

AGENCY FOR INTERNATIONAL DEVELOPMENT
BUREAU FOR GLOBAL AFFAIRS
CENTER FOR DEMOCRACY AND GOVERNANCE

ELEMENTS AND INSTITUTIONS OF THE ELECTORAL PROCESS
THAT CONTRIBUTE TO SUSTAINABLE DEMOCRACY

THUNDER & ASSOCIATES
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The political, institutional and participatory processes associated with elections represent building blocks, among others, from which sustainable democracy is derived. A democratic form of government is the product of an open and credible process that allows citizens to determine collectively, through elections, who governs. Sustainability implies the capacity to repeat, improve, and self-generate with growing independence.

Sustainability results from an informed and active citizenry that is motivated to participate responsibly; from viable civic organizations and political parties that organize to represent and inform citizens; from constitutionally independent electoral institutions that administer open, free and fair elections; and, from governmental institutions (legislative, executive and judicial) that demonstrate the political will to create and maintain the conditions and means to provide transparent, open, and fully participatory democratic practices. Two significant indicators of sustainable democracy are the broad acceptance of an electoral outcome and a smooth transfer of political power.

The following discussion identifies the key elements of the electoral process that contribute to a sustainable democracy.¹ Those elements include: the electoral law, a civil/electoral registry, an electoral administration, political parties, civic education, non-governmental organizations, international actors, and the military.

ELECTORAL LAW

The electoral law establishes the framework for all election activity and provides guidelines for the continuity of the process. The components of the law govern the rights of the individual's participation in the process, determine, the administration and implementation of the law itself, and establish the methods by which challenges and/or appeals to the process may be addressed.

It delineates electoral districts which determine constituencies

¹ USAID Guidelines for Strategic Plans define sustainable development as a "dynamic process, not a fixed objective {that} requires building lasting individual, institutional, and societal capacity to respond to changing circumstances, new needs and evolving opportunities." This characterization aptly applies to democratic development, as well.

and establishes criteria for elections of candidates. The electoral law may also include provisions concerning access to media and rules concerning the financing of campaigns. Guidelines for the observation of the electoral process by party poll watchers, local non-governmental organizations and/or international organizations may be defined in the electoral law. In addition, the law may also include an element of flexibility to allow for adjustments as determined by the electoral governing body.

Finally, the electoral law should establish an independent body to conduct voter registration and elections in a free, fair, open and credible manner.

CIVIL REGISTRY/ELECTORAL REGISTRY

An accurate census which identifies and certifies the voting population is a critical element in the electoral process that contributes to sustainable democracy. Demographic data determines the voting age population and also its geographic location. The registration of that population with a permanent identifications establishes a baseline for election administrators to use in determining the necessary allocation of resources during and electoral period. New voters may be incorporated and deceased voters may be purges from the system in a timely fashion if the civil registry accurately records these fluctuations in population.

It should be noted that many countries in the Third World have not been able to conduct a census for several decades. The population growth rates of near 3% (or more) in some countries produces a large increase in the voting age population between elections. For example, in Nicaragua in 1990, 89% of those eligible to register did so. Of those registered, 86% voted in the elections resulting in 76% of the voting age population actually participating. In 1996, taking into account the 24% eligible who did not participate, the increase in population between elections will result in a possible total of 60% of the population participating for the first time.² The institutionalization of a civil registry process which provides voter identification would make a significant contribution to sustaining the electoral process. It would also reduce the cost in the long-run of having to register voters for each election.

ELECTION ADMINISTRATION

Electoral Council

The electoral law sets the rules for determining the administrators

² Data provided by Dr. Mariano Fiallos, President of the Supreme Electoral Council of Nicaragua - November 1994.

of the electoral process and establishes the authority under which that body may function. Critical to the success of the electoral process is the determination of a governing electoral council that is perceived to be non-partisan (or at least multi-partisan), balanced, neutral and independent from the existing governmental apparatus.

Costa Rica is an example that takes this characterization to an extreme. The Supreme Electoral Tribunal (TSE) is actually a fourth branch of government. Prior to the date of an election, authority over the security forces of the country is transferred to the magistrates of the TSE.

The Electoral Council has the responsibility to administer the elections, determine the results and communicate those results as final. Electoral administration extends to the regional and local levels which must be fully integrated into the process in order for it to succeed. The Electoral Council determines the resources necessary to conduct an election and submits a budget to the government. The Council selects regional and local election officials and is ultimately responsible for the adequate training of supply of appropriate election materials to all polling places.

While procedures to resolve disputes in the electoral process may or may not appear in the electoral law, the Electoral Council maintains the responsibility to mediate disputes, determine the final winners and resolve appeals to the extent allowed by law. Dissatisfaction at that level may move the dispute into the court system, again, depending upon the Electoral Law.

The Electoral Council may also extend invitations for international observation of the elections on its behalf, or on behalf of the government.³ If the Electoral Law does not include provisions for international observations, the Electoral Council should determine guidelines for those activities. International observation may contribute to the voting population's level of confidence in the process.

However, as electoral systems are becoming more technically sound and less vulnerable to technical fraud, international observation serves a more symbolic function. Host country poll watchers and political parties serve as the guardians of the process and are most likely to be able to determine whether the process was free and fair. The training and development of these local guarantors of the system contribute greatly to sustaining the democratic electoral process.

³ For a useful profile of election observation operating principles see Guidelines for International Election Observing prepared by Larry Garber/The International Human Rights Law Group (1984).

Technical Administration

Above all, the technical administration that supports the Electoral Council must be trained and have adequate resources to carry out the multiplicity of tasks involved in the electoral process. It must have the capacity and resources to carry out training at all levels throughout the country, reaching the most remote polling place.

Adequate logistics and secure communications are critical in the distribution of election materials and the collection of voting tabulations. Mechanisms to ensure the voting process and the transmission of results must be implemented.

Continuity of trained election administration personnel over time supports sustainable democracy by diminishing the "re-invention of the wheel" each time an electoral process is undertaken. The collective experience gathered as successive elections are undertaken strengthens the capacity of the electoral administration.

Both the experience from participation and the training throughout are factors which allow resources invested to have a shelf-life beyond the current election. This is true at the level of individual poll-watchers at a remote polling station as it is with the election officials at the national level. Ideally, those who have participated at many levels may be recruited to perform similar or related tasks in the future, thus contributing to the development of a human infrastructure to support the electoral process.

Commodities, on the other hand, are totally necessary to the electoral process, but a high percentage are consumables. Technological innovations used today may or may not support elections two, four or six years from now. While that alone should not be an argument to use against the introduction of technological support, careful analysis must be undertaken to identify and justify appropriate technology.

POLITICAL PARTIES

A political party is the vehicle through which citizens may organize and present candidates and platforms to the voters. Party organizations aggregate and articulate citizen interests. They educate and mobilize the electorate, and recruit future leaders and candidates for public office.

During an electoral period, parties strive to increase voter participation on behalf of their candidates. They organize campaigns to recruit support for their views and their candidates.

There is a debate among political scientists as to the ideal number of political parties for a sustainable democracy. While Seymour Martin Lipset has argued that the two-party system is the one most likely to produce moderation, accommodation and aggregation of diverse interests, a study conducted by Larry Diamond, Juan Linz and Lipset suggests that it is "difficult to derive a single, general rule about the ideal number of parties."⁴ Nevertheless, the study goes on to suggest that there was a correlation between democracy development and party development that included the following: "some substantive coherence about policy, and program preferences, some organizational coherence and discipline, some complexity and depth of internal structure, some autonomy from dominance by individual leaders or state or societal interests, and some capacity to adapt to changing conditions..."⁵

CIVIC EDUCATION

Civic education is the process through which a citizen becomes cognizant of his/her rights and responsibilities while living under a democratic system. While this is not a component of the electoral process, per se, it is a critical variable in the preparation of citizen participants and future leaders.

Values, beliefs and attitudes about democracy are cultivated through formal and information education programs. Formal education programs are conducted through a civics curriculum in schools. Informal education programs are presented by associational groups that support citizen participation.

The mass media also contributes to a citizens' awareness of the events and policies which may have an impact on their lives. The free, uncensored information flow provided by the mass media contributes to the debate of issues among citizens and their governmental representatives.

Programs that support civic education in schools, advocacy associational group activities and the development of professional, responsible broadcast and print media all contribute to sustaining democracy.

NON-GOVERNMENTAL ORGANIZATIONS

Non-governmental organizations represent the "third sector" of

⁴ Larry Diamond, Juan Linz and Seymour Martin Lipset, Politics in Developing Countries - Comparing Experiences with Democracy; Boulder: Lynne Rienner Publishers, 1990; p.25.

⁵ Ibid., p.27.

society. They serve in a multitude of political, social and economic roles as organizers of common interests, articulators and advocates of views, providers of service and as intermediaries between the governors and the governed. As members of civil society NGOs help balance the power of government, provide means for mobilizing the private sector, represent ordinary citizens and, most importantly, instill democratic values, stability and continuity in society. Without the fabric of a civil society and the network of non-governmental organizations to mobilize public involvement and participation, sustainable democracy will remain elusive.

INTERNATIONAL ACTORS

International donors and non-governmental organizations can play a vital role in ensuring sustainability by providing material support, shared experience and international credibility in each of the areas identified above. Technical assistance, dialogue and encouragement, training, and commodity contributions could prove to be invaluable adjuncts to a country in transition that displays the political will and self-help measures to reform. Ultimately, however, the democratizing country itself must sustain the reform process and the positive behavioral changes in its citizenry.

THE MILITARY

The military role in attaining sustainable democracy is crucial. Frequently countries in transition evolved from military dominated regimes. Often the only source of stability and order was imposed by a country's military forces. Similarly, it is not uncommon for transition countries to move alternately forward and backward between unstable civilian and military control. But if sustainable democracy is to be achieved, the military must accept the well established principle of civilian control. The military as an instrument of the political structure of a state must be accountable to the elected representative of the citizenry. Functionally it is established to defend the sovereignty of the state and not to suppress the popular will of the people and its representatives. The civilian/military relationship, then, should be constitutional defined and maintained according to the principle of civilian control as a pre-condition of sustainable democracy. While the international community can be instrumental in forging this precept through dialogue, conditionality or diplomatic isolation, officials of the host country must manifest the political will and mobilize popular support to complete the transition from military control to civilian rule. If it is done by force from without in the absence of that will and popular support it will not be sustainable.