amendments which do not suit a particular group of politicians are allowed to lapse";*
- *devise "a systematic plan for creating a correct data base for computerization of electoral rolls in the near future . . . a scheme for fresh preparation of electoral rolls should be devised so that flawless electoral rolls are prepared to serve as basic instrument for conduct of free and fair elections in the country";*
- *give up the system of separate electorates—Muslims and minorities—by restoring the pre-1978 situation of a joint electorate, which is more effective in terms of administration and management; and*
- *give financial and administrative autonomy to the Election Commission "in order to raise its image at the national level and to make it more effective in conducting free, fair, impartial, and transparent elections in the country . . . on similar lines as has been given to the Supreme Court of Pakistan";*
- *extend the terms of the Chief Election Commissioner to "six years as is enjoyed by his counterpart in India", as the current three-year term is too short for the planning of elections.*

A comparison of public opinion in the Western European democracies and less stable democracies of Latin America reveals a pattern of differing degrees of satisfaction in different environments. This discrepancy is to be expected; countries with a longer democratic tradition tend to be more satisfied with the way it works than emerging democracies or re-democratizing systems. In the Latinobarometer, conducted in 17 Latin American countries, an average of 41 per cent of respondents stated that they were "very" or "fairly" satisfied. However, within countries, the percentage fluctuated, with above-average responses

of 68 per cent in Costa Rica, 64 per cent in Uruguay, 45 per cent in Mexico, 50 per cent in Honduras and Nicaragua, 48 per cent in El Salvador and 42 per cent in Argentina (*Corporacion Latinobarometro*, 1997).

Percentages for the sort of inquiry in the countries of the European Community rose no higher than 56 per cent in 1989. The last available figures of the Eurobarometer showed an average of 43 per cent (European Commission, 1993). Interestingly enough, the proportion of satisfied citizens among older European democracies does not differ substantially from those in the more recently re-established democracies of Southern Europe: Germany with 51 per cent, Great Britain with 48 per cent, and France with 46 per cent on the one hand; on the other, Portugal with 51 per cent, Spain with 40 per cent, and Greece with 39 per cent on the other (European Commission, 1993).

As to whether Latin American citizens considered democracy “fully established” or requiring further work, an average of 18 per cent deemed the process complete, whereas 77 per cent stated that much remained to be done. In Uruguay, 41 per cent held that democracy was fully established; in Costa Rica, 37 per cent; in Mexico and Nicaragua, 33 per cent. Positive response in other countries was lower. Finally, as to the overall conduct of elections – “clean” or “rigged”, the average for the 17 countries is 37 per cent “clean” versus 55 per cent “rigged”. National breakdowns showed considerable variation: 73 per cent satisfaction in Uruguay, 68 per cent in Chile, 58 per cent in Costa Rica, 51 per cent in Honduras and 50 per cent in Argentina, whereas only 11 per cent in both Colombia and Venezuela and 13 per cent in Paraguay considered their elections “clean”.

In Guatemala, on the eve of the 1995 general elections, when final peace negotiations had not yet come to an end, citizens were asked to rank 20 institutions in terms of trust and chose the Supreme Electoral Tribunal second only to the National Office for Human Rights (the *Procuraduría*). Of a national sample surveyed by the Association for Research and Social Studies (ASIES), 27 per cent voiced high confi-

dence in the Tribunal, while 13 per cent expressed a wholly negative judgement. High versus low trust in other government institutions ranked as follows: 36 versus 11 per cent for the *Procuraduría*, 23 versus 18 per cent for the government, 20 versus 17 per cent for Congress, 15 versus 30 per cent for the judiciary and 12 versus 43 per cent for the police. The confidence in the Electoral Tribunal was the more remarkable because of the general sense of mistrust and frustration at that time (López-Pintor, 1997a).

In Nicaragua, opinion polls conducted two months after the controversial second multi-party general election of October 1996 showed diminishing public confidence in the country's electoral institutions. A CID-Gallup poll revealed that 49 per cent of those questioned believed that the elections had been honest, and 40 per cent that some fraud had occurred. A Demoscopia poll showed that 66 per cent of the public manifested little or no confidence in the Supreme Electoral Council (McCoy, 1998, p. 66). These figures differ radically from the high confidence manifested in the electoral authority during the first general elections of 1990 and indicate public attention to the performance of their electoral authorities.

A New Democracies Barometer organized by the Paul Lazarsfeld Society in Vienna for conducting opinion polls in seven countries of Eastern Europe has focused on support for the new democratic regimes and could eventually add questions on electoral administration. Each year the society interviews a total of 7000 citizens of Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia. The main finding is that a growing majority supports democracy, an average of 60 per cent in 1991 rising to 65 per cent in 1995. Support for the old regime stabilized around a significant 40 per cent (Rose, 1997, p. 99). Alternatives to non-democratic rule (army, strong leader or Communist regime) were most heavily rejected in the Czech Republic (80 per cent), Slovakia (71 per cent) and Hungary (69 per cent), followed by Slovenia (65 per cent), Poland (63 per cent) and Romania (61 per cent). Bulgaria (55 per cent) and Russia (45 per cent) (Rose, 1997, p. 104).

Markedly contrasting opinion patterns emerge in Russia, where the Centre for the Study of Public Policy at the University of Strathclyde in the United Kingdom has been conducting “barometer surveys” for several years. However, although opinion favorable to the old regime is more widespread than the opinion favoring democracy, support for democracy has grown faster than support for the old regime. While a majority of Russians have demonstrated attitudes supportive of the old regime—50 per cent in 1992 and 60 per cent in 1996— support for democracy increased from 14 per cent in 1992 to 38 per cent in 1996 (Rose, 1997, p. 101).

According to an IFES national survey in 1994, Russian opinion was divided on whether the country was primarily or somewhat democratic (47 per cent) or somewhat or basically non-democratic (42 per cent). Appraisal of the conduct of elections was largely negative: 30 per cent stated that there a great deal of fraud had been committed and 26 per cent that there had been some fraud in the 1993 parliamentary elections; 48 per cent anticipated fraud in the then-forthcoming 1995 parliamentary elections. Respondents considered fraud most likely at the Central Electoral Commission (16 per cent); among local electoral officers (9 per cent), local executive authorities (9 per cent), candidate organizations (9 per cent), the executive branch (8 per cent), political parties (7 per cent), other central authorities (5 per cent); or in all of these (24 per cent). Yet smaller percentages of people had actually witnessed unruly behavior or irregular practices at the polling station. Some experienced pressures by relatives (17 per cent); others group pressures (14 per cent). Still others had encountered officials who told them how to vote: party officers (5 per cent), local officials (4 per cent) or poll watchers (4 cent). Some felt their ballot was not secret (4 per cent) or saw people receiving financial incentives to vote (2 per cent).

As to the Central Election Commission (CEC), only one of every two adult Russians had heard or read anything at all about it. Among those with some information, half (25 per cent) approved its performance, while slightly (27 per cent) considered its performance poor. A

vast majority (74 per cent) favored the computerization of elections (Ferguson, 1995).

According to IFES surveys in Ukraine, by 1998 more than half of the electorate did not consider the country a democracy (55 per cent), although this opinion had fallen from 60 per cent in 1994. Their assessment of the conduct of the March 1998 elections showed divided opinions: 33 versus 31 per cent of the citizens felt that electoral officials had protected their voting rights; 45 versus 38 per cent considered the elections well organized; and 32 versus 38 per cent felt confidence in the integrity of national election officials. Yet confidence in polling officers was generally higher: 43 versus 33 per cent (Ferguson, 1998).

IFES opinion surveys of 1996 in the Central Asian republics registered fairly pejorative attitudes as to democratic development and the conduct of elections. Although in Kyrgyzstan, 60 versus 27 per cent termed their country primarily a democracy, negative ratios of 37 to 44 per cent prevailed in Tajikistan and 35 to 44 per cent in Kazakhstan. There, a large majority appeared dissatisfied with political and civil rights (58 versus 33 per cent) and with the protection of freedoms by the government (69 versus 26 per cent). Most also showed dissatisfaction with the electoral system (61 versus 27 per cent). In the different republics, pluralities favored electoral reform: 41 versus 26 per cent in Kazakhstan; 36 versus 15 per cent in Tajikistan, and 33 versus 24 per cent in Kyrgyzstan. There was little familiarity, however, with central election commissions. In Tajikistan, 53 per cent of the population had heard or read nothing about the main electoral body and criticism of the commission's conduct was more frequently expressed than support, 21 to 16 per cent (Wagner, 1996; Olds, 1996; Charney, 1996).

Some interesting survey data come from the new democracies of Korea and Taiwan. In Korea, four national opinion surveys were conducted between 1991 and 1996, two of them by the Institute of Social Sciences of Seoul University, the other two by Gallup-Korea. On a 10-point scale, opinion in 1961 averaged 6.1 in 1991 as to whether respondents thought their country should be democratized; the first democ-

ratic government of Korea was then three years old. Afterwards, support for democracy increased to 8.6 in 1994, the year of the second democratic election, and remained unchanged in 1996 (Shin and Shyu, 1997, p. 113).

In Taiwan, four surveys were conducted by different institutes of the Academia Sinica between 1991 and 1995, with results similar to those in Korea. In 1991, a new National Assembly was elected on a multi-party basis to amend the more than 40-year-old Constitution, which was based on one-party rule. A first national survey showed 50 per cent of Taiwanese supporting democratic expansion. One year later, pro-democratic opinion rose to 60 per cent and then in 1993 to 66 per cent, the year when constitutional reforms formally ended single-party rule and instituted multi-party democracy. A fourth survey in 1995 showed some decline of democratic attitudes to 61 per cent. (Shin and Shyu, 1997, p. 114).

Moving to Africa, in Ghana in 1997, the overwhelming majority of citizens expressed satisfaction with the way in which the electoral commission and polling station officers had conducted the presidential and parliamentary elections of 1996. Very few had problems with the voting process, such as finding the right polling station or knowing how to fill out the ballot. Most were also familiar with the work of the electoral commission. Moreover, many Ghanaians see their country as a democracy (48 versus 10 per cent) and consider it "very important" that in Ghana one can choose from several parties and candidates when voting. Second, more than 75 per cent were satisfied with the level of political freedom in the country, as well as with the electoral system. Third, more than 85 per cent of the public agreed that the elections were fair to all candidates, that enough information was available on voting procedures, and that the counting of votes had been honest. Finally, 54 versus 23 per cent had heard or read either a great deal or a fair amount on the electoral commission; 59 versus 15 per cent said the electoral commission was a neutral body guided in its work only by the law (McCarty, 1997).

4. Conclusion

Summary of Findings

1. Elections are organized by independent electoral commissions in 53 per cent of all democracies. In 27 per cent of all these countries, elections are conducted by the government under the supervision of an independent electoral authority. In only 20 per cent are elections run exclusively by executives.

2. Elections managed exclusively by executives remain a historically residual category, not only in number, but in terms of contemporary developmental patterns.

3. The winds of reform are leading worldwide towards the creation of electoral authorities in the form of commissions that are permanent and independent of the executive, that include political party representatives, and that are staffed largely by professional civil servants.

4. The legal status of electoral authorities in new democracies is generally enshrined in the Constitution as a mechanism to limit the possibility of arbitrary reform by ordinary law or by pressure from the executive. Such is the case in practically all the Latin American democracies, as well as in many new democracies of Africa and Asia.

5. Both historical trends and specific case studies indicate that better prospects for free, fair and effective elections exist where electoral bodies are not only independent of the executive branch, but also where they can rely on a permanent professional staff. This enables the commission and its staff to develop experience and expertise in basic planning and cost-effective techniques.

6. The degree of the centralization of electoral authorities derives largely from the basic difference between the common law system of

the Anglo-Saxon world, which follows a fairly decentralized pattern, and the civil law system that stems from Continental Europe, where the central government concentrates a higher degree of authority. Whatever the model of electoral administration, some degree of decentralization is required to address the massive outreach of elections and to facilitate the organization of local elections, which take place in almost every democracy today.

7. Although no systematic research has been conducted – nor even a methodology developed for the comparative study of election costs — some preliminary conclusions can be drawn from the data presented by this paper. The cost of elections varies greatly across and within different regions of the world. One major factor in cost variations is the extent of previous experience with multi-party elections. Significant discrepancies exist between the costs of elections in stable democracies, those in transitional systems, and those that take place in the context of special peace-keeping operations. Elections in countries with more experience of multi-party elections are consistently less costly than in those where multi-party elections constitute a new undertaking. This tends to be the case regardless of the region of the world, the level of economic development and whether or not electoral traditions have been interrupted by periods of military dictatorship.

Statistically, the least costly elections (in U.S. dollars), at around \$1 to \$3 per elector, take place in countries with a long electoral experience: the United States and most Western European countries; in Latin America, Chile (\$1.2), Costa Rica (\$1.8) and Brazil (\$2.3); in Africa, Botswana (\$2.7) and Kenya (\$1.8); in Asia and the Pacific, India (\$1), Pakistan (\$0.5), and Australia (\$3.2). At the other extreme lie elections that are held as part of broader peace-keeping operations; these are the most costly

8. Intervention by the international community has generally been considered effective in helping both the democratization process and the establishment of electoral management bodies. In some of the new democracies, the impact of technical and financial international

assistance on the organization of elections has been decisive. Generally, EMBs have improved both organizationally and operationally. Over time, their dependence on administrative, management and operational support from the international community decreases, although they will continue to need technical advice and financial assistance.

9. The number of regional and international associations of electoral authorities has expanded significantly in recent years. These associations are networking increasingly to promote standards of good practice and to exchange professional expertise. The electoral authorities of some countries—such as Australia, Canada, Spain and Uruguay—also play a role in international assistance as institutions in themselves and also by contributing high-ranking officials as resource persons in international assistance and observer missions.

10. Historical evidence as well as recent conclusions by observers, analysts and practitioners, almost unanimously indicates that elections run by independent electoral bodies are preferable to those run by executives and that permanent electoral administrations are more cost-effective than temporary ones. This view has been underscored by regional associations of electoral authorities; international organizations such as the United Nations, the European Union, the Organization for Security and Co-operation in Europe (OSCE), the British Commonwealth and such international assistance agencies as the United Nations Development Programme (UNDP), the International Institute for Democracy and Electoral Assistance (IDEA), the International Foundation for Election Systems (IFES), the National Democratic Institute for International Affairs (NDI); and a host of scholars in the field of democratization.

11. A number of guiding principles have been widely recognized as crucial to the work of electoral authorities: EMBs should advocate participation by all political parties, promote transparency at all stages of the electoral process, be accountable to the legislature and to the public, promote the dissemination of voter information and civic education, and implement cost-effective measures. These principles have

been reiterated by different authors and organizations and should be considered the ethical framework for conducting elections and for the operations of EMBs.

12. Opinion surveys on the state of democracy and the organization of elections have been conducted in Western and Eastern Europe, South and Central America, Central Asia, India, East Asia, Australia and Africa. Comparative opinion trends show varying degrees of satisfaction with the way democracy works, depending to a large extent on the duration of the democratic experience. Experience with democratic stability enhances both the legitimacy of the system and its esteem in the public eye. With regard to the public image of electoral authorities, opinion surveys from the different regions of the world support the conclusion that citizens can appreciate both their successes and failures.

13. Independent electoral bodies have made a significant contribution to democracy and the rule of law. Although this factor has been noted in a number of cases of exemplary performance by EMBs, proof of their importance becomes manifest even more frequently when poorly managed elections damage the legitimacy of emerging democratic systems. Although independence and permanence in themselves are not sufficient conditions to guarantee free and fair elections, they provide significant opportunities for enhancing transparency and public confidence and hence for safeguarding the franchise in the early stages of democratization and well beyond.

Lessons Learned

1. Because electoral commissions have proved vital to the sustainability of democratic government, they should enjoy constitutional protection rather than ordinary legal regulation. Constitutional protection offers a variety of benefits. First, it safeguards EMB independence from the executive branch and particularly from sudden change by executive decree. At the same time, it enables political parties to have

voice in the electoral body without the risk of easy modification by normal legislative procedures, in which a majority might overrule minority views and thereby manipulate the entire electoral process.

2. Electoral bodies are also better protected when their members are appointed either by multi-party parliamentary approval or from lists approved by a multi-party parliamentary consensus or some other kind of all-party or social assembly.

3. Electoral legislation, including the status and composition of electoral bodies, is more widely accepted and effective when all political parties participate in its drafting. Indeed, electoral legislation by consensus should be considered an important tool for national reconciliation and democracy-building, whether it is achieved through formal negotiations (such as in Uruguay since 1924, Australia in 1984, Nicaragua in 1988 and Senegal in 1992 and 1997) or informal discussion (as in Spain in 1977, Botswana in 1987 and Russia in 1993).

4. An electoral authority can be party-based and still operate neutrally and independently. Where there is no other tradition or existing body of widely respected and independent civil servants, multi-party composition may guarantee a balanced approach better than executive or judicial appointment. Multi-party electoral commissions can effectively contribute to establishing mutual confidence, transparency and neutrality, which are essential for the proper conduct of elections. In many new democracies, as well as in the supervisory bodies of countries whose elections are managed by the Ministry of the Interior or Home Affairs, a mixture of judges and political party representatives or nominees is common.

5. Strong leadership by electoral bodies is particularly important at the early stage of democratization. Individuals of high moral stature can play a crucial role in the consolidation of the new regime and the electoral administration. In contrast to others whose identity rests largely on political affiliation, they are often better able to involve all the parties in the electoral process.

6. EMBs with a very large membership are usually less effective

and efficient than bodies with a smaller number of commissioners. The former often experience numerous difficulties in reaching decisions on both fundamental and operational issues.

7. When a permanent electoral administration is largely staffed with professional civil servants, it can operate at acceptable levels of efficacy and efficiency even without the support of high-technology equipment. High-technology equipment is desirable only when it can be easily maintained; otherwise, its installation and operation can distract EMBs from their fundamental functions. A number of electoral authorities have performed very well over time both as governance bodies and as technical organizations in countries that have long democratic traditions, but do not belong to the group of industrial societies and do not have highly developed economies. Countries like Botswana, India, Chile and Uruguay have conducted free, fair and transparent multi-party elections for many years, developing their own professional staff despite economic difficulties, budgetary restrictions, and a lack of high-technology equipment.

8. Experience with multi-party elections clearly facilitates the introduction of cost-effective administration of the polls; this is a universal lesson that points to the desirability of permanent electoral bodies as repositories of managerial capacities.

9. The question of the role of permanent commissions between election periods is frequently raised during the consolidation of democracy. During these intervals, EMBs should maintain and update voter lists, develop regulations, organize by-elections and eventually hold mid-term local elections. Other activities can centre on voter and civic education programs and the training of party cadres.

10. Though it is difficult to enforce, the control of party funding and campaign finance is frequently a full or partial responsibility of electoral commissions. Practitioners and analysts increasingly agree that periodic disclosure of funding and expenses by parties should be both established by law and made publicly available. Comparative experience shows that neither legal reforms nor judicial decisions suf-

face to curb illegal or corrupt practice. Consequently, the oversight of party and campaign spending is sometimes carried out by civil society through the application of moral sanctions, most notably by associations of domestic monitors of elections and independent media.

11. Coordination between donors, election authorities and political parties significantly in advance of the elections – starting with civic education and voter registration – not only increases confidence in the electoral process, as well as its transparency, but may also prove cost-effective by improving the planning capacity of the different actors.

12. It is important to avoid using the electoral administration as an employment program. The system should be devised with a view towards sustainability and therefore should correspond to the limited financial capabilities of the national government.

13. Plans for electoral assistance should posit elections as only a first step towards democratic development. To preserve the investment made in the electoral system and structures, assistance is usually required during inter-election periods. Moreover, assistance should go beyond electoral commissions and civic education programs to cover the development of political parties, especially in countries with single-party traditions or those that have not had significant experience with political parties. The activities of German foundations should be noted in this respect.

14. Political mistrust is expensive. This factor should be considered in international assistance programs. The greater the breach of confidence among contenders at the polls, particularly following civil unrest, the more expensive an election tends to become. Such cases often require costly measures, such as parallel electoral/surveillance bodies, high-quality ballot materials, financial incentives to the parties, and costly international observer missions. Paradoxically, investment in independent permanent commissions to dispel mistrust by parties can directly reduce some of these other types of costs.

15. The presence of international observers contributes significantly to creating an atmosphere of confidence and transparency. Observer

activity can reinforce the capacity of electoral bodies to conduct fair and effective elections. Large, short-term international observer missions are not necessarily more effective than smaller ones, particularly if the latter are preceded by the long-term observation of the entire process by several monitoring units. This approach may also prove more cost-effective. Moreover, the capacity-building effect of international electoral observation upon EMBs can be enhanced by the active presence of domestic monitors. This increasingly appears to be the case; domestic monitors have certain advantages over international observers, even though the two types of observation are complementary. In addition, domestic monitoring associations often develop into permanent organizations with a broad range of interests, such as human rights, women, or youth, all of which can have a significant impact upon increasing voter participation.

16. In the absence of highly developed state structures and political party organizations with representatives nation-wide, as is the case in most emerging democracies, local electoral authorities should be given responsibility for specific activities, such as training electoral officers and disseminating electoral materials.

17. Permanent registries promote both transparency and cost-effectiveness, particularly when they are periodically updated with corrections, additions and deletions without obliging voters to re-register. Recent reforms in this direction are being implemented in a number of new as well as older democracies, such as Botswana, Canada, Colombia, Chile, Namibia, Nicaragua and Venezuela. Among other recent developments, the computerization of voter registries has proved to be a reliable and effective mechanism for updating and cross-checking the lists at the national level.

18. Allowing citizens to vote with a variety of identification documents, such as a driver's license or passport, rather than requiring a voter's card, should be considered good practice. The use of voter cards does not in itself add anything to democratization and its nominal cost (normally very high) plus the tasks involved in distribution can

deter voter turnout and otherwise delay or disrupt the electoral process. Moreover, it does not prevent multiple voting, which can be checked by other means ranging from indelible ink to computerized systems.

19. Voter information and civic education constitute a major responsibility of EMB's; they facilitate the practice of the suffrage and enhance the political culture of democracy. Electoral authorities should carry out non-partisan voter education programs or encourage them if they fall outside the EMB mandate. In this domain, a number of organizations of the civil society currently share the responsibility for helping to develop a culture of democratic culture, most notably human rights advocates and associations of domestic electoral monitors. In addition to their mandated functions, EMBs occasionally engage in civic education programs in schools; facilitate the conduct of elections that are not political, such as those of unions, schools, welfare organizations and clubs; and lend electoral equipment for other purposes, such as ballot boxes for fund-raising activities. In some cases, such activities are undertaken as matters of custom, often at the local level.

20. By sharing training practices and manuals with political parties, EMBs can help enhance confidence in the electoral process. It can also avoid costly duplications of activities and materials. Polling officials and party agents and monitors can often make use of the same manuals and benefit from attending the same training sessions at the municipality or the polling stations on the eve of elections. This does not preclude holding separate training courses and sessions by the political parties themselves. Indeed, training for party cadres on how to document and file complaints could well be part of the regular activity of electoral commissions, especially in the periods between elections.

21. By their mere existence, new telecommunication and computer technologies put pressure on the administration of elections at its different stages: registration, voting, and counting, as well as office management. Nevertheless, the ultimate value of any technology stems from its application, which may or may not be appropriate in differing

conditions. New technologies in themselves cannot improve the political quality of elections, particularly if mistrust and lack of transparency must be overcome. It is always wise to assess the political climate before adopting any new technology and to include the political stakeholders in the decision-making process as well as in the application of the new instruments. At the managerial and technical level, however, a decision on adopting new technologies should become part of the strategic planning of EMB's – which entails a significant degree of institutional permanence. Costs must be considered in the context of alternative methods vis-à-vis the specific needs of the country; start-up and long-term investments; and questions of obsolescence and maintenance.

Cost-Effective Measures

1. Integrated, strategic, and operational planning are cost-reducing management tools easily available today for the electoral authorities of any country interested in applying them.

2. At the operational level, important savings have been achieved by requiring divisional officers to prepare their cost estimates some time ahead of elections and by making them accountable for expenditures. National staff estimates systems have been developed to include such factors as workload rates and staffing profiles to help provide a realistic view of management's expectations.

3. The single most important cost-cutting measure is probably continuous registration. Although there may be few countries in the world where continuous voter registration has been completely and successfully instituted, many countries are moving in that direction, including the older democracies, among them Canada since 1997. Given the huge costs involved in undertaking voter registration operations for the first time, permanent registers that can be updated periodically will prove cost-effective in the long run.

4. Maintaining a minimum of permanent and professional staff at

different levels of the electoral administration has proved cost-effective. The standard practice is a permanent staff at the central unit, with some permanent employees at the level of returning officer or its equivalent position, and temporary assistance elsewhere as the need arises. This pattern is generally common in countries where election authorities have a permanent status. The size of the permanent professional staff should vary with the size of the country, among other factors; national headquarters may have 10 - 100 staff and 1 – 3 in divisional offices. How this staff is recruited, trained and equipped is more important than its size. Although a large, permanent nation-wide staff appears to indicate managerial efficiency, the personnel may not be professional; worse, it may comprise patronage appointees and even agents of a particular government who seek to control elections.

5. The recruitment and training of permanent staff, whether for the main or regional offices, is most efficiently carried out from a central unit that uses consistent standards and a professional civil service approach, even if part or all of the staff must be recruited on a party basis. Further, the recruitment and training of temporary registration and polling officers is most efficiently done under the general direction of electoral authorities at the national level; this enables the various parties to follow the procedures and to articulate their interests. In most new democracies, the national election commission should perform this role, either through its national secretariat or a special director for these functions.

6. Decentralization of some main electoral operations, such as the training of registration and polling officials and the distribution of electoral materials, usually results in savings for at least transport and accommodation costs.

7. Adequate training programs for both permanent and temporary officials also can result in savings, as these programs ensure the uniform and timely implementation of rules and procedures.

8. Locally produced ballot papers and other paper materials, if politically acceptable, should result in cost savings. This becomes even

more economical if purchases for large volumes of electoral materials is made significantly ahead of the elections. When these materials are purchased from external contractors, it is more cost-effective to use a tendering process with a relatively large number of bidders. Greater savings may be achieved when tendering is completed before the elections. This is also facilitated when the production of certain materials can be decentralized—for example, party-list ballot papers—particularly in those cases when lists of candidates vary for different constituencies.

9. Disposable ballot boxes and recyclable screens have proven cost-effective in some countries by saving storage and maintenance costs. In other countries, cost-saving considerations have led electoral authorities to conclude that hard-material boxes and screens are advisable.

10. The falling costs and ever-growing capacity of computers have permitted the use of modern information and communication technologies worldwide. As in other areas of public administration, investments in these technologies should in principle be considered cost-effective, since costs are usually redeemable in the mid- to long-term.

11. Limit to the minimum possible degree the use of voter cards, especially when these involve photographs or are used only for specific elections. If other identification documents exist, these are ready substitutes. When this is not the case, the election can be used to provide citizens with some basic form of identity documentation.

12. Coordination between donors, electoral authorities and political parties, starting with registration, enhances the possibilities for operational planning and is itself cost-effective.

EMBs as Institutions of Governance: Applications of Research

Although electoral authorities have existed since the introduction of mass elections in the late 18th century, “election management” is a new

field of study and practice that has only recently emerged, following the “third wave” democracies and the peace-keeping processes of the post–Cold War period. References to EMBs in the academic works and the literature on international assistance were rare until the late 1990s. Even today, most material on electoral management can be found in agency reports and conference papers, usually produced by electoral officials and international consultants. Scholarly papers on elections and electoral behavior have generally failed to address the question of the management of elections and the role of electoral bodies. If a systematic survey were conducted on academic and professional journals on elections during the last five years, probably no more than 10 per cent would include some reference to EMBs; no more than 1 per cent would focus directly on election management problems. This field demonstrates the gap between practice and codified knowledge so frequent in human affairs, including economics and medicine. There is no correlation between the understanding of reality and the path on which reality develops. This is particularly striking at a time when so much professional effort, political will, and international aid are being devoted to democratization.

The study of EMBs is basically a realm for applied research. Research on election administration should be conducted with a view to its application; this trend has begun and should be encouraged. Such research should lead to codified documentation on the conduct of elections and to a series of technical recommendations. Some of these could be applied regardless of the country context. Elections are largely routine processes; the main items to be covered by an election budget, together with approximate time estimates for their implementation, do not vary greatly. Other recommendations will need to address varying

1 The United Nations, the Organization of American States (OAS), the OSCE and Commonwealth secretariats, the Inter-Parliamentary Union, the European Parliament and the European Commission, the International Institute for Democracy and Electoral Assistance (IDEA) from among international organizations; the International Foundation for Election Systems (IFES), the National Democratic Institute (NDI) and the International Republican Institute (NDI) among the agencies.

cultural and political factors, such as the degree of decentralization, or modalities for the representation of political parties in electoral bodies.

The field has already produced useful projects and publications, among them the following: (a) the Administration and Cost of Elections (ACE) joint project by the United Nations Department of Economic and Social Affairs, IFES and IDEA, launched in October 1998, which provides information on a range of election administration issues through an easily accessible website; (b) the collection of electoral laws and several research papers published by the Commonwealth Secretariat since the early 1990s; (c) the dissemination of compendiums of electoral laws from Latin America by the Spanish election authorities in cooperation with the electoral bodies of the *Instituto Interamericano de los Derechos Humanos/Centro para la Promocion de Elecciones* (IIDH/CAPEL); (d) the IFES 1996 International Directory of Election Offices; (e) IDEA's Code of Conduct for election administrators, entitled "Ethical and Professional Administration of Elections"; and (f) mission reports from the major assistance agencies¹ that analyze in detail the operation of the electoral bodies. The present stage still primarily involves fact-finding and basic conceptualization.

Some of the themes that have emerged from this current preliminary research should be highlighted by further research endeavors and practical applications:

1. First, and most importantly, a research agenda should be developed on the central issue of this paper—EMBs as institutions of governance—with various projects for exploring the effects of EMBs on different governance arenas. EMBs should be approached within the broad context of the entire political system, as well as in relationship to socioeconomic and cultural change in the country.
2. One project could well involve completing and updating the statistical survey of the main characteristics of EMBs in the different countries of the world with a view to developing a database for a variety of users. The statistical evidence provided by this paper is necessarily limited by time and budgetary constraints and relies largely on

available secondary literature.

3. Similarly, case studies conducted through in-depth research and interviews with resource persons in different countries could well take as their point of departure the conclusions of this paper. A study could combine 15 to 20 thematic and country-specific cases, selected according to region of the world, level of democratic consolidation and the size of the electorate—the criteria used to select countries for study in this paper (see Annex). It could underscore the main challenges to electoral authorities after the first and even second cycle of elections: increased professionalization through the development of a permanent staff; the establishment of continuous registries for voter and citizen identification; regulation of political party and campaign financing; the turnout of eligible voters, especially disadvantaged groups; and the cost-effective use of computer and communication technologies. These issues are all crucial not only to the consolidation of the electoral bodies, but also to the enhancement of democratic governance. They represent safeguards for the basic rights of citizens and for freedom from traditionally powerful executives. Such a project could be labeled “EMBs at the Crossroads”, as the prospects for both effective electoral administration and the consolidation of democratic government will depend partly, if not largely, on how electoral authorities address these issues. The main applied product from this type of research would be the publication of a “Good Practice Handbook on Election Administration,” which could interest practitioners, consultants and assistance agencies.

4. Managerial development is equally important. Research on the application of integrated planning and budget techniques in different country contexts would facilitate exchanges of experience. The ACE authors conclude that since elections now take place world-wide, there is considerable scope for comparing costs and seeking the most effective use of resources, despite country variations in cost determinants

2 This kind of information is sensitive and extremely hard to obtain.

and infrastructure. Such comparisons depend on the systematic collection of data over time with a view to managerial use. The applications of this kind of research could include the compilation and publication of (a) ongoing research on electoral budgets from countries with a range of electoral experience;² (b) planning documents from different election administrations; and (c) planning and budget management manuals with various degrees of detail according to the country and type of electoral body.

5. In the field of legal assistance, the most urgent problem is “making legal what is real”, in the words of a leader of the Spanish transition: how differing political and cultural experiences affect law-making and can be translated into viable legislation.

A number of factors are particularly important in considering the way countries from different regions of the world have met the demo-

Research Project	Applied Project
Statistical records on EMBs world-wide	Databases/ Archive
“EMBs at the Crossroads”	Good Practice Handbook
Integrated planning and budget management	Collection of budget documents Collection of planning documents Practice manuals
Political experience and law-making	Consulting background material Electoral laws/constitution Policy papers
Cultural roots of democratic practice	Consulting background material on local government /dispute resolution Policy papers

cratic challenge: constitutionalism; the scope of the private sector of the economy; experience with negotiation among political parties; and the extent of mass protest during the transition towards democracy. Applied research should focus on the specific ways in which these experiences may influence or require a given technical/legal response. The general importance of these issues, and their differences across cultures has recently been addressed by scholars studying transitions in Latin America, Africa, Eastern Europe and South Asia (Diamond, Linz and Lipset, 1988; Linz and Stepan, 1996a; Bratton and Van de Walle, 1997). The product of this type of research would be background material for use in legal and constitutional assistance; it could also be published as discussion or policy papers.

An important related area is identifying existing elements of particular cultures that embody democratic principles and that could be incorporated into a modern democratic system of government. Among these are traditional mechanisms for resolving complaints and disputes and for forming and organizing local government. The basic principles of democracy and the rule of law stem from universally felt human needs for equal treatment and good government.

It should not be assumed that these principles have emerged historically only in the West. The rule of law developed in a number of ancient societies, many of which also used one or another form of consulting representatives from various walks of life so as to determine policy or practice for a variety of social functions. Many very old traditions can provide foundations for democratic mechanisms that respond to contemporary needs. Research of this kind could greatly enrich the institutional repository of democracy as a system of government. It is reassuring to know, for example, that a peasant or shepherd could directly petition a high magistrate in Old Kingdom Egypt. Such research can also help legitimize modern multi-party competition and the rule of law in countries where the current elite may consider such institutions irrelevant, alien or threatening. For this very reason, research of this kind must take into account the opinions and memories

of a wide range of men and women from both rural and urban backgrounds. Along with providing material for legislation, this type of documentation could provide background for technical assistance programs.

6. In planning research, one should consider the capacity of existing institutions—such as UNDP, the U.S. Agency for International Development (USAID), IFES, NDI, the International Republican Institute (IRI), IDEA, IIDH/CAPEL, the European Commission, Elections Canada, the Australian Electoral Commission and the Spanish Government—as well as the possibilities offered by new organizations in the field of elections, particularly regional associations of electoral authorities. The latter usually maintain permanent secretariats that could serve as the focal point and clearinghouse for joint research enterprises. These secretariats could also serve — some already do — as repositories of databases or archives, documentation centers, and rosters of consultants and researchers of a given region. Performing a research function may also help consolidate these associations as permanent structures for professional networking and the dissemination of international standards and practices, both legal and technical, for the conduct of multi-party elections.

Concluding Remarks: On the Desirability of Permanent EMBs for Enhancing the Legitimacy of Democracy, the Rule of Law and Good Government

Efficiency, cost-effectiveness, competence and independence are frequently mentioned by expert reports as distinct advantages that permanent electoral commissions possess relative to provisional ones. It has been argued that permanent bodies are essential to promote better planning of the electoral process and that they can perform a crucial role in non-election periods. Moreover, permanent commissions avoid expensive start-up costs, are better able to hone their budgets to utilize

resources efficiently, and benefit from the collective expertise and experience that the institution develops over a period of time. Permanent commissions are also better positioned to play a positive role because their members enjoy more secure positions (IFES, 1995).

In terms of organizational rationality, cost-effective management and professional administration, permanent electoral bodies have proved more viable than other alternatives. This paper has presented detailed arguments on these factors. Nevertheless, the main theme here is the necessity for a rational model of organization to deal with problems involving the massive use of resources by large numbers of people. As a social, economic and political phenomenon this is not new. During any time from ancient history to the present when people have had to deal with services on such a scale, they created something similar to what has been defined in modern times as “bureaucratic organization”. In this regard, the seminal works *Economy and Society* (Weber, 1922) and *Capitalism, Socialism and Democracy* (Schumpeter, 1950) remain signposts of wisdom and understanding.

Ancient Mesopotamia and Egypt, along with China and the early civilizations of the Indus Valley, created forms of rational public administration to handle water resources efficiently in an agricultural economy under politically centralized control. Later, the Romans developed civil and military bodies to manage defense and trade networks throughout the then-known world – as did the Persians, Arabs, Malians and, across the Atlantic, the classical Maya. The complex model of Roman government was perpetuated by the Catholic Church throughout medieval Europe to deal not only with the propagation of religious doctrine, but civil administration and the education of the secular elite. The Church also borrowed, where convenient, from a variety of local traditions ranging from Scandinavia to Spain and eastwards into Central Europe.

From the 12th century on, modernizing monarchs in Europe adopted Church models of administration, including written record-keeping and the recruitment of administrators on the basis of standardized pro-

cedures and aptitude, as well as inherited rank or wealth. A far-flung system of competitive examinations for government positions in a complex hierarchy had been prevalent in China hundreds of years before that time and was also the basis of administration in powerful, often multi-national states throughout the world. Many similar patterns subsequently emerged in large-scale commercial ventures, industry, the welfare state and multi-national corporations. They all involve at least two problems: the massive use of resources and great numbers of people.

Elections involve much the same issues. Mounting historical evidence indicates that permanently staffed organizations are better able than ad hoc bodies to provide services to large populations. As elections are now an integral and permanent element of the political process, permanent EMBs would appear axiomatic if only because the efficiency of a governmental institution enhances the legitimacy of the political system. Three main conditions have been identified as prerequisites for the democratic consolidation: an independent civil society; a working consensus about procedures of governance; and constitutionalism and the rule of law. All three are "much more likely to be satisfied where there are also found a bureaucracy usable by democratic leaders and an institutionalized economic society" (Linz and Stepan, 1996b, p. 20).

Donors and policy-makers occasionally neglect the frequent effects of technical assistance in improving both the political conditions of the country and the quality of the regime. Recognizing these potential institution-building benefits leads to a more rational allocation of resources and more efficient program implementation.

Although efficiency arguments today may be questioned as merely "fashionable", it must not be forgotten that in the electoral process, time is invaluable. It is a test of the credibility crucial to the survival of democracy. Although many countries have had less than a decade of experience with multi-party elections, both historical trends in the older democracies and specific case studies in the newer ones indicate

that better prospects for effective and efficient conduct of free and fair elections exist when an electoral body is independent from a country's executive branch; when it can rely on a permanent professional staff; and when it can function according to criteria of basic operational planning and cost-effective considerations. As more and more countries move through second- and third-cycle elections, they will probably come to realize that electoral management is a responsibility of government equivalent to the management of other important services within state administration. Electoral structures are not ancillary or marginal to the functioning of the multi-party state. Permanent EMBs are necessary not only on grounds of technical convenience, but also of political necessity. Their organizational sustainability is inextricably linked to democratic institution-building.

Within a democratic system of government, electoral bodies serve two main purposes. Their most visible role is organizing and managing elections, from voter registration to the counting of ballots and announcement of results. A longer-term, less visible purpose is promoting confidence-building among competing parties and trust between the public and the government: "While elections and democracy are not synonymous, elections remain fundamental, not only for installing democratic governments, but as a necessary requisite for broader democratic consolidation" (Bratton, 1998, p. 52).

Electoral bodies can progressively achieve these results through successive improvements of the rules of the electoral game, a neutral application of electoral procedures, informing the public properly on electoral matters and enhancing civic education. EMBs in multi-party democracies serve as gatekeepers of the system, along with the mass media and the judiciary, because of their role in accessing power. Since elections are recurrent events that mobilize the entire citizenry, electoral authorities help to create, sustain, and strengthen the ties between the civil society and elective institutions of government. Independent electoral commissions currently perform many of the traditional functions carried out performed by political parties during the many decades of

enfranchisement and state-building in the industrial world. They articulate and aggregate the interests of vast sectors of the population to limit the power of autocratic governments and, at the same time, to bring transparency and fairness to the political system so as to make peaceful competition for power possible.

Meeting the challenges of democracy-building today calls for complementary efforts by traditional institutions, such as political parties, and new ones, like independent EMBs. Electoral commissions work to guarantee that all citizens eligible to vote for office be given the opportunity to exercise this right. Strengthening the independence of electoral commissions contributes to safeguarding the franchise and thus deepens the character of representative democracy (de Souza, 1998, p. 63).

EMBs also provide a model of competition that may be particularly important in new democracies of countries with little experience of a market economy. Simply by acting as referees of party competition for power, EMBs may influence the private sector of the economy—for better or worse. When elections are conducted neutrally and efficiently, citizens may begin appreciating what fair competition entails. In this sense, EMBs are now situated at a crossroads of the three main elements of governance: the state, civil society and the private sector of the economy (UNDP, 1997). Independent and permanent electoral commissions can serve the purposes of democratic governance better than government-based or temporary bodies.

The potential of electoral authorities for institution-building is perhaps best illustrated during crises. In two striking cases — Uruguay in 1980 and Chile in 1988 — the electoral authorities served as the ultimate referee in declaring valid the results of constitutional referendums in which the ruling military governments lost. The historical legitimacy of these electoral institutions made this transition to democracy possible. In Lesotho in 1998, the new Commission successfully resisted pressure from some of the main parties that had called into question the fairness of the electoral process, both before and after the elections. In

Ghana in 1996, the Commission helped promote participation, national dialogue and reconciliation, even though its formal power had not changed since the 1992 elections. In war-torn Mozambique in 1994, the multi-party Commission paradoxically played a generally more neutral role than the theoretically more professional secretariat. The impact of the Commission was particularly relevant when one of the two main parties decided to boycott first the voting and later at the announcement of election results.

As institutions of governance, EMBs should be considered important for achieving general political goals of the societies in which they serve. National reconciliation, political stability, the consolidation of democracy, and the rule of law are particularly important in new democracies. A recent study of more than 200 internal conflicts around the world demonstrates that democracies have a far better record of peacefully managing such disputes than do any other political systems (Harris and Reilly, 1998, p. 19). Just as democracy is a more effective conflict-management system than autocracy, permanent independent EMBs better serve the purposes of democracy—certainly in new democracies—than do other types of election administration. The establishment of a permanent and independent EMB represents a major step forward for institutional development; it can consolidate the system of electoral politics in a country. Like an independent judiciary and a professional and politically neutral civil police force, its functions are easily taken for granted by both citizens and policy-makers. Like them, too, its absence or failure can open doors to both dictatorship and chaos.

Size of Electorate	Stable	"Third Wave"
Large/Medium	Australia (S. Pacific) Spain (W. Europe)	Pakistan (Asia) Russia (E. Europe)
Small	Uruguay (L. America) Botswana (S. Africa)	Haiti (Caribbean) Senegal (W. Africa)

Annex: Country Case Study Reports

Eight countries have been selected as case studies according to four main criteria: region of the world; stage of democratic consolidation; size of the electorate; and sociocultural tradition. These also range from older to emerging democracies. Among the stable democracies in the South Pacific, Latin America, Southern Africa, and Western Europe, this annex focuses on Australia, with around 12 million electors; Uruguay, with 2 million; Botswana, with 400,000; and Spain, with 31 million. Among the consolidating democracies in West Africa, Asia, Eastern Europe, and the Caribbean, this section concentrates on Senegal, with 3 million electors; Pakistan, with 56 million; Russia, with 108 million; and Haiti, with 4 million. More than six linguistic traditions are involved among the eight countries; these include including English French, Russian, Spanish, Swana and Urdu.

Democratic Consolidation

AUSTRALIA

This case study report is based on scholarly studies, published papers from workshops of electoral authorities and experts, and personal interviews with electoral officers of Australia.

1. Political Electoral Background

Since the last quarter of the 19th century, Australia has enjoyed one of the most open electoral systems in the world. It pioneered the secret ballot, often called “Australian ballot”, and introduced salaries and other funding for Members of Parliament so that citizens without independent means could hold elective office (Lovell et al., 1995, p. 236). Rising population and successful extensions of the franchise have made the Australian electorate grow from 4.9 million in 1949 to 11.6 million at the last election in 1996. Compulsory voting and enrollment, very high voter turnout and a highly stable electorate must be singled out as the main features of the Australian electoral system.

Australia is one of the few countries in the world with effective compulsory voting and enrollment, which were established in 1924; the other main countries are Belgium, Italy and Uruguay. Voter turnout is very high; more than 95 per cent of the country’s eligible voters participated in the election of 1996. There is also a very stable pattern of party loyalties. Unlike most Western democracies during the last few decades, no substantial shifts in the party affiliation of voters have taken place in Australia. Indeed, the “swing” between parties since the late 1960s has never exceeded seven points and is more frequently around two (Bean et al., 1997, pp. 174, 231).

2. The Institutional Framework

“Administration of Australian elections has generally become fairer in recent years,” states a university textbook (Smith, 1997, p. 175).

Australia is one of the older democracies of the world that has recently reformed its electoral administration. The path towards establishing an independent Australian Electoral Commission (AEC) has been described in much detail at recent conferences of electoral authorities, as well as in the AEC's own publications (Morling, 1997; Gray, 1998).

Under the Commonwealth Electoral Act of 1902, revised in 1918, elections in Australia were traditionally managed by an electoral officer within the Ministry of Home Affairs (after 1932, the Ministry of the Interior). At the federal as well as state and district levels, electoral officers were appointed as civil servants and therefore held permanent jobs. Their security of tenure contrasts with the practice of the United Kingdom, where elections are administered as a part-time task by local government officials. Only in 1973 was an Australian Electoral Office created as a statutory authority with a measure of autonomy, but it was still responsible to the minister for services and property. As recently as 1984, the Australian Electoral Commission was established as a body completely independent of the government, based on the unanimous recommendations of a joint standing committee of Parliament on electoral reform, which included members from both houses of the legislature and members of all the political parties represented.

The electoral administration of Australia is highly decentralized. The AEC is responsible for the conduct of federal elections, federal referendums and industrial elections. It consists of three members: the Chairperson, who must be a judge of the Federal Court; an Electoral Commissioner, who must also be a judge and who performs the functions of the chief executive officer; and a non-judicial member. The Electoral Commissioner has the powers of a secretary of the federal government and is the only permanent commissioner. The two judicial Commissioners are appointed by the Governor-general for a renewable term not exceeding seven years, based on a list of judges or former judges submitted by the Chief Justice of the Federal Court. The non-judicial Commissioner must have the rank of secretary of a government department or an equivalent statutory office.

The AEC central office is located in Canberra and is functionally organized into three branches: corporate services; elections and enrollment; and information technology. Each branch is headed by an Assistant Commissioner. The offices of information and education and of internal audit are directly responsible to the Deputy Electoral Commissioner, while the First Assistant Commissioner has responsibility for funding and financial disclosure.

Seven head offices are located in each of Australia's six states and its Northern Territory, each presided by an AEC officer appointed by the national Parliament. These offices are fully responsible for state elections; they also handle activities within the state or territory related to the conduct of House of Representatives and Senate elections and referendums. As in the central unit, only a main officer has a permanent job at the state level. Below the state offices are 148 divisional returning offices, one for each constituency, each headed by a divisional returning officer. Each of these offices consists of three officers, appointed by the High Civil Service Authority, but only the returning officer works on a full-time basis. The total number of officers at this level is thus 444. The divisional returning officer is responsible for the conduct of the federal and state elections. At the municipal level, the local government authorities are responsible for the local elections, which they can conduct either by themselves or by hiring officials from national or state electoral bodies.

As a whole, the permanent staff of the AEC amounts approximately to 750 officers who are provided by the Civil Service Authority and are therefore recruited and trained according to general civil service regulations. Before the elections, polling station officers are appointed by the national electoral authorities for federal elections and referenda; by the state electoral authorities for state elections; and by the local government authorities for local elections.

Electoral bodies at the different levels may receive voter claims and complaints regarding the general conduct of the elections. An appeal system involves several courts both at the federal and state levels. At the federal level, a Court of Disputed Returns hears appeals of election

results, and an ordinary federal court hears appeals on other electoral matters. For elections at the state level, appeals go to a number of Courts of Disputed Returns and to ordinary state courts that have competencies similar to those of federal courts, but which are limited to state elections.

3. Main Functions of the EMBs

Boundary delimitation is now largely a responsibility of the AEC. Prior to 1984, when the AEC was established, the subject had been a matter of considerable political controversy. What is called the “redistribution” of federal electoral boundaries is currently conducted in two stages, with participation by both the political parties and the public. The main criteria for delimitation are numerical, designed to ensure that all divisions will have approximately equal enrollments. First, after considering public suggestions, a “redistribution committee” (comprising the electoral commissioner, the main state electoral officer, and two high-ranking officials from the relevant state government), publishes a proposed redistribution. If political parties, organizations or individuals object to the proposal, an “augmented electoral commission” is formed consisting of the former committee members supplemented by the Chairperson and the non-judicial Commissioner of the AEC. After all objections have been considered, the decision of the augmented commission is definitive (Morling, 1997, p. 17).

The electoral authorities keep a permanent registry of voters updated. Voters are expected to communicate any changes of name and address to update the register. The lists of voters are produced not by polling station, but by constituency, because a voter can vote in any polling station within the constituency in which he or she is registered. Moreover, the presentation of an identity card is not required for voting in Australia; only names of voters must be submitted to the polling officials. Non-voting and multiple voting are controlled by the electoral authorities through a post-electoral scanning of three lists: one of actual voters; a second of non-voters, to ensure future compulsory vot-

ing; and a list of double voters, which usually includes very few names.

The AEC's ordinary budget, as well as the budgets for specific elections and election related activities, are drawn up by the government and approved in Parliament for all public institutions. Once it is approved, the AEC is free to spend within the limits set by Parliament. Indeed, the commission prepares its own budget, like all the other main public agencies, before submitting it to the government. Each electoral budget is automatically calculated by the Commission on a base figure that is adjusted annually in accordance with the consumer price index. As a general principle, innovative election procedures must be cost-neutral; therefore, alternative savings must be identified within the election budget (Bright, 1997, p. 124). Public funding expenditures excluded, the budget for the 1996 general election amounted to Australian \$55.5 million for 11.6 million registered voters, or A\$4.80 per voter—equivalent to US\$3.20 per voter (Dundas, 1997, p. 132).

The AEC has conducted a systematic assessment of its cost-reduction capacity which showed that between 1984 and the last election in 1996, the average cost per elector (adjusted for inflation) decreased from A\$3.13 to \$2.55 (Bright, 1997, p. 132). It is remarkable that in only 12 years, a cost reduction of almost 20 per cent has resulted basically because of two tools: (a) critically reviewing and evaluating past performance with the techniques of strategic election management planning; and (b) automating manual processes. The AEC concluded that the "one essential formula to reducing the costs of elections is planning . . . the major key to achieving efficiencies in the conduct of elections" (Bright, 1997, p. 126).

The AEC strategic election management plan has four steps. First, the corporate plan outlines key organizational objectives to be met (to conduct federal elections, to develop procedures and ensure consistent application by all staff, to ensure that resources are available). Second, the national operational plan details the election tasks to be completed in a given year by all branches and sections of the electoral administration (specific tasks against set timelines). Third, the pre-election plan

identifies nine key tasks to be undertaken under each of the 148 divisional offices (concerning polling places, permanent staff, temporary staff, polling staff, training, polling materials and distribution, finance, computer systems, and training arrangement for the roll management system). Post-election reviews include the identification of areas of overspending and inefficiencies. The AEC conducts internal reviews and internal audits, and is also subject to external review by the Joint Standing Committee of Parliament.

More specifically, important cost savings have been achieved through the following measures: First, to help the divisional officers prepare their estimates, a national staff estimates system has been developed; it includes workload rates and staffing profiles to provide a realistic view of management expectations. Second, central tendering and advance purchasing of large-volume electoral materials before the elections helps reduce costs. Third, adequate training programs for both permanent and part-time officials also produce savings, as they ensure uniform and timely implementation of rules and procedures. Fourth, the administration of elections has benefited from automated processes. In the 1993 federal elections, for the first time, all offices of the Commission were linked by computer. The review of that experience led to the conclusion not only that the organization had managed its activities more efficiently, but also that significant economies in staffing costs had been achieved (Bright, 1997, p. 131).

The 1984 reforms introduced public funding of parties, as well as stricter regulations on campaign financing. Parties are subsidized according to votes obtained, and the commission is charged with calculating funding entitlements. In 1995, A\$4.9 million was distributed from the central fund (Smith, 1997, p. 190). The rate set for 1997 was A\$1.629 per voter (Morling, 1997, p. 18). Among the other case study countries, public party campaign financing also exists in Spain and Uruguay. For this purpose, the Commission maintains a register of all political parties. Administration of the financial disclosure laws is also the responsibility of the commission. All parties and candidates, as well

as organizations and individuals taking part in campaign activities must disclose gifts received and electoral expenditure incurred. Moreover, all of these—individual donors of A \$1,500 or more—are required to furnish an annual financial return to the commission. In the words of the current AEC chairman, “even more potentially controversial [than issues arising in the register of political parties] has been the administration of the party finance disclosure laws” (Morling, 1997, p. 18).

The Commission provides voter information and education at the time of elections and also on specific programs for which special funds may be allocated, such as programs dealing with the indigenous population.

4. Relationship with Other Institutions and Agencies

The AEC works closely with the Standing Committee in Parliament in providing advice and submitting reports. The Committee draws its membership from all major political parties and is always chaired by a member of the governing party. There are also periodic inquiries by other multiparty parliamentary committees on electoral matters; this has helped to ensure the independence of the AEC from government direction, which always risks being politically partisan. The Standing Committee and these other committees provide the chief AEC liaison points with the political parties.

With the government, the Commission has to work out electoral budgets and engage in matters affecting the preparation or submission of electoral legislation. The Commission has a noteworthy record of independence from the government. On various occasions, in submissions to parliamentary committees, it has criticized legislation proposed by the government. At one time, it prosecuted the national secretary of the governing political party for breaches of electoral law (Morling, 1997, p. 17).

With lower electoral bodies in the system, the AEC rules only over

activities with a federal scope (general elections and referendums); it gives assistance and provides officials only if requested by local authorities. In their respective areas of competence, state and local authorities are autonomous electoral administrations.

Since 1987, the Commission has produced detailed reports on the conduct of each election upon the request of the Joint Standing Committee on Electoral Reform. Strengths and weaknesses of the process are identified. The Commission publishes an "Electoral Newsfile" with periodic reports on the conduct of elections. Electoral results and related information are also published under the heading "Federal Elections" by the Parliamentary Research Service at the Department of Parliamentary Library.

5. Contribution to Democracy and Governance

The 1984 electoral reforms must be considered a landmark and turning point concerning all matters that affect the transparency and efficiency of the electoral process in Australia. Many aspects of elections have been altered since the establishment of the AEC (boundary delimitation, campaign and party financing, the Joint Standing Committee). In its less-than-15-year existence, the Commission has clearly contributed to the transparency of the electoral process by enforcing the new legislation, making the electoral authority directly accountable to the Standing Committee, being responsive to the public demands on the electoral administration, and also—with an international scope—offering electoral assistance of different kinds to countries involved in transitions to democracy.

The Australian electoral authorities can provide international electoral assistance as approved by the government and has done so in a number of countries, particularly in the South Asia and Pacific region. Moreover, high-ranking Australian electoral officials and middle-level technicians can frequently be found as members of an electoral unit within United Nations peace-keeping operations, as members of electoral observer missions in different parts of the world from either the

UN or the British Commonwealth organizations, and also as participants in seminars and conferences regarding electoral matters, more frequently at the occasion of a meeting of international associations of electoral authorities. Further, like Botswana, Spain and Uruguay, Australia is a member of the International Institute for Democracy and Electoral Assistance (IDEA), based in Stockholm.

The AEC, by jointly working with the Joint Standing Committee, has contributed to good governance by enhancing the effectiveness and accountability of the conduct of elections. This has basically been achieved by providing a forum for the open discussion of electoral issues, by facilitating dialogue between political parties, and by being accountable to the Committee, which operates in the public eye, instead of to a ministry that, by its nature, belongs to a more closed political space. Although the Commission is accountable to the Standing Committee, it is not subordinate to it. In certain cases, the two bodies have differed on issues, including majority findings.

Public opinion attests to the responsiveness and positive image of the AEC. Survey data are illustrative in this respect. The AEC regularly conducts opinion polls as a tool for corporate planning by considering "the needs of the stakeholders such as political parties, journalists, other governmental agencies and the voting public" (Hallett, 1997, p. 36). The Commission conducts three different types of polls dealing with enrollment, post-election assessment and the tracking of advertising. A 1996 post-election national survey showed that "AEC staff was rated between 93 and 97 per cent for efficiency, friendliness, helpfulness and honesty . . . 92 per cent of voters felt they were well-informed about the correct method of filing the ballot paper" (Hallett, 1997, p. 40).

URUGUAY

This case study report is based on scholarly studies, reports from professional conferences of electoral authorities and experts, and personal interviews with electoral authorities and political analysts of Uruguay.

1. Historical Background

Uruguay is one of the oldest and most stable democracies in the world. Except for a military interregnum between 1973 and 1984, multi-party elections have been held without interruption since the late 19th century. The electoral authority, the *Corte Electoral*, was created in 1924 by an act of Parliament and enshrined in a new Constitution in 1934. Current electoral practice was basically established in 1925 by a Law of Elections and a National Civil Registry. Uruguay is one of the few countries of the world in which voting is compulsory, although sanctions were established by law only in 1971 and slightly modified in 1996. It is also a country in which the electoral authorities at the provincial level are popularly elected (it has 19 lower electoral bodies, or *juntas electorales departamentales*). Political authorities are elected every five years by a system called “simultaneous double vote”, which allows for multiple candidates and lists within a single party. After selecting a party option, the voter selects a given presidential candidate and parliamentary list from within that party.

Voter turnout has always been very high, with rates of around 85 per cent and often higher. The national franchise was extended to women in 1932. At the first general election after the fall of the military regime in 1984, the turnout was 88 per cent of the country’s approximately 2.2 million registered voters. Citizens are encouraged to register at the age of 16, although they cannot vote until they have reached their majority at 18. Registered voters are then given a voting card, and once registered, they will remain in the registry for life, unless they change

residence or fail to vote in two consecutive elections. In the latter instance, or upon death, their names are automatically deleted from the registry.

Major electoral signposts during the last few decades have been 1971, 1980, 1984 and 1994. A basic two-party system was in place until 1971, when a coalition from the left entered the system (*Frente Amplio*) and obtained around 20 per cent of the vote. After several changes within this new political space, the *Frente* attained approximate parity with the two other major parties. By the last general elections in 1994, the Uruguayan electorate distributed its votes roughly equally among these three parties for the Presidency, Parliament and local governments. This may change after the 1999 implementation of a 1996 Constitutional reform that establishes different dates for national and local elections. A second round for the presidential election has also been established.

In 1980, another signpost year, the military government demanded that the *Corte Electoral* organize a referendum for constitutional reform intended to legitimize and perpetuate autocratic rule. When the government lost the referendum, a transition period towards democracy culminated in the general elections of 1984; the *Corte Electoral* thus played a decisive role in opening a new era. Another politically sensitive referendum, in 1989, dealt with the repeal of an Amnesty Law and was the first initiated by public request, through a procedure established by a 1989 law: 25 per cent of all registered voters signed a petition to the *Corte Electoral* for the organization of the plebiscite. The proposal to repeal the law brought 85 per cent of the electorate to the polls, where 65 per cent of those who had come defeated the motion. By adhering to a strict application of the law in difficult times, both in processing the referendum initiative and in declaring its results valid, the *Corte* strategically strengthened the legitimacy of the democratic system. By the late 1980s, a new transition to democracy in Uruguay was considered complete (Alcantara and Crespo, 1992, p. 180).

2. *The Institutional Framework*

The *Corte Electoral* has nine members, none of whom is required to have a legal background. Five are considered neutral, as they are elected by a two-thirds vote by a General Assembly of senators and deputies of both houses of the legislature; the other four are representatives of political parties, directly elected by each of the parties represented in the Assembly (currently three) in proportion to the number of seats they hold. The *Corte* is autonomous in all respects except its financing, which must be negotiated with the government and approved by Parliament. It is responsible for all aspects of the conduct of elections, including the hearing of claims and complaints, for which there is no appeal beyond its decision. The *Corte* is simultaneously the supreme electoral authority, manager of elections, and supreme electoral court of justice. All managerial activities are handled by a central office that reports to the *Corte*; other affairs are delegated to 19 departmental or regional offices. The central office comprises six divisions, which are respectively responsible for national elections, general services, secretariat, personnel, accounting, and the treasury.

The lower electoral bodies (*juntas departamentales*) are elected by popular vote every five years (every four since 1996) and are composed of ten members and 20 surrogate members; the candidate with the greatest popular vote serves as presiding officer and chairs the *junta departamental*. Each reports to the *Corte Electoral* and directs the operations of departmental electoral offices, which depend administratively on the national electoral office. The *juntas departamentales* also receive initial and appellate claims and complaints from lower electoral officials. Both the *juntas* and the electoral offices have a permanent character. Since 1982, the polling officers have all been civil servants on five-day leave from different offices of government.

The electoral administration employs a permanent staff of 1,159 including all levels of management; 595 work at the central offices and the remaining 566 at the departmental offices. This staff is not particu-

larly well paid and personnel turnover has been considered a weakness for achieving greater management stability in the electoral administration. Curiously enough, electoral officials are not subject to the general regulations of the state civil service, but to a special statute that has remained basically unchanged since 1925. The *Corte* recruits and appoints its own officials at all levels through public competitive examinations, but candidates are required to bring certificates of party support and appointments are made in proportion to party vote. In addition, electoral officials cannot be dismissed except for malpractice or crime, subject to investigation, and never for political reasons. As with the voting system, this is a peculiarity of Uruguay that other countries may not find desirable or easy to adopt. Still, the system has proven successful for 75 years, and it makes unfair and inconvenient practices explicit and formal, while many other countries instead choose to mask such practices.

3. Main Functions of the EMB

At the highest level, the *Corte* undertakes all strategic planning through its different internal commissions. Operational planning is handled by the general services division of the central office, which is responsible for all the highly detailed aspects of electoral administration that have accumulated since Uruguay instituted elections more than a century ago. Additional regulations came into being with the enfranchisement of women in 1940, which the *Corte* actively supported. Ever since, the registration of young voters has been continuously sought, with emphasis on the school system.

Voter registration is the responsibility of the *Corte*, which keeps a permanent registry of voters through registration committees (*juntas inscriptoras delegadas*) in the different departments of the country. As indicated earlier, 16 year-olds are encouraged to obtain an electoral card early so they can vote at age 18. Lists are updated through the registration of young people, the writing off of those who fail to vote twice in succession, as well as verification of deaths with the Ministry of

Public Health. Although the voter lists are computerized, the registration process itself remains manual. As a whole, this is not a significant administrative burden, given the small size of the population and aging trends, but it is still costly and time-consuming. To register, a potential voter must present his or her birth certificate and complete an application form. The registration office photographs and fingerprints the applicant, as well as obtaining his signature. The voter card (*credencial civica*) subsequently issued need not be renewed and may last for life.

Very few changes have taken place in part registration since 1924. Until 1971, the party system comprised two major parties, *Colorado* and *Nacional*, and the smaller *Union Civica*, Communist and Socialist parties. The third, *Frente Amplio*, initially ran in 1971 on the ticket (*lema*) of the Christian Democratic Party, itself the successor of the older *Union Civica*, and attained legal autonomy shortly before the 1984 election. Finally, in 1989, a splinter group of the *Frente Amplio* registered as *Nuevo Espacio*. Uruguay does not require a minimum number of signatures for registering a political party. They register at the *Corte* and their individual candidates at the 19 departmental juntas.

The *Corte* holds a hearing when legislation affecting the electoral domain comes before the Legislation, Constitution or Codes committees of Parliament. Currently, the *Corte* is more active in pursuing the enactment of legislation to develop the new constitutional provisions of 1996, particularly those affecting the internal elections of party presidential candidates and the second round of the presidential election. In Uruguay, as in Spain, boundary delimitation is a function of Parliament; the main electoral districts correspond to the main administrative divisions (*departamentos*) of the country, which have remained the same since 1885. There is also little legal regulation of campaign activities, media access or the financing of political parties. Consequently, the *Corte* keeps a low profile on the surveillance of these matters and confines itself largely to a reactive role if complaints are brought to its attention.

Nonetheless, acting within its mandate, the *Corte* is assiduous in ensuring that no campaign advertising is aired during the two days prior to polling; that parties are paid their electoral subsidies per voter; and that they receive certificates of previous election results so these can be applied to the bank credits granted against prospective subsidies. Private party funding and campaigning arrangements fall beyond the mandate's scope. As all the parties are represented in the *Corte*, it has felt no need to assume additional public control of campaign activities.

The *Corte* also does little in providing voter information and education. The media conducts the former on such fundamentals such as date and polling schedule and, if there is a referendum, on the content of the questions involved. Voter education is basically provided in the family and at school, the system being so highly routinized and deeply rooted in the political culture of the country. The Ministry of Culture and the schools provide civic education courses as a part of the school syllabus. Information on how to vote is provided at the family level on every election eve, when the ballot papers brought to homes by the political parties are filled in and put into an envelope before they are deposited by the voters at the polling station. As in Spain, very few people make use of the ballot papers made available by law at the polling booth. Additionally, school and club elections are similarly organized, which works as a reinforcing tool in civic education. The *Corte* usually provides free electoral materials and sends electoral officers to help in school elections.

Election logistics have followed the same blueprint since 1924, incorporating the expansion of the electorate and its increasing concentration in the capital city, Montevideo, as well as the development of modern communications. Before election day, each polling station is given ballot boxes, envelopes and all other electoral materials, including duplicate copies of a computerized list of voters. The balloting takes place at school buildings and social or sport clubs. Polling officials are civil servants seconded from other state agencies, who work

under the direction and control of permanent electoral officers from the *Corte*. A training session of about two hours is usually enough to update them on procedures a few days before the balloting. Voters can cast their ballot only in the department where they are registered; tender ballots issued at other departments are no longer allowed; the only exception is for people engaging in security or polling operations in departments other than the one where they are listed.

The ballots are counted twice: first at the polling station, and again at the constituency level (*junta departamental*), where an official counting beyond the mere addition of station tally sheets is manually made (this being another peculiarity of the Uruguayan system). For public information purposes, the Ministry of the Interior conducts its own preliminary counting, using computers for the aggregating the figures collected at the polling stations. The mass media also conduct exit polls and quick-counts based on the information provided by the Ministry, which usually announces preliminary unofficial results soon after its tally. The announcement of official results by the different *juntas* and later by the *Corte* usually takes longer because of manual counting and the allotment of seats in Parliament and *juntas departamentales*.

As a supreme court on electoral matters, the *Corte* reviews claims and complaints at the different levels of operations. Decisions at the national level are final and cannot be appealed before any other judicial body. Historically, appellate complaints have been scarce, the best known having been in 1971 by a losing candidate, Wilson Ferreira, which was finally rejected by the *Corte*. No complaints were lodged in 1994, even though the electorate appeared divided by thirds and there was a difference of less than 50,000 votes between the winner and the candidate who came in last; nor were there appeals of the Constitutional referendum in 1996, although it was decided by barely the required level of votes. One reason why few complaints are made is that the vote is counted twice manually and in the presence of party representatives.

Given the tradition of democratic stability, even during the re-

democratization process of the 1980s, Uruguay has no experience with international electoral observers. Occasional national observers are invited in small numbers by the *Corte*—largely authorities from other electoral bodies of the region. The same applies to the monitoring of elections by domestic non-governmental organizations (NGOs) that have shown no interest in the electoral process so far. Nor does Uruguay have any experience with receiving international technical assistance for elections; the electoral authorities have not needed such help. The Spanish Agency for International Cooperation gave the Uruguayan government a grant for the computer training courses of electoral officers throughout the country. There has also been a limited amount of assistance from agencies like the German foundations for workshop and research activities related to electoral issues; these have usually resulted in publications of a scholarly nature. In 1993, the Uruguayan government discussed the possibility of obtaining a credit from an international bank for the technological modernization of the electoral administration, but decided not to engage in that expenditure.

By law or in practice, the *Corte* has functions other than the management of national and local elections. Since 1982, it has organized the “internal elections” in which political parties’ authorities and presidential candidates are selected by popular vote (the latter provision having been made by the constitutional reform of 1996). Also by law, the *Corte* presides over elections at the university and the state agencies of social security services (*Cajas de Jubilaciones*). As a matter of custom, the *Corte* gives support to elections in schools, social clubs and sport clubs, among other organizations, by allowing them to use electoral materials such as ballot boxes.

4. Relationships with Other Institutions and Agencies

All of Uruguay’s electoral bodies have permanent, institutionalized and fluid relations with the country’s political parties, as they are composed only of party representatives, either formally or informally. A unique feature of the Uruguayan scene, as stated above, is the fact that constituency electoral bodies are elected by popular vote every four

years and have a permanent character.

The *Corte* has traditionally had a fairly positive relationship with the mass media, both public and private. Its institutional background helps, since very few regulations exist on media access and there is no legal prohibition concerning media provision of information to the voters, such as pre-electoral opinion surveys, exit polls and quick counts on election day. In fact, the media announce the results earlier than anybody else. Moreover, the media have expressed very few criticisms of the *Corte's* performance.

Corte-government relations basically concern matters of budget and election logistics, particularly security, which is provided by the police and unarmed military. In its budget negotiations, the *Corte* has usually been receptive to government arguments for restricting public expenditures; this is the major reason for the lag in the technological modernization of the electoral process. Uruguay has suffered from economic stagnation and from what has been termed "a flawed political economy" for most of the last three decades (Weinstein, 1988, p. 35). The burden on the public sector increased until the late 1960s, when around 30 per cent of the country's gross domestic product and 40 per cent of all salaries were paid by public corporations (Weinstein, 1988, p. 35). The compilation of electoral lists in Uruguay is already computerized and computer searches are used in the selection of polling officials in the department of Montevideo, which includes almost half of the entire electorate.

The police and military provide the security apparatus of the elections and these units come under the direction of the *Corte* at election time. The military provides security for about two-thirds of the polling stations. The government has always provided the *Corte* with transport and communication resources for the elections, furnished by the Ministries of Interior and Defense. The Ministry of the Interior is also responsible for providing citizens with their "national identification document", but this is in no way related to the Registry of Voters and the issuance of a voter card, which are the responsibility of the *Corte*.

The *Corte* confers with Parliament on matters of electoral legisla-

tion and information, as well as on its budget. It is active in promoting and discussing legislation pertaining to elections. Currently, there is a great deal of interest in the enactment of legislation to develop the 1996 Constitutional provisions. Upon request, the *Corte* provides Parliament with any information necessary for Parliamentary activity. The *Corte* has traditionally been dependent on Parliament for the publication of compilations of electoral results.

The ordinary budgetary process starts with the government, which is in charge of determining and submitting to Parliament an electoral chapter within the national budget. After complex negotiations between the parties that usually continue until the last minute, a special budget is approved by Parliament before every election in which the amount of subsidies to political parties is also established (US\$7.00 per vote at the 1994 election). The cost of an election in the late 1990s may be around US\$25 million, if party funding is included. Without including party funding, the electoral budget of 1994 was US\$6.3 million for an electorate of 2.3 million, an average of \$2.7 per elector (or \$9.7 if party funding is included). The cost of a failed referendum initiative in 1997 amounted to around US\$8.5 million, including \$1.5 million indirect costs of salaries to ordinary civil servants on a five-day secondment to the electoral bodies. Electoral costs are expected to rise in the future because of new Constitutional provisions establishing a four-date election calendar: political party internal elections, presidential elections with two rounds, and local elections for governors (*intendentes*) and department councils (*juntas departamentales*). The new modality of "referenda against current law" by popular initiative (1989, 1992, 1997) is already increasing traditional electoral expenses.

There are no other state institutions with which the *Corte* must regularly liaise on substantial issues, other than the national accounting controller (*Tribunal de Cuentas*), to which the *Corte* has to submit its accounting just as any other state authority should.

5. Contribution to Democracy and Governance

The *Corte* has played a legitimizing role in Uruguayan democracy because of its outstanding performance in crises:

During difficult years of a de facto government (1973–1984), the Corte Electoral was a bulwark of the democratic tradition of Uruguay. The National Civil Registry remained untouched, and the 1980 plebiscite—which made impossible the constitutional project of the military after a blatant ‘no’ landslide—was conducted in an exemplary manner under the direction of the Corte Electoral. The November 1984 elections ensuring a return to democracy were free and fairly conducted also under the control of the Corte Electoral. The same would apply to the internal elections of political parties held the last Sunday of November 1982 . . . The Corte’s performance at the referendum of 1989, under difficult circumstances and justified passions given the matter submitted to the popular vote, was fair and honest ensuring a result that was accepted by everybody without any objection. (Gros Espiell, 1990, p. 10)

The *Corte* also helped to legitimize democracy during the constitutional referendum of 1980, which resulted in a return to democracy, and during the amnesty referendum of 1989, which supported giving amnesty to military rulers. In addition, the *Corte* supported democracy in the late 1960s by pragmatically interpreting the election law on the participation of new parties (*leyes de lemas*), and facilitating the integration of new electoral contenders within the party system, without the need for legal or constitutional reforms (Alcantara and Crespo, 1992, p. 201). The *Corte* had an important role while Uruguay still had a civil–military government, by participating with the political parties in formulating the Law of Political Parties that established the holding of “primaries” for party candidates. The first such “internal” elections were held in 1982. Later, after the 1994 elections, when the electorate

was divided by thirds, the parties were represented within the *Corte* and arrived at a consensus for the further reform of the Constitution in 1996.

For all these reasons, analysts agree that the *Corte* has played a crucial legitimizing role of democracy (Franco, 1985; Rial, 1987; Weinstein, 1988; Gros Espiell, 1990; Alcantara and Crespo, 1992). The *Corte* should be considered one of the consensus-making mechanisms that characterize the political life of Uruguay, as much a cause as an effect of the political democratic stability of the country. It is no accident that few of the elements of the electoral system are under discussion, and that the following have not been questioned: compulsory voting, district boundaries, the ballot list system and the “simultaneous double vote” (Alcantara and Crespo, 1992, pp. 179–184). “The evidence that the system [has] worked well for a long time makes a strong argument in favor of the maintenance of its main components, considering only at a minimum necessary changes” (Rial, 1987, p. 13).

The primary lessons from the experience of the electoral body of Uruguay involve the essence of democratic politics—that is, involvement, negotiation, and strict adherence to the rule of law. By being party-based from top to bottom and inclusive of new parties when these have arisen, the *Corte* has permanently embodied the political pluralism of a country whose historical experience has been labeled “the politics of co-participation” (Weinstein, 1988, p. 19). Whatever negotiations take place in the political arena influence the *Corte*’s decisions; conversely, decisions adopted by the *Corte* could easily be assumed by the parties as their own. This applies to informal politics as much as to law-making. As a consequence, once a law is enacted, all the parties are more likely to abide by it. In the electoral field, the *Corte* has been following the law in an exemplary manner, but it has also been able to make flexible interpretations of the law—as the highest electoral judicial body—in times of uncertainty, such as interpreting the application of the “simultaneous double vote” in the presence of new parties.

A further lesson stems from the Uruguayan experience (and to

some extent also from that of Chile): that of cumulative legitimacy stemming from endurance. By being effective and enjoying the high esteem of the public over long periods of time, even a 15-year experience with military rule did not substantially erode the institutional capacity of the electoral authorities to act in a neutral and effective manner for the return of democracy. The *Corte's* continued strength would have been unlikely without its background as an independent and permanent body within the state structures. When new institutions are created on a permanent basis, they may or may not last long. However, temporary agencies of governance by definition will be ephemeral. The Uruguayan electoral commission was established 75 years ago at a time when elections were usually based on limited suffrage and were rife with irregularities and fraud. When new legislation was introduced to enlarge suffrage and to improve the quality of the system, the commission committed itself to make the system credible by its close relations with political parties and acting according to the law. The continuing support of the commission by political parties was quickly mirrored in the support shown by bulk of the citizenry and the other institutions of government. Nonetheless, despite its institutional effectiveness, the *Corte* suffers from evident technological obsolescence. Better equipment would make it as efficient and effective managerially and in terms of costs as it always has been as an institution of governance.

BOTSWANA

This case study is based on scholarly studies, personal interviews with high-ranking electoral officers of Botswana and published papers from workshops with electoral authorities and experts.

1. Political Electoral Background

Democratic stability is almost proverbial in Botswana, where multi-party elections have been held without interruption every five years since 1965. Independence came only in 1966 through negotiations between the British colonial power and all the political parties. There have been five other elections, in 1969, 1974, 1979, 1984, 1989 and 1994. Botswana has a semi-parliamentary system of government in which the people elect representatives to an assembly by the rule “first past the post” in single-member constituencies, and the assembly in turn selects a President. The President is only partially responsible to Parliament; he can dissolve it and call for a new election, but then his own office will be at stake.

The country has been ruled since independence by the Botswana Democratic Party (BDP), although at least four parties have regularly competed in elections. The country has also had only three different Presidents, the previous two having been re-elected several times. President Seretse Khama held office until his death in 1980, and Ketumile Masire retired voluntarily in 1997. The opposition started becoming stronger in 1994 when, for the first time, the main opposition party, Botswana National Front (BNF), obtained around 30 per cent of the seats in parliament—13 of 40. The majority rule in single-member districts still favors the front-runner and provides that party with a much larger number of seats than the proportion of votes obtained.

Botswana’s stable democratic scene has frequently been lauded by analysts and practitioners. The success of democracy has been considered the more remarkable because of the unfavorable socioeconomic and political conditions the nation has had to face since independence

(du Toit, 1995, p. 45). Electoral analysts have concluded that a competition for electoral offices increased between the 1984 and 1989 elections, a period that brought expanding participatory culture (Stedman, 1993, pp. 83, 105). But criticisms have also been raised among scholars and political parties alike on a number of aspects that limit the democratic capacity of the political system (Holm and Molutsi, 1989; Darnolf, 1997); a decade ago, it was labeled "a paternalistic democracy" (Diamond, Linz and Lipset, 1988).

As in the United States and Switzerland, Botswana's democratic stability contrasts with its limited degree of voter mobilization. Although voter turnout as a percentage of registered voters is normally high (68 per cent in 1989, 77 per cent in 1994), registration figures account for only a limited percent of the eligible population (70 per cent in 1989, 58 per cent in 1994). Whether the implementation of recent reforms — lowering the voting age to 18 and providing for a permanent register — will produce increased voter mobilization remains to be seen.

The main aspects of the Botswanan system that have been criticized include the following: the selection and appointment of the electoral authority (a "supervisor of elections") by the President; the new registration of the entire electorate before every election and the destruction of the old rolls of voters; a ban on the eligibility of civil servants as election candidates in a country where one third of the population that is active in the formal sector is employed by the state; the disenfranchisement of those under age 21 and those living abroad; the lack of public financial support to political parties; the lack of free access to the media; and the use of counters in voting as opposed to ballot papers (Holm and Molutsi, 1989). Important changes were introduced in 1997 by a constitutional referendum for electoral reform that answered most of the main criticisms aired by the opposition in the last decade: it created an Independent Electoral Commission and a permanent register of voters, lowered the voting age to 18, required the use of a ballot paper instead of an envelope and colored counters for the dif-

ferent parties, allowed enfranchisement abroad, and vested the conduct of the local authority elections in the Independent Electoral Commission.

2. The Institutional Framework

Since its independence in 1966, Botswana has followed a path similar to that of Australia, with uninterrupted democracy and periodic elections that were conducted by a permanent secretary at the Office of the President until 1987, when a degree of autonomy was introduced into the system with the creation of the Office of Supervisor of Elections. Most recently, the Constitutional reform of 1997 created an Independent Electoral Commission with seven members. The Chairman must be a judge from the Supreme Court; he and another legal professional are appointed by the Judicial Service Commission. The other five members are appointed by the same Commission from a list of persons recommended by an All-Party Conference, where all registered parties convene. The Electoral Commissioners serve for two successive terms of the legislature, normally ten years. Twelve district and 40 constituency commissions are also established. As a different managing body, a Secretary to the Independent Electoral Commission has been established. This Secretary is appointed by the President from the civil service and will hold that post until retirement at the age of 65. He is subject to the instructions and direction of the commission for the conduct of elections. The secretariat has a permanent professional staff of around 10 employees. The Constitutional reform also established a permanent register of voters starting in August 1998; formerly, a new register was created before every election. Although the Commission has a permanent character, only the secretariat works permanently; the Commission is operative only during elections.

Some of the Constitutional reforms were still in the process of being duly translated into ordinary law by mid-1998—among these, regulation of new voting procedures with standard ballot papers instead of colored plastic counters for the different parties, and the organization

of local elections by the Independent Electoral Commission.

3. Main Functions of the EMBs

The number of voting districts was enlarged from 34 to 40 before the 1994 elections. A boundary Delimitation Commission exists and is obliged to operate on these main criteria: natural community of interest, means of communication, geographical features, density of populations, and the boundaries of tribal territories and administrative districts. Any disparities in the population distribution and constituency boundaries based on these factors would be legally acceptable. Any discrepancy based on other elements would be unacceptable, although the Constitution does not provide for a review or challenge of the commission's findings (Motumise, 1997, p. 165). Although the opposition parties voiced some criticisms of the way the members of the Delimitation Commission had been selected, as well as the fact that the Commission meets only every ten years, its work has been considered non-partisan. The Commission held meetings to hear the views of members of the parties and the public as to how boundaries should be drawn. More importantly, four of the six newly created districts were in the largest cities of Gaborone and Francistown, where the opposition had its greatest strongholds, which favored the BNF and not the ruling party (Darnolf, 1997, p. 68). This was a major factor allowing the opposition to reach a better proportion between its number of votes and its number of seats in parliament and can therefore be considered a good practice.

By mid-1998, the new office of the Secretary to the Independent Electoral Commission was registering voters within the new framework for a permanent registry, became operational for the 1999 general election. It should be noted that, as a cost-effective measure, registration officers register voters primarily in the districts where the officers work, so as to eliminate travelling costs in their going to polling stations and subsistence costs for working away from their duty stations. As a rule for electoral operations, Botswana usually recruits temporary personnel from other sectors of the public service, such as

teachers and local and central government staff. These officers are selected by the returning officer of the constituency according to non-written criteria, including whether they speak the local language, are proficient in English, and reside the area, in order to minimize costs.

Training workshops run by the returning officer are organized in the constituency. Several manuals have been prepared and printed: "A Guide to Presiding Officers", "A Guide to Parliamentary Candidates", "A Guide to Local Government Candidates", and "A Guide to Registration Officers". Although the training of party officials and agents is not legally a function of the electoral office, it is general practice in Botswana to invite political party representatives to these training sessions. For their part, political parties also invite officers from electoral offices to their own workshops. These practices should be considered positive both for the enhancement of transparency for the entire process and also as a cost-effective measure for the operation of the system. The need for timeliness in these activities has been observed; recruitment and training too early seemed to have been a problem and increased the costs of the 1994 elections: it was necessary to offer repeated training workshops and to replace officials who had been transferred to other departments (Chikuba, 1997, p. 137).

The preparation for voting operations has usually been undertaken with a high degree of efficiency by the electoral authority, as was the former practice of formulating voter rolls before every election. These activities are planned well in advance of the elections, and indeed have benefited from uninterrupted practice since 1965. The authorities have introduced some changes, so as to save costs—for example, they discontinued the use of hessian (a strong, coarse hemp or jute sack-cloth) for polling booths, in favor of durable ones made of hardboard. Interestingly enough, this substitution of durable materials for less durable ones may be cost-effective in Botswana, but the opposite seems to be the case in Australia and Spain, where disposable polling materials are being devised to save on transport and storage expenses. In Botswana, the recently established new voting system, which requires

the use of standard ballot papers instead of the ballot envelope with colored plastic discs, may also prove cost-effective.

Another positive change in the direction of facilitating the voting operation, which also reduces congestion on polling day, is the increase in the number of polling stations; at the same time, the number of voters per polling station has been reduced to no more than 600. This can be considered a good practice, as international standards advocate no more than 1,000 voters per polling unit. Some electoral materials are procured through competitive bids, another practice that is considered cost-effective. The rest of the materials are produced by other departments with the necessary expertise, and purchased at nominal costs (Chikuba, 1997, p. 136).

In the realm of informing and educating voters, the electoral authority regularly publicized voter registration by notices, pamphlets and radio. The same was and is still done with regard to operating the polls. Voter information is also disseminated at public gatherings and party congresses. The primary weaknesses in this area have been identified: one is the lack of television in Botswana, and another, widespread voter ignorance—especially about the voting procedure, as was revealed by a study of the 1994 elections by the Democracy Research Project of the University of Botswana (Motumise, 1997, p. 170).

There is little monitoring of campaign activities by the electoral authority, other than reactively, following claims or complaints made by some of the parties. The control of candidates' campaign expenses by the electoral authorities is established by law, but in practice such control is usually ineffective. As in the United Kingdom, elections laws in Botswana (and also in Zimbabwe) do not set a limit to the amount of money parties can spend during a campaign, although a limit of US\$7,000 does exist for individual parliamentary candidates. The impression exists that many candidates spend much more than the proscribed limit (Motumise, 1997, p. 170). It is interesting to note that in Botswana, unlike so many other countries (Spain, the United States, Uruguay and Zimbabwe), political parties are not subsidized by the

state in any manner, either by a subsidy per vote obtained or by financing certain campaign activities like postage and broadcast time. In the 1996 U.S. presidential campaign, for example, each party received US\$150 million; in Uruguay, parties receive \$7 per vote; in Spain \$1. In Zimbabwe, the ruling party ZANU PF receives \$4.5 million per year, but the opposition parties receive nothing, as they do not meet the requirement of at least 15 seats in parliament that would allow them to apply for state support (Darnolf, 1997, p. 72).

As for broadcasting regulations, unlike neighboring Zimbabwe and so many other countries where the parties are given free time in the public media, parties in Botswana are not allowed to conduct any media activity. Both political advertising and debates are forbidden in a situation where the only radio broadcasting belongs to the state, and the government has never approved applications for broadcast licenses by operators other than Radio Botswana. Although all parties have received some attention from the radio news and political party leaders are sometimes allotted air time of approximately five to ten minutes' duration to communicate campaign messages, analysts generally agree that radio broadcasting is skewed towards the government (Darnolf, 1997, p. 73; Diseko, 1997, p. 78). As with the radio, the government owns a daily newspaper circulated free of charge throughout the country. Political parties have no access to this medium for campaign purposes, although they use privately owned newspapers to communicate their campaign messages. As there is no regulation allowing for free access to media, no action has been taken in this domain by the electoral authority.

4. Relationship with Other Institutions and Agencies

In drafting legislation, the electoral authority has been suggesting necessary changes to electoral laws so as to make the Constitutional reforms. The procedures usually include informal round-table discussions in the Attorney General's chambers, followed by the drafting of a

bill by that office. Drafts produced are circulated for comments among election officials. Once a draft is approved by the Cabinet, it is sent to Parliament for discussion and approval.

One important aspect of the Commission's relationship with the government is budget and finance. The electoral authority ensures that all activities planned for the financial year are properly budgeted and tries to persuade the government to accept these plans. Generally, the government has introduced financial ceilings that must be observed; these may limit the requests to the barest minimum. Thus, both the Commission authority and the government seek cost-effective approaches. The budget for the 1994 election was around US\$1 million, which amounted to \$2.70 for each of the country's 370,173 registered voters.

5. Contribution to Democracy and Governance

As an overall assessment, the electoral authorities in Botswana must be credited with good performance over the long run, no matter what the pitfalls may have been. How the new system of authority will work remains a question. There are reasons for optimism, as important steps have already been taken in the direction of further opening the possibilities for a more balanced party competition. From now on, the political parties will be represented at the Electoral Commission which, according to the Constitution, shall be responsible for "the conduct and supervision" of elections to the National Assembly, local authorities, and referendums. The Commission will be "giving instructions and directions" to a permanent Secretary which, though appointed by the president, works an independent body within the civil service.

Only four years after the death of the first President, the external assessment was the following: "The 1984 election results suggest that opposition politics are not completely moribund in Botswana . . . With the rapid urbanization of Gaborone and, to a lesser extent, of the other towns in Eastern Botswana, the BNF may pose a threat to BDP political control in the next decade. If this threat materializes, it will provide the

acid test of the viability of Botswana's multi-party political system" (Picard, 1987, p. 172). The results of the 1994 elections, and the more recent constitutional reforms in the direction of widening the inclusiveness of the system, both suggest that the test has been positive so far and that the electoral authorities have played a positive role in it.

SPAIN

This case study report is based on scholarly studies, practitioners' published reports and personal interviews with high-ranking electoral officers of Spain.

1. Political Electoral Background

After almost 40 years of authoritarian rule, democracy was re-established in Spain in 1976 through a negotiated transition between reformers of the old regime and the opposition. The first multi-party general elections were held in May 1977, and a Constitution was approved by referendum in December 1978. Parliamentary as well as regional and municipal elections have been held ever since according to the Constitutional calendar. By the early 1990s, Spain was considered by scholars to be among the 27 most stable democracies in the world (Lijphart, 1994).

2. The Institutional Framework

The current structure of Spanish electoral authority was established provisionally by ordinary law, the interim Decree of 1977, shortly before the first general election. It was the product of a consensus between the transition government and the opposition and was so successful that the current law of 1985 is merely an expansion of that "provisional" piece of legislation.

Following the pattern of most of western continental Europe, or the so called "French model", elections in Spain are basically managed by the Ministry of the Interior under the supervision of collective semi-judicial bodies, *juntas electorales*, at the national, provincial and area levels. There are also autonomous community *juntas* at each of the 17 autonomous regional governments of Spain (*Comunidades Autónomas*) with the same responsibilities as those of the central junta,

but restricted to elections for regional authorities. Lists of voters are the responsibility of the Office of the Electoral Census within the National Institute of Statistics, where the lists of voters are composed from information provided by municipal authorities. These latter authorities arrange for the polling stations and appoint polling officers who are selected by lot among registered voters from each polling area. Finally, regular courts of justice at the national and provincial levels can hear appeals of decisions by the different electoral *juntas*. As in France, more than four institutional bodies share constitute the electoral authority of Spain (in France, these are the Ministry, the Constitutional Council, the State Council, the municipalities, the National Institute of Statistics, and the judiciary). It should be noted that the Election Law of 1985 (the “organic law” voted by a special majority) is misleading in referring to the electoral *juntas* under the title “The Electoral Administration”, as it is clear from the law itself that they do not administer the elections; the Ministry of the Interior does.

Electoral authorities other than the Ministry (with an Office of the Sub-Director- General of Elections staffed by career civil servants) are appointed in the following manner: The Central Electoral Authority (*Junta Electoral Central*) is a supervisory body composed of eight judges from the Supreme Court, who are selected by lot at the Supreme Council of the Judiciary, and five other magistrates who are jointly recommended by the political parties in Parliament among tenured professors of law. All of them are appointed by royal decree. The Chairperson is elected only by those members of the junta who come from the judiciary. The Secretary of the *Junta* is the Secretary of the Chamber of Deputies (the clerk of the lower house of Parliament). The central authority is appointed for the term of the legislature within 90 days following the election and creation of a new legislature. It is attached to Parliament, where it sits on a permanent basis with a minimum secretarial staff (four to five persons) and two legal experts drawn from the body of jurists of the Chamber of Deputies. Activity by the *Junta* between elections is very limited.

The lower electoral bodies (52 provincial and 301 area *juntas*) have a temporary character, as they exist from five days after an election has been called to 100 days after the polling. Provincial bodies consist of five members each—three from among judges of the Provincial Court, selected by lot at the Supreme Council of Judiciary, the remaining two from among professors of law and well-reputed legal experts jointly recommended by political parties. They are appointed by the central electoral authority. The two magistrates proposed by political parties are appointed only after the registration of candidates is completed. Area electoral bodies are also composed of five members, three selected by lot and appointed by a higher court of justice, and the other two by the provincial authority based on a joint proposal of candidates by political parties among residents in the legal professions.

Polling station officers are selected by lot by the Secretary of the municipality among literate registered voters younger than age 65 and are appointed by the area authority. Three officers per polling booth are selected between 25 to 29 days after the election has been called. The presiding officer is the person with the highest level of education, at least a secondary school certificate. Accepting appointment is compulsory and a per diem is paid. The local government Secretary becomes the official delegate for the selection of the area authority. There are three polling officials and at least one security agent for each of 40,000 booths, with per diems assigned to polling and security officers at the rate of approximately US\$60 and \$98, respectively.

3. Main Functions of the EMBs

The central *Junta* and the Ministry do not have to be legally consulted by Parliament when legislating on electoral matters, although the junta is empowered to submit proposals for modifications to bills that are being discussed in Parliament. In practice, there is also informal consultation with both the *Junta* and the Ministry. Strategic and operational planning comes under the Ministry, which develops plans and programs and circulates them downwards to the municipal level. The

electoral registers are handled at the provincial offices of the National Institute of Statistics. Lists of voters are distributed to the Municipalities for a five-day revision period before elections. The updating of lists was conducted on a yearly basis until 1998, when monthly updates were established. After their revision, the Office of the Census distributes voter lists organized by booth to each polling station. Voter lists also are handed out to political parties, but not to the Ministry, which receives only aggregate figures of voters at different levels.

There is no boundary delimitation activity in Spain, as the electoral districts for general and municipal elections are established in the Constitution. For regional elections, districts can be modified by ordinary law at the regional legislative assemblies, as contemporary Spain has a quasi-federal state.

The electoral budget is prepared by the Ministry and approved by Parliament. Party and candidate registration is conducted at the Ministry. Electoral budgeting in Spain generally follows an incremental approach, as elections at some level or other take place almost every year. A parliamentary system exists both at the national level and in four of the seventeen regions, and these legislatures can be dissolved and an election called at any time within a four-year term. Moreover, regional and municipal elections, as well as elections to the European Parliament, are held on a calendar different from those of general elections. In recent elections, the electoral budget has amounted to around 10.5 billion pesetas, not including 2.5 billion of public funding that goes to political parties for campaign purposes. This amounts to approximately US\$2.20 per elector, or \$2.70 if party funding is included, for an electorate of around 31 million.

The election budget belongs to a section of the national budget devoted to "elections and political parties", and it includes all costs of the electoral operation, except some minor costs like the regular operation of the central *Junta*, which is supported by the budget of the Chamber of Deputies. The application of the election budget is a com-

plex matter, as so many different agencies belonging to different spheres of government are involved. Until recently, the rule was that the ministry reimbursed each agency—the ministry, provincial governors, local governments, provincial and area *juntas*, the National Institute of Statistics, the Post Office, Police and Armed Forces and the Ministry of Foreign Affairs—for the costs incurred during the election. Decrees in 1991 and 1992 on the procedures and management of electoral activities introduced reforms by requesting that all agencies involved provide budget estimates prior to the election, with the corresponding credit assigned to them only afterwards. The estimates are sent to the Accounting Court for public audit purposes. Some cost-effectiveness may have followed this reform, although it would be hard to quantify. This has led to better planning, however, as all the agencies involved are forced to anticipate how they will organize, which in itself tends to increase the confidence of the different agencies involved in the electoral process.

For the management of elections, Spanish legal texts are user-friendly tools that look like operations manuals. This stems from the fact that they were developed very recently and drafted so as to avoid the complexities of the neighboring French Electoral Code, which is a compilation of a variety of older legal texts. Spanish legislators were aware of the necessity for systematization and simplicity that would leave little room for misinterpretation or discretionary action by either the Ministry or other electoral officers.

The Ministry regularly conducts media programs and publicizes voter information, usually to encourage participation. Additional public information efforts are a matter of campaigning by political parties. Access to the media is handled by a special Commission on Radio and Television according to criteria set by the central *Junta*, which has a supervisory responsibility.

The ballot is counted at the polling station in the presence of party representatives and other persons permitted by the presiding officer, among them staff from the Ministry of the Interior, who take note of

results and have them electronically sent to the Ministry for a centralized provisional counting in Madrid. This operation is always contracted out to an external firm. The main parties also conduct parallel counts and quick counts through their own polling agents and at their own headquarters. This is an expensive, but efficient operation. The counting of the vote and the announcement of results are considered among the fastest in the world. Results from polling stations are tallied according to a statistical sampling model until the entire electorate has been surveyed. In the last general election in 1996, results started arriving at 9 p.m., and by 11 p.m. almost all the results had been counted. The announcement of these unofficial results usually starts after 10 to 20 per cent of the vote has been counted, usually within two hours after the closing of polling stations at 8 p.m.

The Ministry announces provisional results a few hours after the closing of the polls, and the central *Junta* announces official results a few days afterwards, once all claims and complaints on the ballot have been sorted out. Some areas of the electoral process have been computerized: the register of voters at the Office of the Census; the aggregate counting of the vote; the internal management of the Ministry, where there is also a computerized electoral database and a documentary database. It was only in the mid-1990s that a centralized mechanization of the electoral registries, including cross-checking of duplications at the national level, took place under contracts with two external firms. Until then, time did not usually allow for a comprehensive verification.

Through the executive branch, the *juntas* have supervisory and disciplinary responsibilities for the conduct of elections and can impose fines. This authority stems from the Sub-Director-General of electoral processes at the Ministry of the Interior and through career civil servants of the office of provincial governors, local governments, and the Office of the Census, which also has provincial branches. Some regional governments, most notably Catalonia and the Basque Country, have established their own electoral services. In most of the other regions, however, the administration of regional elections is handled by the

Office of the President, though frequently with technical support from the national Ministry of the Interior and its provincial governors.

The *juntas* at the different levels are responsible for responding to complaints or irregularities during the electoral process, and higher-level *juntas* can also hear appeals from subordinate *juntas*. They must reach a decision in five days. No further appeals are allowed against these decisions. In the event of electoral crimes, the *juntas* instruct and pass the case on to the regular courts of justice at their level. Most complaints brought before provincial *juntas* have to do with the announcement of candidacies; claims of irregularities in the organization of elections are very rare. There have been some cases of disputed returns (three or four since 1977) with varying results that have always been accepted by contending parties.

Because union elections and fund-raising campaigns are considered election-related activities, the electoral authority of the Ministry lends the ballot boxes to the authorities in charge of these undertakings. It also lends equipment to foreign embassies that need to provide voting facilities for their own citizens.

Having itself received considerable international support during the years of democratic transition, the Spanish government has been active on the international electoral scene. During the transition period, the Spanish political parties received technical assistance from the German foundations in capacity-building, largely in creating organizations and training cadres. Since the consolidation of democracy, the Spanish electoral authorities from the Ministry have provided support to Latin American electoral bodies and UN electoral missions, notably in Latin America and Africa. The Spanish government is also a member of IDEA and one of its main contributors.

With regard to Latin America, Spain assisted Nicaragua in its 1990 elections and subsequently helped that country organize its civil registry (López-Pintor, 1998, p. 49). In Nicaragua's second elections in 1996, the vote-counting was financed by Spain. Bolivia's Single National Registry (*Registro Nacional Unico*) was created with Spanish

funding. In El Salvador, Spain provided official polling manuals. On a multi-national scale, the Spanish ministry has sponsored several workshops and conferences with the electoral authorities of Latin America; the one in Madrid in 1992 led to the production and publication of a compendium on electoral legislation and electoral administration; two other conferences were held in Bolivia in subsequent years.

Spain's electoral authorities have developed experience during the last 20 years with a number of cost-effective measures.

- Considerable savings have come from the decentralized printing of ballot papers since the late 1980s (party lists are different in each of the 52 provinces), and by widening the bidding to a larger number of firms. Savings of 50 per cent or more have been reported, moving the cost from 1.6 pesetas to 0.60 per ballot, an economy of around US\$2 million per election.

- Substantial savings were also made in the process of counting the vote after the bidding was widened to a larger number of firms, albeit under stricter conditions, thereby making it more competitive. This item being one of the most expensive of the electoral operation, along with per diems to polling officers and security agents, the reduction in recent years of around 25 per cent of former costs is considerable, around US\$1.7 million per election.

- The costs of voter information campaigns by the Ministry was reduced enormously in the early 1990s by limiting campaigning to the state-owned media, where air-time is free. Expenditures were reduced from 1.3 billion pesetas (approximately US \$13 million) to around 100 million (US \$1 million).

- As indicated above, decentralizing the procedures for the preparation and application of the budget, and making each agency formally accountable for its own budget and accounting, appears to have been cost-effective.

- The electoral authorities have conducted a study on the feasibility of substituting disposable ballot boxes for the current hard plastic boxes. Savings on storage costs, as well as on some production costs,

are expected; currently, about 30 per cent of all boxes are irrecoverable after an election anyway. This type of cost-effective measure has already been taken in Australia.

- The authorities are also discussing substituting a single ballot model for the current multiple ballots (there are as many as ballots available as there are party lists), with subsequent savings on the printing of ballots and a more rational organization of the polling space where ballots for each list must currently be made available (CEC, 1994, p. 134).

4. Relationship with Other Institutions and Agencies

The relationship between the central *Junta* and the Ministry is rather distant, as there is no established liaison mechanism to guarantee routine contacts between the two bodies. This may be unnecessary, as experience has not shown any serious breach of confidence. Nevertheless, the Ministry raises for approval or supervision by the *Junta* any major project on electoral organization, and the *Junta* relies on the Ministry for administrative support of its operations. Whatever tensions may have existed, they never surfaced to public view. As they are basically staffed by judges, the *juntas* tend to be reactive rather than proactive.

The relationships between political parties and the *juntas* have tended to be smooth, as the parties are generally represented in the collective electoral bodies and are kept abreast of current operations. No major conflicts have surfaced. A tradition of good terms also exists between the parties and the Ministry. Only one major clash has occurred between the Ministry and a political party during past 20 years; it concerned the monitoring of the provisional counting of the vote at the Ministry in the 1993 general elections by the United Left coalition, which demanded direct access to the computers from the very start of the operation and a right to use the information at its will. The Ministry allowed access but did not make a telephone available to party monitors. The central *Junta* stood by the party and against the

Ministry, but the latter did not comply.

5. *Contribution to Democracy and Governance*

Overall, there has always been a high degree of confidence in the electoral management of the system, in part because of the following factors: early participation by the political parties in creating the electoral system, as consensus-building prevailed throughout the Spanish transition to democracy; the solidity and prestige of a highly professional civil service since the early 1960s, despite varying party loyalties among its ranks; and the experience with trade union elections and labor negotiations by clandestine unions since the 1960s, even within the formally Fascist business and union organization of the old regime. Indeed, some of the career officials of these unions were in charge of the administration of the first multi-party elections; clandestine unions had reached the point of taking over the Fascist unions through elections during the later years of the Franco regime and those elections were managed by some of the same officials who would later run the democratic elections.

All of this indicates that the electoral authorities of both the Ministry and the *Juntas* enjoy high public prestige. There has never been a rejection of global results by any political party, which is remarkable because the party system of Spain is characterized by tremendous pluralism and fragmentation. In addition to the national party system, at least two others exist, respectively in Catalonia and the Basque Country. No less than 13 different parties have held seats in the Spanish Parliament since 1977.

There is no official or published reporting on the conduct of elections by the *Junta* or the Ministry. The latter prepares reports for planning purposes. As in other countries, such as Australia, the Spanish election authorities at the Ministry have conducted opinion surveys on national samples of the population to assess the electoral process and obtained generally favorable responses. Proximity and access to the polling stations, the organization of the voting and protection of the secrecy of the ballot were all considered very positive aspects, accord-

ing to a 1993 Ministry survey.

SENEGAL

This case study report is based on scholarly studies, the reports of international electoral observers, and personal interviews with electoral authorities of Senegal.

1. Political Electoral Background

Senegal is one of the more stable polities in Africa and also one that has been moving towards multi-party democracy through successive reforms over a 20-year period. Transition from one-party rule to multi-party politics started in the late 1970s, culminating in the 1983 presidential and legislative elections, when political parties, without restriction, were able to compete for office. A new Constitution in 1976 had “imposed” the existence of only three political parties; further amendments to the Constitution allowed for a fourth party in 1979, but restrictions on other parties were lifted only in 1981. Since 1983, general elections have regularly taken place every five years, the latest legislative election having been in May 1998. Regional, municipal and rural elections are also regularly conducted every six years, most recently in 1996. Yet the Socialist Party (PS) (known before 1976 as the Senegalese Progressive Union led by Leopold Senghor) has always been the ruling party, having held the Presidency and a majority in Parliament in what some analysts consider a “guided democracy” (Fatton, 1987, p. 12) and others describe as “development and fragility” (Diamond, Linz and Lipset, 1988). Senghor resigned the Presidency in 1981 in favor of Abdou Diouf, the current President. Nevertheless, the PS under Diouf has governed in a coalition with the Senegalese Democratic Party (PDS) since 1992, and later (until the recent legislative elections) with the Democratic League–Movement for the Labour Party (LD–MPT) as well. This “sharing” arrangement has amounted to coalition government on a large scale, as these parties together represented more than 90 per cent of the Presidential election of 1993.

For all administrative purposes including elections, Senegal is divided into 10 regions, 30 departments decentralized into 90 smaller groupings, 48 urban districts and 317 rural communities. A multi-party system exists; 11 parties hold seats in the National Assembly. The voting age was lowered to 18 by a reform of the Electoral Code in 1992. The President is elected in a first round if one candidate receives an absolute majority of a poll in which at least one-third of the registered voters participates. Otherwise, a second round takes place two Sundays later. The Presidency was a five-year term before 1993, when a seven-year term was introduced by Constitutional reform. Presidential elections are scheduled for 2000. A National Assembly with 140 seats is elected by halves by a mixed formula of proportional representation on national lists of 70 deputies, the other 70 by "first past the post" voting in single-member constituencies. Voter turnout averages about 50 per cent of all registered voters and is somewhat higher in Presidential than in legislative elections (58 per cent for both types of elections in 1988, but only 40 per cent for legislative and 52 per cent for Presidential elections in 1993). About 30 per cent of the voting-age population remains unregistered, which makes the actual participation of the electorate even lower than the figures above indicate.

2. The Institutional Framework

Following the French tradition, the electoral administration of Senegal consists of different bodies, although the main responsibility for the organization and management of elections belongs to the Ministry of the Interior, which operates through civil servants of the central government and through governors and prefects at the lower levels of government. The electoral administration has undergone some significant changes in 1992 and more recently in 1997, when the post of a Director-General of Elections was created, giving a higher rank to the chief electoral officer within the Ministry of Interior. The Electoral Code was reformed in 1992 after intensive demands by the opposition parties, following the denunciation of many irregularities and the pub-

lic disorders in the aftermath of the 1988 general elections. The reforms were proposed and drafted by a Reform Commission presided over by a judge who accepted the appointment on condition that all the political parties achieve consensus. Representatives of all registered political parties participated in the Commission, which dealt basically with lowering the voting age to 18; the introduction of proportional representation for the election of at least a number of councillors on municipal and rural councils, which allowed for a greater participation of opposition parties in these local government bodies; giving the parties a degree of participation in the electoral administration; and requiring the use of indelible ink as a safeguard against multiple voting.

The role of supervising elections role was removed from the Supreme Court (which retains an adjudication function) to the Appeals Court, which has four times the staff of the Supreme Court. Three judges of the Appeals Court preside over a National Vote-Counting Commission as a temporary body in charge of tabulating votes, which are provided by the polling stations. This Commission is headed by the first magistrate of the Court of Appeals and consists of other magistrates and one representative from each political party or coalition. The Supreme Court rules on appeals of electoral complaints and proclaims the official results after receiving tabulation sheets from the counting commission. Supervision of partisan electoral campaigning is the responsibility of a Radio–Television High Council.

In 1997, only after intense negotiation with all the parties from the opposition, a nine-member supervisory body called the National Observatory of Elections (ONEL) was created; it functioned for the first time during the 1998 legislative elections. ONEL was a compromise solution to the demands by 19 political parties for an independent election commission. ONEL members are all appointed by the President. The body includes a bureau with a Chair and a General Secretary, both also appointed by decree. ONEL members are chosen from high-ranking public officials, active or retired, from levels A and B of the civil service and also from persons with similar qualifications from the private

sector. The first ONEL Chair was a retired general. The other eight members were two university professors, a human rights advocate, a retired civil administrator, a notary public, a lawyer, a judicial officer, and a journalist.

For regional and local elections, the Chair of ONEL appoints a Regional and Departmental Observatories of Elections (OREL and ODEL), which consists of seven members chosen from “independent personalities” of the region well-known for their “moral integrity and neutrality”. OREL and ODEL have the same supervisory and control functions within their respective areas of authority that ONEL has at the national level (The Government of Senegal, 1997).

Polling places are staffed by a presiding officer and two other officers, all appointed by the Ministry of the Interior or the prefect or the regional governor acting on the Ministry’s authority. Each party or candidate may designate a representative as an official of the polling place. Party representatives are paid an honorarium by the Ministry. These members must be registered voters from the communes or the rural communities where the polling station is located.

2. Main Functions of the EMB

Electoral legislation initiative belongs to the government, although it is pressure and demands from the opposition parties that have caused the political and electoral systems to become increasingly inclusive since the 1970s. In fact, the more recent legal reforms of 1992 and 1997 show a classical pattern of consensus-building and negotiated reform between government and opposition.

Registration of voters is a responsibility of the Ministry through the administration of urban and rural communities in charge of preparing the lists. There are administrative commissions for the preparation and revision of the electoral lists of the districts. Since 1992, these commissions have been made up of the mayor or his representative, a delegate of the administration designated by the prefect, and a representative of each legally constituted political party. Revised lists and corrections are

sent to the Ministry of the Interior file automation department. The Ministry composes computerized lists of all eligible voters, which are revised annually and also before each general election.

In a country with more than half of the population is rural and illiterate, registration is cumbersome and costly for the citizens, who first have to obtain a national identity card to apply for registration and then must wait for an electoral card to be issued. Electoral cards are distributed to the citizenry by special local commissions with representatives of political parties a few weeks before every election, but these cards can also be claimed by the voter on the polling day. Deficiencies have frequently been identified by parties and observers concerning the organization of the registries and the handling of identity and voting cards, but not to a massive extent (NDI, 1991, pp. 43–45; IFES, 1992b, pp. 41–44).

Absentee voting is permitted in theory, but is not yet possible in practice. Although Senegalese citizens overseas may register at their embassies, the necessary regulatory and technical arrangements for the voting process have not been made (NDI, 1991, p. 27; IFES, 1992b, p. 15). Approximately 1 million Senegalese live abroad. It should be recognized, though, that absentee or external voting is a controversial issue in almost every country with large populations abroad and that no easy solution exists from an international comparative perspective.

Registration of candidates takes place at the Supreme Court for Presidential elections and at the Ministry of the Interior for legislative elections within given time periods. The lists of candidates are published one month before the elections. The Ministry establishes by decree the amount to be deposited by every candidate and party applying for registration.

All the strategic and operational planning for the elections is done at the Ministry of the Interior. The budget for elections is prepared at the Ministry. A draft budget by the government before the 1993 parliamentary elections established direct election costs equivalent to US\$3.2 million, which would amount to \$1.2 for each of the 2.6 million regis-

tered voters (IFES, 1992b, p. 39). According to direct reporting by the Director-General of Elections, at the parliamentary elections of 1998, the electoral budget was raised to US\$ 12.8 million, which amounts to \$4.1 for each of the 3.1 million registered voters. By the time of this election, the number of seats increased from 120 to 140; the number of contending parties from 11 to 18; and the number of polling stations from 6000 to over 8000.

The Electoral Code is silent on the means of financing political parties and controlling election expenses, although it gives the Ministry of the Interior general responsibility on this matter. Significantly, the Constitution forbids direct foreign aid to political parties, although indirect assistance may be provided in a number of ways. As the campaign lasts only three weeks, there is no effective separation between expenditures made by the ruling party (and other parties in the coalition) and those made by the government in pre-official campaign periods (IFES, 1992b, p. 31). The election administration — whose principal participants at all levels (departments, districts and rural communities) are traditionally associated with the party in power — does not have to answer to a higher authority for its management (IFES, 1992b, p. 16).

Polling operations are organized by the Ministry, which provides for all the materials required for the elections; these operations have been improving in recent elections, according to observer reports. There is one polling place per 600 voters, with about 7,750 polling places nationwide. This more than doubled the number of polling places existing before 1993, when many more than 600 voters were assigned to each polling station. An old demand by opposition parties has also been that voters always be assigned to the polling place nearest their place of residence (NDI, 1991, p. 29).

The security of elections is ensured by the police. Unless requested by the presiding officer, no security official or any other person carrying weapons can enter the polling place.

Free time on the state-owned radio and television stations was allocated to political parties by decree before every election prior to 1993.

The reform of the Electoral Code created an ad hoc commission with responsibilities on this matter. Voter information and education is scant; a deficit in civic education activities by the media, political parties, civic associations and the school system has been identified as a primary area of concern (NDI, 1991, p. 45; IFES, 1992b, p. 35). Party representatives are entitled to be present at the polling operations without any limitation by the presiding officers. The counting of the ballots takes place at the polling station, and the President must give copies of the results to representatives of parties and candidates. Prior to the 1992 reforms, copies were made available only upon the request of party representatives and this practice was not always ensured, according to some international assessment mission reports (NDI, 1991, p. 45).

Prior to 1993, the Supreme Court was legally responsible for ensuring that the election campaign be properly conducted, for resolving complaints related to the balloting process, for tabulating the tally sheets, and for announcing the results. The Court was also charged with monitoring the media and reviewing complaints presented by the parties about media coverage, thus ensuring equality of news coverage among parties and candidates. This allocation of responsibilities raised concerns about the Court's capacity to assume an administrative burden of this scope. Some parties also suggested that the justices of the court were perceived as partisan, as they all were appointed by the President (NDI, 1991, p. 25). As indicated above, the electoral reforms of 1992 changed these arrangements.

Some of the weaknesses that opposition parties and electoral observers still identify are cumbersome registration procedures, faulty registers, and problems with the distribution of voting cards—which may prove unnecessary as a safeguard against double voting, once indelible ink is used. Some of the other needs listed by these individuals include placing polling stations close to the voters' homes; clear regulation of the handling of non-used and voided ballots; and increased voter information and civic education in a society in which half of the population is rural and illiterate, and where almost one third of the

adult population remains disenfranchised in practice if not by law.

4. Relationships with Other Institutions and Agencies

The Ministry of the Interior, as the core managing institution of elections, is the centre of the electoral system, particularly in a system that has been dominated by the same party since its very inception. Parliament approves the budget and legislates on elections, but these activities cannot be considered substantive legislative endeavors, given the same party dominance in both the legislature and the executive branch, as well as the fact that most electoral reforms were drafted and negotiated by a multi-party Reform Commission outside Parliament. All this can be considered part of the normal condition of transition politics, when intense political relationships concentrate at the points of the political system where its principal participants act. Most important, the dramatic changes of the last few years have always moved towards greater inclusion of the opposition parties in the management of elections, and always, as could be expected, under intense sustained pressure from the parties and other organizations of civil society.

5. Contribution to Democracy and Governance

There is in Senegal a noticeable duality associated with the electoral process. On the one hand is a long tradition of commitment to and participation in elections . . . On the other hand, there is the experience with electoral manipulation, continued and refined by those in power since independence. This duality highlights a fundamental contradiction in the electoral process. There is faith that elections will be meaningful—[and] the realization that they may not. (Hayward and Grovogui, 1985, p. 266).

Despite the above assessment, the experience with electoral reforms in the 1990s may be providing a means of emerging from this contradiction.

Since the early days of Senegalese independence and the first election in 1963, when President Senghor's party defeated the party of

renowned scholar Cheikh Anta Diop, the electoral history of Senegal has shown one-party dominance, but also an increasing participation of opposition parties both in government and in the electoral administration machinery. As an overall assessment of the increasing inclusiveness of political competitors, the least that may be said is that discontented parties did not leave the system after a given reform was discussed and negotiated and that reformed electoral bodies have been performing at higher standards of efficacy and transparency than under previous legal/administrative arrangements.

The semi-competitive elections in 1978 have been considered by some analysts as marking the birth of political pluralism. Three parties competed for the first time under a new Constitution, although the elections were allegedly marred by irregularities (Fatton, 1987, p. 13). There were also allegations of irregularities and even fraud at the first multi-party elections in 1983 (Fatton, 1987, p. 17), and still more so in 1988 when a wave of public disturbances with student protests and political violence followed the polling day (IFES, 1992b, p. 5).

After allegations of irregularities in the November 1996 local elections—concerning a faulty registry of voters and non-availability of identity cards—that President Diouf held all-party consultations on electoral reform in early 1997. ONEL was established in September after prolonged and intense negotiations with 19 political parties, some of which had even withdrawn from the negotiations in mid-May.

At the May 1998 legislative elections, some parties of the opposition alleged vote-rigging and demanded a re-run of the election in six district constituencies. However, the general mood was of satisfaction, and most political observers agreed that the polls were among the best organized in Senegal. The *Rencontre Africaine pour la Défense des Droits de l'Homme* (RADDHO), a local non-governmental human rights group monitoring the elections, issued a statement saying that the poll has shown a “marked improvement” in terms of organization (Pan-African News Agency, “Senegal...” 28 May 1998). It commended ONEL’s “remarkable work” in monitoring the fairness of elections (PANA,

1998). Opposition parties, even those in a coalition government until the eve of the elections, demanded that the organization of elections be taken out of the hands of the civil service; they called for a transformation of the National Election Observatory into an independent electoral commission, the revision of the electoral register, and the adaptation of the electoral system to full proportional representation.

PAKISTAN

This case study report is based on international electoral observer's reports, scholarly studies, and election reports by the Election Commission of Pakistan.

1. Political Electoral Background

Electoral politics in Pakistan revolve in a convulsive political environment characterized by a strong military, an effective civil service from which an electoral administration eventually operates, and dramatic alternation between electoral politics and de facto arbitrary rule. Since independence in 1947, the country has had four different Constitutions—in 1956, 1962, 1973 and 1985—as well as military government for more than half the nation's life and a civil war in 1971, followed by secession. These events provide the background for the democratization experience that began in 1988.

Even since the rise of electoral democracy just over 10 years ago, three elected governments have been dismissed by the President before their constitutional term in office came to an end: Prime Minister Benazir Bhutto was twice dismissed, in 1990 and 1996; and Nawaz Sharif once, in 1993—and at that time a military resolution forced the resignation of both the President and the Prime Minister, after the Supreme Court ruled against the dismissal of the latter.

Observers of the Pakistani political scene generally believe that although the country is constitutionally a parliamentary democracy in which the most important governmental functions should belong to the Prime Minister, the Cabinet and the parliamentary majority, the system has not operated this way (Rais, 1997). There is a considerable power imbalance between the weaker political institutions (the Cabinet and Parliament) on the one hand, and a stronger military and civil bureaucracy on the other. Within this unstable political environment, the judi-

ciary, as a third branch of government, has been gaining autonomous space in the system by deciding conflicts between strong executives and weak Parliaments and parties (Newberg in Rais, 1997). Electoral observers in Pakistan have repeatedly commented on this political institutional weakness, and it should be redressed by the political institutional actors in the system, including the electoral authorities.

Recent electoral experience includes four general elections: a "transitional" one in 1988 after the accidental death of the President, General Ziaul Haq; one in 1990 after the dismissal of Prime Minister Bhutto; in 1993 after the dismissal of Prime Minister Sharif; and in 1997 after the second dismissal in 1996 of Prime Minister Bhutto. The main shortcomings and flaws found in these different elections by the Electoral Commission of Pakistan (ECP) and international observers will be outlined below. Suffice it to say here that, from a political perspective, the 1988 election was considered the fairest of all and that, from a technical point of view, key problems remain with regard to inadequate voter registries and the use of voting cards.

The main traits of the Pakistani electoral system are as follows: First, single-member constituencies ("first past the post") exist for separate electorates, the main one being the Muslims. But there are other minority communities: Christians and Hindus have four seats each; and Sikhs, Buddhists, Parsis, Quadianis and Lahoris have one seat each. There are also 20 seats in the National Assembly reserved for women: 12 in Punjab province, four in Sindh, two in the Northwest Frontier, and two in Balochistan. Second, the Prime Minister is chosen by a majority in the Assembly, but the President is chosen in a secondary election of an assembly of representatives from both houses of Parliament and also the provincial assemblies. Third, upon dissolving the assembly, the President sets a date for the next elections and appoints a "caretaker" Cabinet until the elections are held and a new Prime Minister takes office.

Finally, voter turnout in Pakistan is not only rather low in comparative international terms, but has been declining throughout this

decade, most likely as a sign of public apathy and unfulfilled expectations: from 53.7 per cent in 1985, it fell to 43 per cent in 1988 and to 35.9 per cent in 1997. Paradoxically, the electorate has been enlarged all this time. During the last month of the registration period before the 1997 elections alone, more than two million additional Pakistanis registered, raising the electoral rolls from 54.4 million to 56.6 million. It should be noted that the extension of the adult franchise to the so-called Federally Administered Tribal Areas was made legally possible only before the election of 1997, and at that time 1.6 million voters registered. Until then, the right to vote had been restricted to Maliks, the tribal elders.

2. The Institutional Framework

The Election Commission of Pakistan has always been enshrined in each Constitution, and was last re-established by the Constitution of 1985. It is composed of three members, all of them judges. The Chief Election Commissioner is appointed by the President at his discretion, and the other two members in consultation with the Chief Justice of the High Court and the Chief Election Commissioner. The Constitution establishes that it is the duty of all executive authorities in the Federation and in the provinces to assist the Election Commission in performing its functions. Electoral commissioners at the various levels are temporary appointees who supervise a permanent electoral administration whose personnel enjoy remarkable stability (the seven Joint Secretaries have been working for the Commission for more than 25 years). For the discharge of its duties, the Commission also relies on the support of civil servants of the different levels of government: central, provincial, district and local.

The Commission has its secretariat at Islamabad, with offices of provincial election commissioners at the four provincial headquarters. There is a staff of 30 officers at the central office, and an average of 10

officers at each of the four provincial offices. There are also divisional and district headquarters. The secretariat has three main functional wings: elections, administration, and budget. There is also a Director of Public Relations at the central office. For the 1997 elections, district and section judges were appointed as returning officers (before 1988 these officers were drawn from the executive). In all, 96 district returning officers, 506 returning officers for the constituencies of the National Assembly and 805 for the provincial assemblies were appointed. In 1997, for the first time, elections were not staggered, but were simultaneous for the national and provincial assemblies, which considerably eased the management of the entire process, most likely also producing substantial cost savings. Polling officials were appointed from among civil servants of the federal, provincial and local governments.

In contrast to the political instability of the country and despite the short-term service of its Commissioners, the ECP has generally demonstrated a considerable learning capacity, owing perhaps to the reappointment of many of its incumbents, the permanent character of its administrative basis and a pervasive civil service tradition in the country. It is interesting to note, for example, that two of the three Commissioners in 1988, including the Chair, were members of the Commission in 1985. The same was true of the Secretary and nine of the 21 other senior staff. Still, the Commission is a rather traditional kind of organization, which conducts elections with a set of rules similar to those introduced in British India in 1911.

Since the first elections in the 1960s, the keeping of electoral records has been remarkable in Pakistan: archives include blueprints for the electoral operations (operational planning), unsophisticated rolls of voters (too old to be practicable) and the systematic preparation of post-electoral reports. In this latter aspect, the Pakistani tradition in quality reporting is quite unusual among electoral authorities from both stable and new democracies, Australia, Canada and Mexico being among the few other examples of countries with detailed timely reporting.

3. *Main Functions of the EMB*

The Commission has a role in legal revision and was active in the reforms before the 1988 elections concerning the registration of voters, the training of polling station officials and the financing of political parties. It also participated in the legal reforms of 1996 that were necessary for the organization of the election.

According to a law of 1974, the Commission is responsible for delimitation of constituencies according to population figures of the preceding census and other principles laid down in the law. Before the 1997 elections, the Commission decided to maintain the boundary delimitation that has existed since 1988, with minor modifications produced in 1993.

A major problem of the election administration in Pakistan has to do with the rolls of voters. According to the Constitution, the Chief Electoral Commissioner must prepare the electoral rolls, which should be revised annually. In fact the existing rolls were originally prepared in 1978–79 and updated in 1986–87 before the elections of 1988. This updating of the registries was conducted by more than 52,000 officers, including 309 registration officers at the top of the pyramid and more than 37,000 enumerators at the bottom. At the time, 200 copies of the rolls were produced. Because of more recent additions, deletions and corrections before the 1997 elections, the provincial election commissioners were authorized to photocopy at least ten sets of the electoral rolls of each National and Provincial Assembly constituency for sale to prospective candidates and for use in the elections.

The rolls have numerous problems, starting with the fact that they are not alphabetized, but listed by date of registration. Numerous other problems exist, such as obsolete entries caused by death, shifts of population, and changes in territorial limits. These problems have repeatedly been raised not only by electoral observers, both domestic and international, but also by the electoral authorities themselves. Some of the recommendations the ECP made after the 1964 elections regarding

the lists of voters are still valid—for example, that voters be listed alphabetically. There is a Registration and Census Organization, as well as a Computer Bureau, in Pakistan. The rolls of voters must be produced in two languages—Sindhi for the Sind province and Urdu for the others. The voters are given identification cards, which they must use to check on their names in the rolls.

A general criticism made by electoral observers of Pakistani elections has focused on the need for more practicable registers of voters organized by constituency in more durable materials, with voters listed alphabetically, and also the need for identity cards and registers to carry the same names (Waseem, 1994). At the last election in 1997, all observer groups were critical of electoral rolls: the Commonwealth, European Union, NDI, the South Asian Association for Regional Cooperation (SAARC) countries observer group, and the Human Rights Council of Pakistan, among others. Paradoxically, given its constitutional responsibility on the matter, the ECP itself concluded in its post-election report, “There is a need for preparation of fresh electoral rolls in the country because the existing electoral rolls, which have practically become cumbersome due no annexation of lists of additions/ deletions/corrections and small number of copies in stock, cannot be used for future general elections . . . many improvements are needed in this important area for creating computerized data-bases and for making authentic voter registers” (ECP, 1997).

Registration of parties takes place, as is customary, at the Election Commission. More than 20 different parties generally register. The limit on expenses for a contesting candidate in the 1997 elections was set at 1 million rupees (US \$25,000) for a seat in the National Assembly, and to 600,000 rupees (US \$15,000) for a seat in the Provincial Assembly. For political parties, a limit of 30 million rupees (US \$750,000) was set at the national level. Parties must submit a statement of their finances and accounts for audit by the Commission which, in turn, takes it to the Accountant General. As in many other countries, both authorities have acknowledged difficulties in auditing the accounts of political parties.

For each election, a polling plan or comprehensive scheme is developed based on previous elections. It contains all the classical elements of such management devices: an election schedule and detailed job descriptions for electoral officials at the different levels, as well as general instructions for the training of the polling staff. Even in the polling scheme of the transition election of 1988, references were made to former polling schemes, such as those in 1985, 1979, 1977 and 1970. For the 1997 elections, each polling station was to comprise three to four booths, each booth for about 300 to 400 electors. A communication plan is set out including various types of telecommunication facilities (hot-lines, STD telephones, fax machines, etc.) allowing each returning officer to communicate down to the polling stations and up to the district returning officer, who in turn reports to the provincial election commissioner, who in turn reports to the ECP secretariat in Islamabad. Again, the elaboration of this plan benefits from the experience of previous elections. In 1988, the Commission considered that the plan "worked with perfection and precision" (ECP, 1988, p. 114), and in 1997 it reached the conclusion that "[t]he effective communication arrangements added to the transparency of elections" (ECP, 1997, p. 104). These positive assessments have not been contradicted by international observer reports or the academic literature.

Electoral budgets are shown in detail in the commission reports. The budget for the 1997 election amounted to more than 1 billion rupees (approximately US\$28 million). This amounts to approximately US\$0.5 per elector. The 1997 budget was considerably bigger than that for the previous election in 1993, not only because of 30% inflation and a new 18% sales tax, but also because of higher costs incurred by having an increased number of polling stations, manufacturing new ballot boxes required for the holding of simultaneous elections and the enfranchisement of the Tribal Areas, photocopying electoral rolls, increased transportation, deploying the army, and having fax machines and additional telephones and other items. Ballot papers with different colors for the different elections were printed in 1997. Mail voting is

also allowed in Pakistan, and therefore postal ballots had to be printed.

Election materials have always been procured from within the country. In 1997, they were ordered centrally on the basis of the requirements furnished by the respective provincial election commissioners and produced by several specialized governmental agencies. Transportation of these materials was dispatched by public and private trucks accompanied by contingents of the army.

With regard to the organization of polling, provisions are made for general polling procedures, secrecy of the ballot, incapacitated or blind voters, stopping the poll in emergencies, void ballot papers, safeguards against impersonation, tendered ballot papers, challenged votes, polling after closing hours, and so forth. In this regard it should be noted that the proportion of rejected votes is only about 1 per cent, which may indicate the efficacy of the administration of the ballot and of voter information.

Security of the election is provided by the police and the army. In 1988 for example, civil and armed police officers were posted at polling stations, while the army was on alert to support the civilian administration if necessary. In successive elections, the army was given a more active role. In both 1990 and 1993, the caretaker government requested that the military have a supervisory function within the polling stations. In 1997, the army was also present, particularly in those stations that were considered "sensitive polling stations". Most observer groups, like the NDI, Commonwealth, European Union, and Pakistani Human Rights organizations, did not generally view military presence at the polling stations as a major obstacle to the conduct of free and impartial elections, but the observers of the SAARC countries always criticized it, in particularly strong terms after the 1993 elections: "There is, therefore, no prohibition on the armed forces acting as election supervisors. To the extent that the armed forces assumed the functions of the officers of the Election Commission, there was both an exceeding of authority and a serious challenge to the cornerstone of the democratic process" (SAARC, 1995, p. 35).

During the pre-election period of 1997, 883 complaints were made, only 69 of which were considered correct after the electoral authorities made the proper inquiries. They were basically lodged against governmental officials, who allegedly had political affiliations and were thus accused of misusing their official positions and resources, although a number of the complaints concerned violations of a code of conduct previously agreed upon by all parties. This Code of Conduct was devised as a consensus document benefiting from examples of similarly devised codes in neighbouring India and Bangladesh in 1996. Codes of conduct had been established by the ECP at previous elections since 1990, but in 1997 a shift took place towards an approach that the commission considered "more realistic and effective" by consulting with the political parties, NGOs and the public.

Election disputes are challenged before election tribunals, which are appointed by the Chief Election Commissioner among judges of the four high courts: 31 were appointed in 1988, 23 in 1997. A petition is presented through the ECP secretariat, and the Chief Election Commissioner can dismiss a petition on certain grounds of formalities and deadlines. The number of petitions amounted to around 100 in the elections of 1997, 1993 and 1988, but was significantly higher in 1990 and 1985, with 145 and 219 petitions, respectively; it was precisely those elections were also criticized by observers on a number of counts (ECP, 1997, p. 212). The Election Commission acknowledged in its 1988 report, "The complaints regarding rigging, malpractise, etc. were significantly fewer in number" and all were cases between the two main contesting candidates on a tight vote (ECP, 1988, p. 186). The grounds for petitions concern 52 items of the law, most of them addressed to corrupt or illegal practices by candidates and their agents, illegalities and irregularities committed by polling staff and governmental officers, disqualification of a rejected candidate, and miscellaneous. Appeals against an electoral tribunal can go to the Supreme Court.

4. Relationship with Other Institutions and Agencies

The Commission depends almost entirely on the government, both financially and administratively, as it has largely to rely on civil servants from other levels of government, and because the Chief Election Commissioner's term of office is even shorter than the term of the legislature. However, ECP has a measure of independence and autonomy stemming from two structural features of the Pakistani political system: First, the commissioners are judges and therefore part of a fairly autonomous body vis-à-vis the army and the bureaucracy. Second, the representative institutions of the system (the political parties, Parliament, president and Cabinet) are commonly considered relatively weak vis-à-vis both the civil and military bureaucracies under any circumstances, the more so when a caretaker government is in place during the critical time of the Commission's operations. The ECP's dependency was described in the following terms by the SAARC and NGO joint report at the occasion of the 1993 elections:

Although the Election Commission is independent, it does not have organizational support from the civil administration to translate its duties from paper to action. The civil authorities are believed to be partisan. This could be one of the several reasons why the caretaker government decided to mobilize the armed forces and the police on a massive scale to assist the Election Commission. While there appears to have been a popular support for the army's involvement in ensuring free and fair polling, to act as a deterrent to miscreants, and to ensure peaceful polls, there were some who argued that it was part of a broader design to undermine and defame the civil authorities as corrupt and inefficient. The direct fall-out was the strong presence of the army which, in any case, remains a dominant element in Pakistani politics. (South Asian Association for Regional Cooperation (SAARC), 1995, p. 29).

An illustration of the relative autonomy of the electoral body can be found in the Commission's post-electoral reporting. Among the recommendations the ECP made in the aftermath of the 1997 elections to

the Parliament of Pakistan, the following can be stressed:

- maintain the holding of a simultaneous poll for the National Assembly and the Provincial Assemblies basically for cost-efficiency reasons;
- keep to the necessary minimum the reforms of electoral legislation before elections, as “some amendments which do not suit a particular group of politicians are allowed to lapse” (ECP, 1997, p. 297); this recommendation invoked the example of neighboring India, where only a few amendments have been made in the Representation of the People Act of 1951 during the last 46 years;
- devise “a systematic plan for creating a correct data base for computerization of electoral rolls in the near future . . . a scheme for fresh preparation of electoral rolls should be devised so that flawless electoral rolls are prepared to serve as basic instrument for conduct of free and fair elections in the country” (ECP, 1997, p. 298);
- give up the system of separate electorates—Muslims and minorities—by restoring the pre-1978 situation of a joint electorate, which is more effective in terms of administration and management;
- restore the provisions that have presently lapsed, that violations of the fixed ceiling of election expenses and filling of returns are punishable by the chief election commissioner disqualifying the defaulting candidate;
- give financial and administrative autonomy to the Election Commission “in order to raise its image at the national level and to make it more effective in conducting free, fair, impartial, and transparent elections in the country . . . on similar lines as has been given to the Supreme Court of Pakistan” (ECP, 1997, p. 301);
- extend the terms of the Chief Election Commissioner to “six years as is enjoyed by his counterpart in India”, as the current three-year term is too short for the planning of elections; and
- house the Election Commission in its own building, on which construction had begun 16 years earlier, but was still incomplete, “mainly due to non-availability of funds and lack of political will on

the part of successive Governments in this behalf . . . [and] which would greatly improve the efficiency and effectiveness of the Election Commission" (ECP, 1997, p. 301).

This set of recommendations can be viewed as a gesture of independence by the electoral authorities in a political environment where, in their own words, "The Election Commission has always been conscious of the fact that elections in Pakistan are held mostly in a highly charged and tense atmosphere" (ECP, 1997, p. 137).

5. Contribution to Democracy and Governance

Elections during the past decade in Pakistan have generally been viewed as suited to international democratic standard practices with a number of weaknesses which, if unsurmounted, might endanger the possibility of consolidating democracy . These have already been dealt with in previous paragraphs: the substantial administrative dependence of the Election Commission on governmental bodies at all levels, deficient registries of voters, and a pervasive military presence in the electoral process. The 1990 elections were as controversial as those in 1977, with allegations of rigging and fraud (Government of Pakistan, 1978; Husain, 1994; Waseem, 1994; Rais, 1997). At that occasion, the American organization NDI was critical of "serious irregularities . . . statistical anomalies . . . [and] the caretaker government's decidedly partisan behavior" (NDI Report, 1990, pp.v-vi).

Yet these criticisms were made even though the previous elections of 1988 were considered to have paved the way for the transition to democracy (Shafqat in Rais, 1997, p. 240), and even though they were very favorably assessed by both national and international observers. Observer groups from NDI and SAARC, for example, rated the conduct of the elections positively. The ECP's post-election report concluded, "The democratic institutions emerged at the Centre and the Provinces simultaneously signaling the dawn of a new democratic era in the country . . . Under the democratically elected President, a Prime Minister, the Parliament, the Chief Ministers and the Provincial

Assemblies, the nation looked forward to future with hope, faith and confidence" (ECP, 1988, p. 263).

By the 1997 elections, a number of reforms had been enacted in the direction of making the electoral system more inclusive—such as revision of voter rolls and extending the universal franchise to tribal areas—and administratively more efficient, such as the holding of simultaneous elections. But the main flaws that were identified in the past still remain. This may account for the less-than-optimistic conclusion by independent electoral observers in 1997 that "public respect for political parties has plummeted and democratic government [been] discredited", stressing the need for political leaders "to re-establish public confidence in its governmental institutions . . . [and] a scrupulous respect for the institutions of state" (Commonwealth Secretariat, 1997b). Within a transitional context, and from a developmental perspective, the actual power that the politicians and the political institutions may have in the future will probably depend largely on electoral outcomes, more specifically on the capacity of one party or a coalition to establish a comfortable majority in Parliament, and still more on whether the same party or coalition rules in the provinces (Syed in Rais, 1997, p. 72). As for the role of the electoral authority in enhancing democracy and governance within a changing environment, it could be expected—as the experiences in other countries, like Uruguay and Australia, illustrate—that an electoral commission with increasing legal powers plays an aggressive role in re-establishing credibility for democratic government and in defending the stability of elected offices.

Historical evidence shows that stable politics have developed out of situations of change and instability. Aristotle and Ibn Khaldun have written on the processes involved in building a sustainable regime from political conflict. In Pakistan, as in any other country embarking on democratization, the future remains an open-ended question to be answered largely by the will and wisdom of its own leaders and citizens.

RUSSIA

This case study report has been prepared on the basis of the following materials: scholarly studies, international electoral observers' reports and assistance agencies' reports.

1. Political Electoral Background

Under the new post-Soviet Constitution, there have been four multi-party Federal elections in Russia: two for the legislature of the Federation and two for the Presidency. In addition, regional elections took place in the autumn and winter of 1996–97 for 48 heads of administration and nearly 30 legislatures of regions, territories and republics of the Federation. In the 1996 Presidential elections, 108.5 million Russians voted. Citizens of the age of 18 and above are entitled to take part on the elections, but are not required to do so. Unless 25 per cent of the electorate votes, the results are declared invalid and a new election is called. Voter turnout in Russia is lower than in most countries of Western Europe and similar to some countries of Central and Eastern Europe, like Poland and Hungary. It has been somewhat higher in Presidential than in legislative elections: 71.9 per cent and 69.7 per cent of registered Russians voted in the Presidential elections of 1991 and 1996, respectively; 50.0 per cent and 64.7 per cent did so in the 1993 and 1995 legislative elections (IDEA, 1997f). Russians can vote overseas and usually do so in significant numbers; in 1995, 200,000 votes were cast in Estonia and 29,800 in Israel (European Parliament, 1996, p. 7).

The 1993 Constitution established a semi-presidential system for the Russian Federation. The election law of 1995—which reformed that of 1993—and the law of 1996 for the election of the President regulate the competition for public office. The President is elected by popular vote in a two-round system every four years, and the Prime Minister must receive a majority vote of the Parliament, but if the candidate is rejected three times in a row the president can dissolve the legislature and call for a new election. The Parliament is composed of two houses.

The lower chamber, the Duma, is elected by popular vote for a four-year term with a mixed formula: half of the 450 seats are single-member constituencies filled by “first-past-the-post” voting, and the other half by list based on proportional representation among the Federal constituencies, in which a minimum margin of 5 per cent is required for the seating of any candidate. The upper house is the Council of the Federation, which consists of two representatives from each of the 89 Subjects (regions) of the Russian Federation, one representative from the legislature and one from the executive.

Elections for the old Soviet Parliament in 1989, 1990 and 1991 were characterized by the entry of many newcomers into politics. Under the new Constitution, a multi-party system has emerged at the Federal level; more than 20 parties and a large number of independent candidates won seats in the Duma (80 of 450 in 1995). The Communist Party remains the single largest party, with a plurality of 158 seats. For election to the Duma, the 1993 law required 100,000 signatures for the registration of a party on the Federal list; a party or candidate for the single-member constituencies needed signatures representing 1 per cent of the registered voters. Eleven parties succeeded in obtaining registration on the Federal list in 1993. The threshold was raised in 1995 to twice as many signatures as in 1993. Despite analysts’ expectations, the number of parties able to register increased to 45.

After centuries of intensely centralized government, the new Federation is a decentralized system comprising 89 Subjects and 21 autonomous Republics. The center has devolved approximately 40 per cent of its former power to the regions (Carnegie Endowment for International Peace, 1997, p. 15). In 1991, the governors of the 89 Russian regions were still appointed by the President, but under the new Constitution, they have progressively been replaced by elected officials.

2. The Institutional Framework

In December 1993, President Yeltsin issued a decree establishing the

Central Election Commission of the Russian Federation (CEC) as a permanent institution and directed it to draft new federal legislation on elections. After extensive consultation with legal scholars, political leaders, regional election authorities, parliamentarians and officials from the executive, a draft law was presented to the Duma and approved in October 1994 as the Federal Law on the Basic Guarantees of Electoral Rights of the Citizens of the Russian Federation.

The CEC is a permanent body with a staff of 160 presided over by a Commission of 15 members, five of them appointed by the president of the Federation, five by the Duma, and five by the Federation Council. The Chair, Deputy Chair and Secretary of the CEC are elected from among its members. There are also 89 Subject election commissions, 225 district election commissions, 3,000 territorial election commissions, and 92,000 polling station commissions, each appointed by the respective authorities of the different levels. In addition, each of the 21 Republics has its own electoral commission.

The presidents of the Subject and district commissions have legal backgrounds, but members of the polling station commissions need only be well-trained according to the law. The CEC and the 89 Subject Election Commissions are permanent, but commissions at lower levels are temporary. The Subject Election Commissions consist of 10 - 14 members, each of whom is appointed by the representative and executive bodies of the Subjects and serves a four-year term. Territorial commissions are created no later than 60 days prior to the elections and have 5 – 9 members who are appointed by elected bodies of the local self-government within the city, or by other local units making up the territory. In making these appointments, these elected bodies are required to take into consideration the suggestions of public associations and citizens groups. Polling Site Commissions are formed 44 days prior to the election date and expire after the official publication of results. Each of these also has 5 – 9 members appointed by the elected bodies of the local self-government, which are again required to take into consideration the suggestions of local associations and citizens'

groups. District Election Commissions constitute an additional layer in the election administrative structure. These commissions serve at the constituency level and are responsible for the coordination of activities and the supervision of Polling Site Commissions during elections to the Duma (IFES, 1996, pp. 10–15).

3. Main Functions of the EMB

The electoral commissions at different levels are responsible for registering voters, parties and candidates, holding the elections, and adjudicating complaints. As indicated earlier, the CEC has had a prominent role in drafting Federal laws, though only the Duma can adopt legislation. Using the model legislation of IFES, the CEC has also assisted the regions in formulating their own procedures.

The regulatory powers of the CEC range from guidance in following the provisions of the electoral law (such as procedures for collecting signatures or granting time on state television), and by monitoring the regional authorities' compliance with Federal electoral laws, particularly with regard to voting rights. It also provides organizational and technical assistance to the local electoral commissions. Federal law does not specify CEC responsibilities with regard to elections at the Subject and local levels, or whether the CEC role in these domains is consultative or supervisory.

The Subject Election Commissions coordinate the activities of subordinate election commissions within their boundaries, hear complaints, and adjudicate disputes regarding actions or decisions of lower commissions and can reverse these decisions when warranted. The Subject Commissions are also responsible for the printing and distribution of ballots in the format determined by the CEC.

Election commissioners are independent at their respective levels for preparing and conducting elections. However, at the lower levels, they depend completely on local executive authorities for their financing, staffing, and resource and logistical support. Local executive authorities also play a role in the appointment of lower-level commissions.

There is some public funding of parties and candidates. At the 1995 legislative elections, the CEC provided the equivalent of US\$16,000 to registered political parties or blocs. Public transportation is also granted free of charge, as is free access to state radio and television in accordance with CEC regulations. Public lecture rooms are also to be put at the candidates' disposal for the organization of electoral meetings. The law regulates campaign financing by establishing a ceiling of electoral expenditures: the equivalent to US\$96,000 for a candidate in a district constituency, and US\$2.4 million for each political party submitting a Federal list (European Parliament, 1996, p. 4). For the Presidential race, the maximum expenditure per candidate on all aspects of the campaign cannot exceed US\$2.9 million (European Institute for the Media, 1996, p. 1). Some donations are expressly forbidden, notably any from foreign, religious or military organization or from other public authorities. Special temporary accounts are set up for electoral expenditures, each of which must be publicly declared; otherwise, a candidate's registration may be cancelled (European Union Electoral Unit, 1996, p. 14). As in many other countries, control of party campaign finances by the CEC has proven difficult, if not impossible in Russia. There are clear instances of party financing exceeding legal limits. In St. Petersburg in 1995, the contract of one party with the city authorities for posters alone cost approximately one-tenth of the maximum allowable amount for campaign expenditures (European Parliament, 1996, p. 4). There was also evidence that expenditure limits were exceeded in the Presidential elections of 1996 (OSCE, 1996, p. 1), and recommendations were made that the CEC should take more direct steps to monitor and to enforce compliance with campaign finance laws (OSCE, 1996, p. 11).

Although the state budget of 374 billion rubles (US\$800 million) for the 1995 legislative elections was described as "inadequate", it was nonetheless higher than the average for comparable elections in a transitional context, as it was the equivalent of \$7.4 per voter (more than 108 million were registered). Of the total sum, 280 billion rubles were allocated to the 9,600 local electoral commissions and the 3,560 territorial electoral commissions (European Parliament, 1996, p. 7).

Polling operations are organized in a fairly decentralized manner. The form and text of the presidential ballot, for example, is established by the CEC, while the printing of the ballots is the responsibility of the Subject commissions. The territorial commissions organize the distribution of the ballots to the polling sites. Polling sites are established by local administrations in coordination with the relevant territorial commissions. Lawmakers and election authorities have made a determined effort to permit Russian citizens abroad or working at remote sites to vote; polling sites were established in a number of cities worldwide where significant numbers of Russian citizens reside, including a many in the United States.

International observers identified numerous technical deficiencies in the polling operations of the 1993 elections, ranging from problems with voter lists through poorly equipped and overcrowded polling stations to insufficient ballot secrecy. Nonetheless, the election as a whole was considered free and fair (OSCE, 1994, p. 4). Observers of the 1995 Duma elections reported that the voting was generally orderly, with party representatives as well as media people present in more than two-thirds of the polling stations. Voting premises were generally free from electoral propaganda and procedures such as identification, registering, and checking and counting of the votes were largely followed correctly. It was also observed that the names of several candidates were crossed off the ballots by the polling station officers at the request of the CEC election day itself, which created confusion among the voters (European Union Electoral Unit, 1996, p. 45). Public or family voting was often observed in 1995, although it was done openly and under conditions of overcrowding too heavy to permit orderly procedure. That year, the number of registered voters per polling station varied from 119 to 9,640 (European Union Electoral Unit, 1996, p. 32; OSCE, 1996, p. 1).

The counting of the ballots takes place at the polling stations, the protocols being physically handed over to the territorial election commissions, where the results are tallied and then transmitted to the 225

district commissions, which in turn send them to the 89 Subject Commissions. Finally, the information is forwarded to the Central Election Commission, where it is aggregated by computer before the results are made public. A computer network has been established in 67 of the 89 Subjects, connecting by modem all the district and territorial election commissions within their respective areas of competence. Each election commission linked to the computer must set up a control group composed of members of the election commission and party and/or candidates. Electronic data collection, entry and transmission are subject to a number of formal controls (European Union Electoral Unit, 1996, p. 37).

In 1995, the vote count was not always considered correct; a poorly conducted count was observed even in Moscow (European Parliament, 1996, p. 7). During the Presidential election of 1996, however, observers were impressed by the organization of the tallying process at the territorial level, in large measure because the CEC had issued a *Uniform Procedure for Tabulation of Vote Returns and Compilation of Protocols*. This compendium of regulations required, inter alia, that the official protocol of results be compiled in triplicate in the presence of all polling site members, including international observers, the candidate's representatives and representatives of the mass media; that the third copy of the protocol be provided for examination to these individuals; and that upon the oral or written request of any observer, the polling site or territorial or subject commission issue a certified copy of the official protocol to that person (IFES, 1996, p. 114).

The CEC is responsible for monitoring all the activities of the pre-election campaign, including the establishment of regulations regarding the granting of broadcast time and print space to the parties in the state-owned media. State bodies are required to adhere to the rights and freedoms of the mass media enshrined in the Constitution. In cases of complaints and violations regarding the media, there has been growing cooperation between the judiciary and the Electoral Commission (IFES, 1996, p. 53).

As complaints can be lodged up to three months after the alleged infringement, issues such as candidate registration may not be effectively addressed. According to a common principle of the Russian judiciary system, complaints can be submitted either to a higher governmental body or directly to a court of law. However, preliminary appeals to a higher election committee are not a mandatory condition for judicial appeal. Decisions and actions of the CEC may be appealed to the Supreme Court. Decisions and actions of lower election committees may be appealed to a higher election committee or the court of law at that level. In the 1995 elections, about 55 complaints were lodged against the decisions of the CEC, one-third of them regarding regulations issued by the CEC and the rest concerning the registration of Federal lists of candidates (European Parliament, 1996, p. 42).

In the 1996 Presidential election, more than 30 cases were brought to the Supreme Court, some of them related to the nomination and registration of candidates, particularly with respect to whether signatures on candidate petitions were insufficient, invalid or fraudulent. Once candidates were registered, most of the cases involved violations of candidate's rights during the campaign period; the high-profile case presented by candidate Martin Shakkum involved legal guarantees of free air time on state television. In 1996, there was also a sharp increase in the number of complaints handled by the CEC, more than 100 in all, relating to campaign activities and administrative regulations. After the election, the CEC sponsored a conference on addressing electoral disputes that included a range of government officials and members of the judiciary. Subsequently, some consideration has been given to the possibility of introducing a special judicial body to deal exclusively with election disputes, following the Mexican model.

The facilitation of observation by election authorities improved in 1996, as did the observers' own level of preparation and scope of activities. In most places, interaction between domestic observers, electoral officers, and international observers appeared cordial and constructive. The CEC had issued an explanation on the rights of observers and oth-

ers entitled access to elections commissions and documents (IDEA, 1997e, p. 25).

Russia has been receiving considerable international technical assistance for the organization of elections, particularly from American bodies, the Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) and the European Union Election Unit. IFES has a permanent office in Moscow; during the last elections, it also gave support to international observers by translating and distributing Russian materials and by holding briefing sessions. Canada gives technical assistance to the Russian electoral authorities in Russia and also provides training courses in Canada.

4. Relationship with Other Institutions and Agencies

Russian law entitles each registered candidate to appoint one deliberative (non-voting or consultative) member to represent him or her on every EMB at every level. These representatives provide a level of transparency in the work of the commissions. The interests of candidates can also be represented at all levels of the administrative structure. The presence of their representatives provides an important guarantee that candidates have access to full information regarding the policies, decisions and actions of commissions that will affect their participation in the process.

The CEC submits reports to the two houses of the Federal Assembly on the conduct of elections, as well as financial reports. In a number of cases, CEC has also reported to the President, usually asking him to take action as head of the Federal administration or to place a suit before the Constitutional Court.

The relationship of electoral authorities to governmental bodies has raised a number of questions, particularly because earlier elections manifested undue and improper influence of some local administrative bodies, which continue to interfere with the fairness of the pre-election campaign and the independence of election officials in the discharge of

their duties. Members of the central commissions have acknowledged that these types of violations are vestiges of the old regime, in which local officials were responsible for the outcome of an election (IDEA, 1997e, p. 148).

Relationships with the media are usually transparent and follow the provisions of the law. These require that the activities of election commissions be open to media representatives and those of parties and candidates at the sessions of relevant election commissions; that decisions by election commissions are to be published in the press within the time frame established by law; and that observers sent by public associations, electoral associations and candidates, and international observers have the right to be present at polling sites from the commencement of activities to the signing of the official protocol of returns. Both journalists and international observers considered access to the media by parties and candidates generally open and fair. (European Parliament, 1996, p. 5). No complaints were registered during the 1995 and 1996 elections about the provision of free television and radio time. Nevertheless, European media monitors and electoral observers stated that national television networks had given Yeltsin preferential treatment as a Presidential candidate. (European Institute, 1996; OSCE, 1996).

5. Contribution to Democracy and Governance

According to most observers of the Russian scene, the CEC has played a positive role in enhancing democracy and the rule of law in the Federation. The Commission has protected equal electoral rights by promoting legislation at the regional level that fully follows the Constitution of the Federation. In the enormously complex environment of the Russian political system during the transitional period, the CEC has kept itself as a stable reference on the rules of a democratic process.

The CEC registered significant numbers of international electoral observers in each election: around 5,000 observed the first multi-party

legislative election of 1993 and about 1,000 for the second legislative election of 1995. The Presidential elections of 1996 were observed by 1,300 representatives from 62 different states and about 100 international organizations, both governmental and non-governmental. Despite transitional problems, electoral observers have generally considered elections in post-Soviet Russia free and fair according to international standards. (IDEA, 1997e, p. 3). Instances of violence have been largely isolated: the killing of five Duma candidates during the 1995 campaign was attributed to Mafia interests; lack of law and order and a fear of politicians among the citizens at large, such as that in Vladivostok, has tended to be a regional rather than national phenomenon. (European Parliament, 1996, pp. 5, 14).

The CEC has often been commended for its conduct of elections. Those of 1993 were characterized as "an extraordinary job" (OSCE, 1994, p. 8). In 1995, the European Parliament praised the CEC for conducting the elections in a manner that appeared to have enhanced its credibility and raised confidence in the democratic process (European Parliament, 1996, p. 8). In the aftermath of the 1996 Presidential elections, the CEC was credited with efforts to encourage voter participation and with establishing procedures to increase public confidence in the electoral process, including the use of a computerized vote tabulation system. The main deficiencies exist at the local level, and proposals have been made for further international assistance for the training of electoral officers of the local commissions (European Parliament, 1996, p. 8; OSCE, 1996, p. 11).

The CEC has frequently intervened in defense of the rule of law. In the gubernatorial elections of 1996, the CEC found and denounced violations of the federal law in Thekursk and challenged the legality of a regional referendum in court. In December 1996, the CEC declared illegal a decree by the President of the breakaway Republic of Mari El that canceled the Republic's presidential elections a few days before they were to take place. In 1997, when the authorities of the Maritime Territory cancelled legislative elections, thereby prolonging the powers

of the incumbent deputies by two years , the CEC declared the cancellation unconstitutional.

In the autumn of 1996, the Chair of the CEC encouraged the legislature of Chechnya to change the regional electoral law and allowed the holding of parliamentary elections to facilitate a return to normalcy. That same year, he also denounced interference by local authorities in a number of places in the work of legally autonomous electoral commissions. In December, a 33-member Chechnyan Electoral Commission met for the first time to prepare for the elections scheduled for January 1997. On that occasion, the head of the OSCE observer mission in Chechnya praised the conduct of the election as having created a legitimate foundation for the new Chechen authorities.

Through its international department, the CEC has also tried to improve electoral conditions in other countries. Its influence can be seen in recent electoral laws in other former Soviet countries, which have tended to replicate parts of Russian electoral legislation.

HAITI

This case study report has been prepared on the basis of the following materials: scholarly studies, international electoral observers' reports, the reports of assistance agencies and personal interviews with electoral officers of Haiti.

1. Political Electoral Background

Haiti was the first nation in Latin America and the Caribbean to gain its independence from France; it became a republic in 1804. However, most of its history since independence has been marred by autocratic rule and civil unrest. The past decade—the period on which this case study focuses—witnessed a transition to democracy in the near-universal “third wave” of civilian rule and multi-party politics, but a stable democratic polity remains a distant goal.

The new Constitution, introduced in 1987, establishes a presidential system of government in the Latin American tradition. The President is elected by direct popular vote for a five-year term. An 83-member Chamber of Deputies serves a four-year term, and there is also a 27-member Senate, which operates on staggered six-year terms, one third being renewed every two years. The President appoints a Prime Minister from the political party that predominates in Parliament.

The intermittence of elections (November 1987, January 1988, December 1990, June 1995, December 1995 and April 1997) and military coups (February 1986, June 1988, September 1988 and September 1991) has made Haiti one of the most convulsive settings of the “third wave” democracies. Since the democratizing process began in 1987, the country has been ruled by an elected civilian President for less than five years (six months by President Jean Bertrand Aristide in 1991 and little more than one year in 1995; and since then by President René Préval). During the remaining five years, the government was in the hands of either the military or de facto installed civilians. UN Security Council resolution 940 in September 1993 sent a multi-national force to Haiti for

the restitution of democracy by “all necessary means”. One year later, the country was occupied by a U.S.-led 21,000-member multi-national force to support the resumption of Aristide’s presidency.

However, even within the framework of electoral politics, the Haitian situation remained convulsive. The June 1995 legislative and municipal elections were held amid tensions created by Aristide’s drastic reduction of the armed forces and reforms of the security apparatus. Many opposition parties boycotted the elections, alleging fraud, rejected the results and refused to participate in the second round. Widespread logistical problems, poor administration of the voting and counting processes, and isolated cases of violence and intimidation led to almost universal criticism of the Provisional Electoral Council (CEP). Nonetheless, most international observers considered the election a significant step forward. In August, a new Council was appointed to supervise the second round of elections, which took place in September. The U.S. State Department considered its administration a marked improvement.

However, by all criteria, the 1997 parliamentary and local elections showed a poorer performance by the electorate, the parties and the electoral administration. Voter turnout fell to a meager 5 per cent from rates of 51 per cent in 1995 and 67 per cent in 1990. The number of parties boycotting the elections rose. The management of the polling was marked by serious deficiencies, even by fraud, according to professional international observers like those of NDI and IRI. The latter diagnosed “a virtually complete system-wide breakdown at the communal (BEC) level” (IRI, 1997, p. 1).

In the aftermath of the election, the Organization of American States (OAS), which had been cautious in its electoral assessment in 1995 (when other observers were already very critical), publicly declared, “Members of the international community have encouraged the CEP to take measures to correct the irregularities of the first round and improve the development and credibility of the elections” (IRI, 1997, Appendix). A letter by the head of the UN mission in Haiti

informed the Council of a United Nations decision “to suspend all technical assistance to the Council until the transparency and the credibility of the recent electoral processes are reestablished. All future assistance will depend on the independence and credibility of the Electoral Council to organize elections in the future” (IRI, 1997, Appendix). Finally, the Prime Minister in his resignation speech denounced electoral irregularities, concluding, “An election cannot be based on the violation of law. It is only through respect for the law that we will achieve democracy” (IRI, 1997, Appendix).

2. The Institutional Framework

The fate of electoral authority in Haiti paralleled that of the country’s unstable politics. Although the electoral authority of Haiti is enshrined in the Constitution as a Permanent Electoral Council, this body does not yet exist. It is to consist of nine members appointed by the three branches of government (three by each branch: executive, legislative and judiciary) from lists of persons from different sectors of society (such as the media, churches and human rights organizations) submitted by departmental assemblies that are popularly elected. Since these assemblies were first elected only in 1997, the electoral authority remains a Provisional Electoral Council of nine members chosen by a similar process, except that the lists were submitted by political parties. Yet in both 1995 and 1997, most of the 20 names submitted were not persons with party affiliations, even though many were considered supporters of the party of the President. The Constitution makes no provision for the participation of political parties in the selection process.

Haiti’s first Provisional Electoral Council was appointed for the preparation and conduct of the aborted presidential and parliamentary elections of November 1987. Militia violence interrupted the polling a few hours after the process had begun. The elections were then cancelled by the government, which dissolved the CEP after accusations that it intended to ensure the victory of a left-wing candidate.

Nevertheless, the work of the Council was considered successful because it had registered 2 million voters in a three-month period, prepared more than 20 million ballots, and had carried out all the other preparations necessary to conducting the elections (NDI, 1987). A new Council, appointed in December 1987, supervised the country's first multi-party national and local elections in January 1988. Later that year, when General Henri Namphy ousted the elected President Leslie Manigat, a third Council, composed of members drawn from the nine departments of Haiti, was introduced by decree. A fourth Council was established under General Prosper Avril before the presidential and legislative elections of 1990, when Aristide was elected President with 67 per cent of the vote. A fifth Council came into existence in December 1994 upon Aristide's return from exile.

That fifth CEP emerged from a consensus among legislators, politicians and the President and began working on draft legislation for the presidential and legislative elections held in June of 1995. In the turmoil following the elections, a major change of the CEP leadership took place and many irregularities were corrected before holding runoffs. This could be considered a sixth Council. The seventh CEP was established late in 1996 and was in charge of the extremely controversial partial legislative elections and local council elections of April 1997, which led to the resignation of the Prime Minister, who denounced the CEP decision not to cancel the April elections. Later in September of 1997 six of the nine members of this seventh Council stepped down. While a Permanent Electoral Council should in theory have been established following the April elections, electoral disputes regarding the local assemblies that constitutionally play a role in selecting candidates for the Permanent Electoral Council prevented its establishment. In fact, a new Provisional Electoral Council was established in May 1999.

Although the Council is a provisional body by law and more so in practice, its 652 permanent staff do not consider themselves provisional employees, but permanent civil servants. Such is their actual status, although their level of training and professional capacity is limited.

There are 120 permanent employees at the central office, 30 at the departmental level (three in each of 10 departments), and 399 at the communal level (three for each of 133 communes). At election time, thousands of electoral officers are temporarily hired.

Under the central office of the CEP, nine departmental electoral bureaus (BEDs) exist, one for each department, responsible for overseeing the administering the communal electoral offices (BECs) and the voting bureaus (BIVs) in their department. BECs are responsible for administering the offices where voters register prior to an election, as well as the BIVs themselves on election day. BECs are also responsible for collecting, consolidating and transferring ballots, tally sheets, and other electoral materials to the departmental electoral offices. BIVs exist at the polling station level. There are also 565 delegates (*delegués*), one per commune, who have vague coordination functions, including transferring information and materials between BIVs, BECs, BEDs, and the CEP. Little coordination and planning has been made with regard to the functioning of these different bodies. More dramatically, it is at the BECs that the greatest number of problems have occurred since 1990; the transfer functions of the delegates have been so poorly defined that they have sometimes kept voting materials in their homes (IRI, 1997, p. 6).

3. Main Functions of the EMB

The CEP is legally responsible for all the main functions customarily performed during the electoral process, starting with the drafting of legislation. The first Provisional Council of 1987 prepared a draft election law, which was first rejected and then accepted by the government. After the second coup of Namphy, in June 1988, a newly appointed Council was in charge of drafting an electoral law. Later in 1989, under General Avril's transition government, new legislation was developed and enacted after consultation with political parties, church groups and labor unions. The Council of 1994 also drafted the legislation for the general elections of the following year, as did the Councils that succeeded them.

There is no permanent register of voters; voters who have not previously registered have to apply before the next election. There have always been problems with registration. The lists are often updated by hand with few evident controls in place to ensure their integrity. In 1997, for example, voters who were not previously registered were not permitted to register, without any explanation for that decision (IRI, 1997, p. 15). In 1995, the president of the CEP reported that 1 million of the 4.2 million registration cards distributed by the CEP were missing. International observer missions have recommended that a permanent register exist with continuous voter registration; that the registries should be computerized; that the existing multi-purpose national identification card be used for voter registration and also for voting; that such a card be durable and tamper-proof; and that a new census be conducted, since the last one was carried out in 1982 (Human Rights Watch, 1995, pp. 9, 13).

Registration of parties and candidates is conducted by the CEP. In 1995, a large number of candidates from the democratic opposition were excluded on arbitrary grounds (Pastor, 1995, p. 8; OAS, 1995, p. 25; Nelson, 1998, p. 77). In 1997, when the primary competition was among factions of the pro-government "platform", many candidates were permitted to register despite substantial deficiencies in their applications (IRI, 1997, p. 15). Voter information and civic education on the part of the CEP has been considered deficient in different elections. In 1995, the cautious OAS report pointed out "[t]he need for timely communication and public information on subjects such as remedial action determined by the CEP concerning candidates omitted from ballots, missing logos of independent candidates and on information which would enhance the credibility of both the CEP and the electoral process" (OAS, 1995, p. 26). In 1997, a more critical IRI report stated, "Initiated late and half-heartedly, civic education efforts for these elections clearly were inadequate . . . The CEP appears to have understood the importance of civic education because it budgeted substantial

resources for such purposes. Curiously, the CEP apparently disbursed few of the budgeted resources" (IRI, 1997, p. 16).

The role of the Council in recruiting its own staff has generally been assessed negatively as basically meeting demands of parties and clients rather than following technical standards of good administrative practice (Nelson, 1998; IRI, 1997). Training of poll workers, on the other hand, has been generally considered good at the polling station level, although not at the communal levels, where most of the disorder usually has taken place on election day. Training programs have basically been funded and assisted by international assisting agencies, most frequently the American organizations IFES and NDI.

The financial accounting of the CEP has been characterized since 1990 by a lack of transparency and accountability. Flaws have been identified and criticized in book-keeping, financial audits, material inventories, and accounting procedures (IRI, 1997, p. 10). In general, lack of management planning has been considered one of the weakest points of the CEP (Nelson, 1998, p. 85).

The financing of Haitian elections would have been inconceivable without international assistance. Elections have essentially been funded by donors through an Electoral Trust Fund managed by the UN mission and bilateral assistance. The Haitian government's contribution to the electoral budget of 1995, for example, was only 4 per cent (Nelson, 1998, p. 75). Moreover, no attempt has been made for the development of a sustainable election administration that depend less on foreign aid. In projecting costs, electoral authorities in Haiti appear to have considered "elections as an employment program", as they use the electoral administration for patronage and political partisanship, rather than as an activity subject to operational goals and deadlines (Nelson, 1998, p. 85). This budget dependency, though, must be viewed within a broader public finance framework, because donors provide 70 per cent of the Haitian national budget (Nelson, 1998, p. 81). With regard to electoral activities, many observers have remarked that donors appeared more interested in the elections than the Haitian government (Nelson, 1998,

p. 85). This sort of dependency syndrome in heavily assisted international elections has been more broadly identified as a structural characteristic of post-conflict elections in which a contradictory relationship tends to exist between donors and grantees. Without assistance, the elections would probably not succeed, yet assistance diminishes the capacity of local actors for autonomous action that would demonstrate how far they could go on their own (López-Pintor, 1997b).

The cost of elections for the 1995 parliamentary and presidential contests can be estimated at around US\$29 million, the largest part of which was provided by the U.S. government. Other than the 4 per cent that came from the Haitian national budget, donors contributed to the \$11.5 million Trust Fund as follows: the United States provided \$9.3 million, France \$1.6 million and Japan \$600,000. The remaining \$16 million included \$3.7 million to cover the cost of OAS election observation and \$6 million for U.S. non-governmental organizations, both provided by the U.S. government (IFES, NDI, and IRI were involved in providing electoral materials, poll worker training, voter education and observation); \$3.5 million from the European Union to assist poll workers and political party poll watchers; \$2.5 million from Canada for voting kits and civic education materials; \$250,000 from Mexico for computer assistance; and some unquantified expenses by the U.S. Defense Department, including air transport of ballots from the California printer and making trucks and warehouses available for the CEP (Nelson, 1998, p. 75).

Although direct election costs were estimated at \$10.2 million for the parliamentary elections and \$8 million for the Presidential elections, one could argue whether other costs described above (such as intensive international observer missions like that of the OAS) should be included as part of an electoral budget. It would also be hard to decide how much of some of those other costs (such as those for voter education and poll-worker training) should be budgeted to either or both of the two elections that took place within a six-month period. In any case, for the purpose of this paper, the entire estimate of \$29 million will be considered the electoral cost for both elections, and it will

be split in half for the assessment of cost per elector. Therefore, an estimate of \$14.5 million would be the cost of a general election in Haiti, which amounts to an average \$4.0 per each of the 3.5 million registered voters. It should be pointed out that, in comparative international terms, the average cost per elector in Haiti is closer to that of normal elections in other countries of the regions (Uruguay, \$3.5; Costa Rica, \$4.4; Mexico, \$5.9) than to average costs in most of the elections held as part of peace-keeping operations (\$11.8 per voter in Nicaragua in 1990, \$22.0 in Angola in 1992, or \$10.2 in Mozambique in 1994). In this connection, election costs in Haiti should not be considered as especially high.

There is no public funding, although elections could benefit from access to free radio and television air time.

Polling operations have suffered from the lack of procedural normality and the professional competence of the electoral authorities. An observer from the Carter Center wrote in his 1995 post-election assessment "Of 13 elections that I have observed, the June 25th Haitian elections were the most disastrous technically with the most insecure count" (Pastor, 1995, p. 8). The counting of ballots has been considered the worst part of the process. As with other pervasive irregularities, it seems less a centralized or coordinated effort at rigging and fraud than a sheer lack of control (Pastor, 1995, p. 8). Numerous problems in handling the voter lists and voter cards have been reported (Pastor, 1995; OAS, 1995; IRI, 1997; Nelson, 1998).

The CEP role in dispute adjudication has usually lacked procedural simplicity and transparency. Inconsistent and often arbitrary adjudication of challenges to candidate registration and vote tabulations has been reported. The need for uniform procedures and written explanations of decisions has been recommended. There are no clear guidelines to the lower bodies as to how to handle claims and complaints presented to them (IRI, 1997, p. 9).

4. Relationship with Other Institutions and Agencies

There is not much to be said here beyond what has been already described in other sections of this case study, other than that an overall picture of a traumatic inter-institutional relationships emerges from the Haitian experience. Given the provisional status, both legal and actual, of the electoral bodies, as well as the unstable political environment in which successive CEPs have had to administer elections, no other outcome could realistically have been expected. If only these two major structural factors still obstruct the functioning of electoral authorities, some measure of hope can be maintained. Since the 1997 communal elections, legal conditions have existed for the appointment of a Permanent Election Council and one should be established. Moreover, maintaining peace and civilian government in the country seems a more likely prospect today than during the first half of the decade.

5. Contribution to Democracy and Governance

It would be hard to identify any significant contribution to democracy – or, indeed, even to governance – in the record of the highly volatile electoral authorities of Haiti, if only because nine different CEPs have been formed during the past decade of intermittent electoral politics and de facto governments, at an average of two councils per election year. Nevertheless, several elections have taken place in a peaceful manner since 1988, and some political problems at a basic level have been successfully handled through the intervention of electoral politics: demilitarization, one transfer of power among civilians, and a reduction of violence. Some credit should be given to those who managed the electoral machinery, independent of the many serious problems that they helped to create or were unable to handle in a more effective manner.

As stated by an observer group after the 1997 elections, “It is important to remember that Haiti is not an experiment in nation-building; rather, it is a nation, but one uniquely ill-served by many of its

leaders and among the international community" (IRI, 1997, p. 4). Haitian democracy remains a work in progress. The declining participation rates and continuing irregularities clearly suggest not that Haitians reject democracy, but that they refuse to participate in an unresponsive and fraudulent process. It is not difficult to agree with the IRI conclusion that, "While the Haitian people are searching to build a partnership with the country's governing institutions, the country's leaders appear undisciplined in their response" (IRI, p. 3).

Many considered the April 1997 parliamentary and local elections a step backward in the building of democracy, as failures of the past continued to mar the electoral process, starting with the 5 per cent minimum turnout. Restrictions on voter registration, arbitrariness at candidate registration, persistent boycotts by opposition parties, continuing procedural breakdowns particularly at the communal (BEC) level, and failures of vote-counting and ballot security can be considered among the most serious obstacles for the development of a Haitian electoral system and administration that would meet international standards of good practice. While Haiti obviously has not yet found a method of including the political losers who systematically boycott the elections, or given signs of moving towards the creation of an effective sustainable electoral administration (Nelson, 1998, p. 83), some trends favor the building of democracy: military rule has been absent for almost a decade; the level of violence has been dramatically reduced with the demobilization and disarmament of the old army and police; elections continue to be a part of the political agenda according to a Constitutional calendar; and the international community remains committed to assisting in the democratization process.

References

(*) Figures on cost of elections come from the following sources: publications, unpublished documents facilitated by electoral authorities, information forwarded by electoral authorities via personal (direct or telephone) interviews, and estimates based on fragmentary information. Figures on the United States are included in the Appendix of the Administration and Cost of Elections (ACE) Project and belong to St. Louis county for the last Presidential elections, from which a projection at the national level has been made. Figures on Dominica, Liberia, and Mozambique are also from the ACE Project appendix. Figures on Australia are published by Carl W. Dundas (ed.) (1998). Figures on Pakistan come from the *Report of the Election Commission* on the 1997 elections. Figures on Kenya come from Africa News Service. Figures on Russia come from the *European Parliament Observation Report* on the 1995 parliamentary elections. Figures on Mexico come from the 1997 report by the Instituto Federal Electoral. Figures on Ethiopia, Haiti, and Nicaragua are estimates based on various data included in the respective chapters of Krishna Kumar (1998). Unpublished documentary information was provided by the electoral authorities of the following countries: Bangladesh, Benin, Costa Rica, El Salvador, India, Lesotho, Nepal, Panama, Paraguay, Senegal, and Uruguay. Field reports by the International Foundation on Election Systems (IFES) supplied the figures on Burkina Faso, Ghana, Malawi, Mali, and Uganda; sometimes the field reports were pre-electoral assessments, as in Kenya. Information on the following countries was directly forwarded by electoral authorities in personal (direct or telephone) interviews: Angola, Botswana, Brazil, Chile, Belgium, Denmark, Finland, Germany, Netherlands, Norway, Spain, Sweden, and Switzerland. Except for Spain and Germany, the figures on all remaining European countries are raw estimates, given the fact that national aggregates are never

made (local governments pay for a large part of the electoral expenditures without being reimbursed by the national government). In the United Kingdom, elections are also largely financed at the local level, and such a thing as a national aggregate does not exist. The figure given here is a national projection made by the author based on data from seven constituencies, both urban and rural, facilitated by the Head of the Association of Electoral Administrators. Figures on the Yeovil constituency are included at the ACE project, as they are in line with the overall estimate offered in table on costs of elections. The election costs in India are estimates provided by the head of the Electoral Commission, as delivered at a lecture. A strictly national election budget in India, without including all the costs incurred by the local governments (which are the larger costs), is around US\$200 million as described by the ACE project. Figures on Cambodia, Palestine, and Bosnia-Herzegovina are rough estimates provided by the writer upon the basis of some fragmentary information partly published, partly contained in documents from electoral assistance agencies. The estimates for Cambodia in 1993 constitute a working hypothesis based on general cost figures in public documents from the United Nations Transitional Authority in Cambodia (UNTAC) mission, as well as on the author's experience with this and other peace-keeping missions. The estimates for the 1998 elections are based on publicly released figures by the EU Commissioner M. Marin that the EU provided US\$15 million for the Cambodian elections. The remaining cost, up to US\$26 million, was an estimate forwarded by permanent electoral observers operating in the field. The estimate for Palestine was based on budget information in documents from the EU that electoral assistance of approximately US\$6 million was provided, not including the funding for the observer operation. An educated guess is that an observer operation with the characteristics of that in Palestine would cost approximately US\$3 million. The estimates on Bosnia-Herzegovina are based on published information that the Organization for Security and Cooperation in Europe (OSCE) provided DM7.5 million (equivalent to

US\$5.0 million) to political parties before the 1996 campaign, and a television station costing US\$11 million was installed under the sponsorship of the Office of the OSCE High Representative. A small part of that television station's cost could be considered an election cost. Moreover, it should be considered that party funding for campaigns usually amounts to nearly as much as the cost of the electoral operation proper. And finally, the cost of an intensive and extensive observer mission in a country the size of Bosnia can be estimated at no less than US\$2 million. All this taken into consideration, an overall conservative estimate of electoral costs in Bosnia-Herzegovina totals US\$9 million. Figures on South Africa are rough estimates based on comments of expert domestic observers.

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