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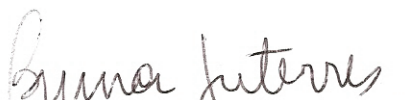
Bruna Guterres

How can the international community promote an electoral process that serves the purposes of national renewal and peace rather then a continuous conflict?

Title: Master Thesis – How can the international community promote an electoral process that serves the purposes of national renewal and peace rather then a continuous conflict?

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Supervisor: Paul Opoko-Mensah

Student No: 20063618

Bruna Haynes Parisot Guterres

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1. <u>Introduction</u>

There can be little disagreement that the promotion of effective democratic governance efforts in post-conflict countries helps the advancement of sustainable peace and pursuit of state reconstruction.

In post-conflict countries the measurement of successful peace is much debated and contested in the literature. Doyle and Sambanis adopted a measurement which is called 'negative' or 'sovereign' peace, reflecting the single sovereignty, and 'positive' or 'participatory' peace, one that favours peace that includes wider participation.[1] Participatory peace requires sovereign peace plus a minimum level of political openness – it does not require a country to be democratic, but excludes the most authoritarian regimes.[2] Their theory argues that peace cannot be based on the complete exclusion or repression of a group of citizens, a very low level of political openness is then required, as most countries fail to attain higher standards two years after war.[3]

Although sovereign peace is more easily achievable, as the focus is the absence of large-scale violence, participatory peace should be desirable. In a situation where no given party achieves a definitive victory, military or otherwise, "the issue of determining who will govern must be part of the peace process"[4].

Post-conflict countries usually encounter several challenges in their reconstruction/peacebuilding efforts, where there is often "more than one ethnic identity, national identity is weak, state institutions have been corrupted or destroyed altogether,

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[1] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.18

[2] The level of political openness is coded in the polity index. Doyle and Sambanis requires a score of 3 out of 20 (with 20 indicating a perfect democracy). Ibid., p.73
Polity Index - Level of democracy/autocracy is indexed here on a scale from -10 to +10. A score of +10 indicates a strongly democratic state; a score of -10 indicates a strongly autocratic state. A fully democratic government has three essential elements: 1. Fully competitive political participation; 2. Institutionalized constraints on executive power, and ; 3. Guarantee of civil liberties to all citizens in their daily lives and in political participation. http://earthtrends.wri.org/searchable_db/variablenotes.php?theme=10&varid=509, accessed, April 3rd, 2008.
Other manifestations of civil liberties such as rule of law and freedom of the press are not measured here.

[3] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.73

[4] IFES: Sivapathasundaram, Dileepan. *"Elections in Post-conflict Environments: The Role of International Organizations"* (2005) http://www.ifes.org/publication/b552491b9259d857e0d69017fde73ee0/2004_Manatt_Dileepan_Sivapathasundaram.pdf, accessed October 15th, 2008. p.7

the middle class is small (or has fled), and the economy has been geared to military production and the civilian economy has been looted"[5]. Although these challenges are difficult to overcome, the end of conflict offers the opportunity to rebuild "societies, polities, and economies and embrace reforms that have been elusive in the past"[6].

Participatory peace "offers the prospect of peace as a self-sustaining conflict resolution mechanism – the promise that future disputes will be negotiated, resolved according to constitutionally agreed procedures"[7]. For the donor community 'participation' is an end in itself and also a way forward towards the consolidation of political and administrative objectives.[8] The UK Department for International Development (DFID) endorses the rights of all citizens "to participation in, and access to information relating to, the decision-making process that affect their lifes"[9].

Participatory peace can then be associated with the term 'democratizing state'; where some democratic characteristics have been adopted, even if they retain important non-democratic features.

Arguably, the most important factor of success or failure of post-conflict reconstruction is the extent to which a legitimate government exists and how effectively it functions. According to Orr a government is essential to providing security, justice, economic, and social functions and to channelling the will, energies, and resources of both the indigenous population and the international community.[10] This government should be elected through free, fair and inclusive elections.

Post-conflict elections are seen as an integral part of the process of war termination and democratization.[11] This trend began in the 1990s. President Bill Cliton claimed that promoting the spread of democracy would also promote peace; he "argued that support

[5] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.19

[6] IFES: Sivapathasundaram, Dileepan. *"Elections in Post-conflict Environments: The Role of International Organizations"* (2005) http://www.ifes.org/publication/b552491b9259d857e0d69017fde73ee0/2004_Manatt_Dileepan_Sivapathasundaram.pdf, accessed October 15th, 2008. p.5

[7] Op cit., p.19

[8] Smith, B.C. *Good Governance and Development*. New York: Palgrave Macmillan, 2007. p.149

[9] Ibid. p.149

[10] Orr, Robert. "Governing When Chaos Rules: Enhancing Governance and Participation." *The Washington Quarterly*, 25:4, pp. 139-152 (Autumn 2002). p.139

[11] Leyraud, Jerome. "From War Termination to Democracy Building: Elections in Post-Conflict Environment" *Discussion Paper* (May, 2007) http://asef.org/projectData/documents/session1-02-leyraud.pdf, accessed March 26th, 2008. p.1

for democratization would be the antidote to international war and civil strife"[12]. Yet, the 1990s turned out to be a decade of both democratization and chronic nationalist conflict.[13]

In the recent past governance efforts in post-conflict countries were narrowed to the organization of elections, allowing the international community to leave after a legitimate government was elected, complemented by an amorphous attempt to build civil society organizations.[14] This approach has proven to be ineffective and sometimes have led to a reversal in the peace process, costing thousands of additional lives, wasting millions of dollars, time and energy – e.g. Haiti and Angola.[15]

Nowadays the approach to governance has changed and encompasses several programmes which aim at ensuring the long-term assistance needed for successful democratization – hence the advancement of peace and development. However, the organization of elections continues to play a critical role in the advancement of democratic governance programmes and represents a decisive moment to many post-conflict countries. As noted in the UN Peacekeeping *2007 Overview*:

> "Elections open a window of opportunity for countries to escape from the cycle of political instability, violence and poverty, and to demonstrate that the legitimacy of an elected government is derived not solely from the ballot box but rather from its ability to provide impartial security and deliver basic social services for all."[16]

The main area of research of this document will be the organization of elections in post-conflict countries. It will emphasize on the role of the international community in ensuring a successful electoral process in post-conflict countries.[17] The main question which the document will attempt to answer is - *How can the international community promote an electoral process that serves the purposes of national renewal and peace rather then a continuous conflict?*

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[12] Snyder, Jack. *From Voting to Violence – Democratization and Nationalist Conflic*t. New York: W. W. Norton & Company, 2002. p.15

[13] Íbid.,. p.15

[14] Orr, Robert. "Governing When Chaos Rules: Enhancing Governance and Participation." *The Washington Quarterly*, 25:4, pp. 139-152 (Autumn 2002) p.142

[15] Ibid., p.142

[16] UN Peacekeeping: *2007 Overview* http://www.un.org/Depts/dpko/SGreport.pdf, accessed March 27th, 2008. 58/59

[17] Most elections held in post-conflict societies received assistance, supervision and sometimes direct involvement from the international community.

To address this question, this document will begin by conceptualizing key concepts which are important to this study – these include: post-conflict; elections and post-conflict elections; national renewal; participation; international community; peace; democratization and democracy; and good governance, governance and democratic governance.

Chapter 3 will follow with a discussion of the difficulties encountered and strategies adopted during the transitional period, which is market by the time between cease-fire and elections. This section will address the issue of post-conflict elections as an important condition in peace agreements. It will explain the democratic reconstruction model as well as it will give some generic examples of post-conflict elections. A discussion of the difficult choices and policies adopted to promote an electoral process that serves the purpose of national renewal and peace will begin in this chapter and will be further developed in the following chapters.

Chapters 4 and 5 will address the issue of peace-building policies as the author of this document believes that short-term peace-building success is critical for the organization of a successful electoral process. In the third chapter I will mostly look into peace-building strategies and the determinants for a successful peace implementation. The fourth chapter will look into some theoretical perspectives of war and will also outline the highest risk factors which determine whether a conflict restarts. In this part I will propose different initiatives which can be taken by the international community to counter the most known risk factors of conflict – natural resources rent, low levels of per capita income and ethnicity.

Chapter 6 will deal with necessary programmes which are common to most post-conflict societies when conflict resumes and sustainable peace is the aim. These programmes include the monitoring of the peace agreement; disarmament, demobilization and reintegration of ex-combatants and the strengthening of the civil society organizations.

Chapter 7 will proceed to explain the main areas of intervention/assistance necessary for the conduct of a successful post-conflict electoral process which reflects the will of the citizens and serves the purpose of national renewal and peace. This chapter pay special attention to Constitutional/Legal Reform; Capacity building of Political Parties; Capacity building of Electoral Management Body (EMB); Voter Registration; Civic and Voter

Education Campaigns; Electoral Dispute Mechanisms; Logistics and Infrastructure; Integration of New Technologies; and Media.

Chapter 8 will call for more participatory policies in post-conflict countries as means to improve democracy, human rights and human development.

Chapter 9 has the conclusion remarks which focus on the commitment, involvement and resources provided by the international community for the organization of an electoral process which serves the purposes of national renewal and peace.

This document will be executed based on secondary as well as empirical research. The author of this document worked for three months at UNDP Brussels Office in the Democratic Governance, Electoral Systems and Process Programme Unit assisting the Electoral Assistance Specialist – I have also participated in 3rd section of the EC-UNDP-IDEA Joint Training on Effective Electoral Assistance which took place in Brussels in October 2007.

2. <u>Clarifying Concepts</u>

This document will begin by conceptualizing key concepts which will be utilized throughout this study. The aim of this chapter is to bring readers and author to agree on the meaning of these concepts. However, these terms carry with them a number of different meanings in the scholarly and practitioners circles. I won't attempt to debate these terminologies. The aim here is to reach a common understanding which will assist us on looking at ways through which the international community can promote elections that serves the purposes of national renewal and peace rather then a continuous conflict.

2.1. Post-conflict

Post-conflict countries are those emerging from war, which can be civil war or interstate war. Since the end of the cold war, most wars are civil war. According to Doyle and Sambanis "civil war is an armed conflict that pits the government and national army of an internationally recognized state against one or more armed opposition groups able to mount effective resistance against the state; the violence must be significant, causing more than a thousand deaths in relatively continual fighting that takes place within the country's boundaries; and the rebels must recruit mostly locally, controlling some part of the country's territory."[18]

Internal conflicts have become central to today's international relations and assistance agendas. Worth a quotation is a passage on CIA's *Global Trends 2015* study:

> "Through 2015, internal conflicts will pose the most frequent threat to stability around the world…
> Many internal conflicts, particularly those arising from communal disputes, will continue to be vicious,
> long-lasting and difficult to terminate – leaving bitter legacies in their wake. They frequently will
> spawn internal displacements, refugee flows, humanitarian emergencies, and other regionally
> destabilizing dislocations. If left to fester, internal conflicts will trigger spillover into inter-state
> conflicts as neighbouring states move to exploit opportunities for gain or to limit the possibilities of
> damage to their national interests…"[19]

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[18] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.31
[19] http://www.dni.gov/nic/PDF_GIF_global/globaltrend2015.pdf, March 25th, 2008.

A post-conflict country does not necessarily imply that violence has resumed in all corners of the country. In practice, "most post-conflict reconstruction efforts take place in situations where conflict has subsided to a greater of lesser degree, but is ongoing or recurring in some parts of the country"[20].

A post-conflict period, according to Sivapathasundaram, falls between "the cessation of hostilities and the establishment of political stability"[21]. This period could last between two and five years.

2.2. Elections and Pos-Conflict Elections

According to UNDP elections are "the means through which people voice their preferences and choose their representatives… [t]hey confer legitimacy on the institutions or representatives that emerge from them, or call their legitimacy into question".[22]

Elections do not equate democracy but it does provide an important step in the democratization process.[23] According to Bratton you can have elections without democracy but you cannot have democracy without elections.[24] He also points out to the fact that "[t]he regularity, openness, and acceptability of elections signal whether basic constitutional, behavioral, and attitudinal foundations are being laid for sustainable democratic rule".[25]

For the purpose of this document post-conflict election indicates the first national or regional elections held following a conflict – elections in post-conflict countries carry a tremendous burden as they are projected in peace agreements to halt civil wars, sustain peace and provide the basis for a long-term process of democratization. Post-conflict

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[20] - Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p.4

[21] IFES: Sivapathasundaram, Dileepan. *"Elections in Post-conflict Environments: The Role of International Organizations"* (2005) http://www.ifes.org/publication/b552491b9259d857e0d69017fde73ee0/2004_Manatt_Dileepan_Sivapathasundaram.pdf, accessed October 15th, 2008. p.10

[22] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide.* New York: UNDP, 2007. p.1

[23] European Commission. EC Methodological Guide on Electoral Assistance. Brussels, 2006. p.11

[24] Bratton, Michael. "Second Elections in Africa" *Journal of Democracy*, Vol. 9.3 pp. 51-66 (1998). paragraph 4

[25] Ibid., paragraph 4

elections "are called upon to settle the contentious issues of internal and external legitimacy and must be organized under the difficult circumstances of societal disorder, general insecurity, fear, distrust, and institutional breakdown."[26] Leyraud argues that post-conflict elections are aimed at establishing a favourable environment for political, social and economical reconstruction.[27] If held with inadequate preparation, they can produce conflict, disturb the emergent processes of political representation and aggravate societal divisions.[28]

2.3.   Participation

In December 1986, the Human Development Report reported in its Declaration on the Right to Development that participation in politics is one of the fundamental Human Rights and a key to the peaceful development – "[s]tates should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights"[29]. Article 21 of the UN Universal Declaration of Human Rights states that "[e]veryone has the right to take part in the government of his country, directly or through freely chosen representatives"[30] and that "[t]he will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures"[31].

Elections, through voting, provide the most significant form of political participation.[32]

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[26] Lyons, Terrence. "Postconflict Elections: War Termination, Democratization, and Demilitarizing Politics" *Institute for Conflict Analysis and Resolution - George Mason University*, Working Paper No. 20 (February 2002) p.6

[27] Leyraud, Jerome. "From War Termination to Democracy Building: Elections in Post-Conflict Environment" *Discussion Paper* (May, 2007) http://asef.org/projectData/documents/session1-02-leyraud.pdf, accessed March 26th, 2008. p.1

[28] Ottaway, Marina. "The Dangers of Pre-Mature Elections"

[29] UNHCHR - Office of the High Commissioner for Human Rights website. *"Declaration on the Right to Development",* (Dec. 1986) http://www.unhchr.ch/html/menu3/b/74.htm accessed October 10th, 2008. Article 8.

[30] UN website. *"The Universal Declaration of Human Rights",* (Dec. 1938) http://www.un.org/Overview/rights.html accessed October 10th, 2008. Article 21

[31] Ibid., Article 21

[32] Smith, B.C. *Good Governance and Development.* New York: Palgrave Macmillan, 2007. p.149

2.4. National Renewal

Countries which have gone through a period of civil or intra-state war most often than not encounter striking problems of unemployment, disrupted economic activities, poor security, wrecked infrastructure, disrupted delivery of core services (health, education, electricity, water, sanitation) and internally displaced people. The notion of national renewal is closely related with the advancement of Human Development[33]. National renewal happens when there is a burst of vitality within a community.[34] In post-conflict countries this would be when members of a community are given better opportunities for education, access to productive employment, control over their person and their personal environment, access to the political process, and the protection of their basic human rights.

According to Amartya Sen's "the ability of people to play an active and critical role in their choices of leaders, to express opinions, and to be protected from abuse and other environmental factors is critical in shaping welfare."[35] National renewal will then be associated in this document with improvement in the well-being of the population living in post-conflict societies.

2.5. International Community

The term international community refers to intergovernmental organizations[36] (IGOs), multilateral and bilateral agencies, international nongovernmental organizations (NGOs) and relief agencies.

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[33] According to Mahbub ul Haq, founder of the Human Development Report, "Human development is about much more than the rise or fall of national incomes. It is about creating an environment in which people can develop their full potential and lead productive, creative lives in accord with their needs and interests. People are the real wealth of nations. Development is thus about expanding the choices people have to lead lives that they value. And it is thus about much more than economic growth, which is only a means —if a very important one —of enlarging people's choices." http://hdr.undp.org/en/humandev/

[34] Gardner, John W. "National Renewal" *National Civic Review*, Vol. 89 Issue 1, p.5 (Spring2000)

[35] McGillivray, Mark. *HUMAN WELL BEING Concept and Measurement* p.93

[36] Intergovernmental Organizations "Term designating international organizations outside the United Nations system through which nations cooperate on a governmental level." http://www.itcdonline.com/introduction/glossary3_f-k.html

Those in the international community involved in promoting electoral processes in post-conflict countries are, among others, European Union, IFES, The Carter Center, IDEA, OSCE etc; relevant to this project will be the work being conducted by the United Nations. The UN has wide experience in promoting electoral processes. Doyle and Sambanis have gone as far as stating that "for the vital, and messy jobs [peacekeeping], no ones does it better than the UN… the UN can be the legitimating broker in making, keeping, and building of a stable peace that takes the first steps toward the opening of political space for human rights and participatory self-expression"[37].

2.6. Peace

The word peace is usually associated to the absence of violence – the Cambridge Dictionary defines peace as "freedom from war and violence…"[38] Doyle and Sambanis observe, "no peace is perfect. Public violence… never gets completely eliminated… We should thus consider peace to be a spectrum ranging from insecure to secure"[39].

In the contest of this document peace is considered when there is security and political order in place.

2.7. Democratization and Democracy

As mentioned before post-conflict elections are designed to advance two distinct but interrelated goals – war termination and democratization. Democratization can be defined as the transitional process to a more democratic political regime. In post-conflict societies the transitional process to democracy in general and elections in particular have the potential to undermine the peace process and renew conflict.

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[37] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.351

[38] Cambridge Dictionary Online; http://dictionary.cambridge.org/define.asp?key=58263&dict=CALD

[39] Doyle, Michael and Nicholas Sambanis. *Building Peace: Challenges and Strategies after Civil War* World Bank: Washington, DC. In Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p.4

Democracy requires universal adult suffrage; recurring, free, competitive, and fair elections; more than one serious political party; and alternative sources of information.[40] This can only be accomplished through a long term process of political development. The 2002 Human Development Report states that there is no definite or uncontroversial indicator which shows the extent of democracy. In the report democracy is measured through objective (voter turnout, existence of competitive elections) and subjective (expert opinion's about a country's degree of democracy) variables. [41]

It is much argued that no two democracies have ever fought a war against each other.[42] Amartya Sen's has claimed that the spread of democracy has been the greatest achievement of the 20th century.[43] According to the *2002 Human Development Report* "[d]emocracy has proven to be the system of governance most capable of mediating and preventing conflict and of securing and sustaining well-being. By expanding people's choices about how and by whom they are governed, democracy brings principles of participation and accountability to the process of human development."[44]

2.8.   Governance, Good Governance and Democratic Governance

Nowadays governance is a common word in the development literature but it is usually defined differently by donor agencies. Governance is usually associated to 'government' but it has a broader meaning. UNDP defines governance "as the exercise of political, economic and administrative authority in the management of a country's affairs at all

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[40] Diamond, Larry and Leonardo Morlino. *Assessing the Quality of Democracy*. Baltimore: The Johns Kopkins University Press, 2005. p.xi

[41] "Objective measures may not reflect all aspects of democracy. In some cases a country may hold elections without their ever resulting in a change in power. In others there are changes in power, but civil liberties such as press freedoms may be curtailed. Truly democratic governance requires widespread, substantive participation—and accountability of people holding power. Objective measures fail to capture such concepts. Subjective measures should, in principle, capture more of what is meant by the concept of democracy. But being subjective, they are open to disagreement and perception biases." United Nations Development Programme. Human Development Report 2002 - Deepening Democracy in a fragmented World. New York, Oxford, 2002. Appendix p.36

[42] Snyder, Jack. *From Voting to Violence – Democratization and Nationalist Conflict*. New York: W. W. Norton & Company, 2002. p.15

[43] McGillivray, Mark. Human Well Being – Concept and Measurement. New York: Palgrave Macmillan, 2007 p.93

[44] Human Development Report 2002 – Deepening Democracy in a fragmented World, http://hdr.undp.org/en/reports/global/hdr2002/

levels"[45]. For UNDP governance "comprises the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, mediate their differences and exercise their legal rights and obligations"[46]. EuropeAid, the European Union Development Agency, defines governance as the ability and capacity of a government to fulfil its mission.[47] According to Brinkerhoff "the design and implementation of governance reforms in post-conflict states target three areas: (1) reconstituting legitimacy, (2) re-establishing security and (3) rebuilding effectiveness".[48]

The word 'good governance' is associated to the quality of governance. For EuropeAid good governance is when, for example, a government serves the public interest effectively.[49] Good governance is related to a set of values such as participation, accountability, responsiveness, transparency and rule of law.

For the European Union and UNDP the quality of governance is ultimately attributed to its democratic content. Thereby the promotion of 'democratic governance' is a core element in their development assistance strategy. UNDP argues that human development[50] and governance are inseparable.[51] From the human development perspective UNDP has stated that 'good governance' is 'democratic governance'.[52] According to Mark Malloch Brown, former UNPD Administrator, "Democratic Governance is the glue that holds all the other development priorities set out across the MDG's Together"[53].

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[45] UNDP, *Governance for Sustainable Human Development – A UNDP Policy Document*. http://www.pogar.org/publications/other/undp/governance/undppolicydoc97-e.pdf, p.6

[46] UNDP, *Governance for Sustainable Human Development – A UNDP Policy Document*. http://www.pogar.org/publications/other/undp/governance/undppolicydoc97-e.pdf, p.6

[47] EuropeAid website: *Governance and Democracy.* http://ec.europa.eu/europeaid/what/governance-democracy/index_en.htm, paragraph 2

[48] Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p.5

[49] EuropeAid website: *Governance and Democracy.* http://ec.europa.eu/europeaid/what/governance-democracy/index_en.htm, paragraph 2

[50] Human development is about expanding capabilities to enlarge the choices people have in their lives. Brandi, Clara. *Democratic Governance for Human Development – Reflections from the United Nations Development Programme on Democratic Governance*. New York, UNDP, 2008. p. 3

[51] UNDP and Governance: *Experiences and Lessons Learned.* http://www.pogar.org/publications/other/undp/governance/lessonslearned-e.pdf

[52] Brandi, Clara. *Democratic Governance for Human Development – Reflections from the United Nations Development Programme on Democratic Governance*. New York, UNDP, 2008. p. 3

[53] UNDP Democratic Governance website: http://www.undp.org/governance/mdgs.htm

In post-conflict societies is it much advocated by the international community that democratic systems provides the best mechanisms for reconciliation and are the best guarantors of lasting peace.[54]

The review of the above described concepts reveals that the operational terrain for promoting elections that serves the purposes of national renewal and peace rather then a continuous conflict is dynamic and complex. The discussion which will follow will assist on the understanding of this multifaceted environment.

3. __Transitional Period – from the Signing of Peace Agreement to Election Day__

Common to *peace agreements*[55] has been the call for an electoral process which aims at establishing a legitimate government through free, fair and inclusive elections - known as 'democratic validation' of the peace agreement. Most often then not post-conflict elections serve as the final step in the implementation of peace agreements and are expected to set in motion the democratization process. This duality of objectives carries a tremendous burden and creates high expectations.

Post-conflict elections aim at establishing a favourable environment for political, social and economical reconstruction.[56] Lyons argues that there are "few options other than elections to organize the transition from war to peace" [57]. At the same time competitive elections in post-conflict countries have the potential to renew war and undermine the peace agreement. Jarstad and Sisk argue that the transitional process to democracy in general and elections in particular have the potential to be destabilizing events.[58] Synder

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[54] Ottaway, Marina. "Promoting Democracy After Conflict: The Difficult Choices." *International Studies Perspectives*, Vol. 4, pp. 314-322 (2003) p.314
[55] "A peace treaty is "usually the outcome of a "mutually hurting stalemate," which is necessary, but not sufficient, condition for successful peace-building." Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.57
[56] Leyraud, Jerome. "From War Termination to Democracy Building: Elections in Post-Conflict Environment" *Discussion Paper* (May, 2007) http://asef.org/projectData/documents/session1-02-leyraud.pdf, accessed March 26th, 2008 p.1
[57] Lyons, Terrence. "Post-conflict Elections and the Process of Demilitarizing Politics: The Role of Electoral Administration." *Democratization*, Vol. 11, No. 3, pp. 36-62 (June 2004) p.37
[58] Jarstad, Anna K. and Timothy D. Sisk. *From War to Democracy: Dilemmas of Peacebuilding.* Cambridge University Press, 2008

links democratization to nationalist conflict pointing to the fact that "[a]s more people begin to play a larger role in politics, ethnic conflict within a country becomes more likely, as does international aggression justified by nationalist ideas"[59]. In his book *From Voting to Violence – Democratization and Nationalist Conflict,* Synder states:

> "Most of the states undergoing bloody ethnic conflicts that dominated the news of the 1990s experienced a partial improvement in their political or civil liberties in the year or so before the strife broke out. Most of these conflicts occurred in states that were taking initial steps toward a democratic transition, such as holding contested elections and allowing a variety of political groups to criticize the government and each other."[60]

The time frame for the organization of post-conflict elections has been codified to be two years from the signing of the peace agreement - regardless of the conditions from which a war-torn society is emerging.[61] Although this time frame is limited it is usually advanced as the promise of early elections is essential in getting commitments from the international community to deploy peacekeepers and fund post-war reconstruction.[62]

Since the 1990s elections have been designed to advance the dual goals of war termination and democratization in post-conflict societies. This has been the case in Angola (1992), Cambodia (1993), El Salvador (1994), Mozambique (1994), Bosnia-Herzegovina (1996), Liberia (1997), Sierra Leone (2002), Liberia (2005) and Democratic Republic of Congo (2006) – among others.

In some cases, such as Namibia (1989), El Salvador (1994) and Mozambique (1994), elections played a critical role in making a decisive break with the past.[63] In other countries such as Angola (1994), war immediately returned after elections - in Cambodia the same almost happened but it was averted due to the fact that the international community allowed the "former ruling party to elbow its way into government through a

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http://books.google.com/books?id=DGt8SpelcaAC&printsec=frontcover, accessed October 24th, 2008. p.161

[59] Snyder, Jack. *From Voting to Violence – Democratization and Nationalist Conflict*. New York: W. W. Norton & Company, 2002. p.27

[60] Ibid., p.28

[61] Ottaway, Marina. "Promoting Democracy After Conflict: The Difficult Choices." *International Studies Perspectives*, Vol. 4, pp. 314-322 (2003) p.316

[62] Jarstad, Anna K. and Timothy D. Sisk. *From War to Democracy: Dilemmas of Peacebuilding.* Cambridge University Press, 2008 http://books.google.com/books?id=DGt8SpelcaAC&printsec=frontcover, accessed October 24th, 2008. p. 161

[63] Ibid., p.158

highly unusual and unstable two-prime-minister system"[64]. In Liberia (1997), "flawed elections created more problems than they solved"[65]. Haiti's (1995) parliamentary and presidential elections "led to the first ever transition of power but also highlighted administrative deficiencies which undermined the credibility of the broader electoral process"[66]. In Bosnia successive elections have returned nationalist leaders to power, this has shown the determination by all groups to maintain their differences rather than seek reconciliation.[67]

Post-conflict countries usually receive assistance, monitoring or even direct intervention from the international community for the organization of elections. The model used during these interventions is the 'democratic reconstruction model' which at first consisted of two major ideas: 1) on the military side; demobilization of former combatants, some provisions for their resettlement into civilian life, and formation of a new national army; 2) on the political side; structuring of a democratic system, including the drafting and approval of a constitution, the enactment of the necessary laws on political parties and elections, the registration of voters and finally the holding of multiparty elections.[68] Later consensus developed that "elections needed to be followed quickly by efforts to strengthen fledging institutions, to build up civil society, to improve capacity of independent media, and to promote rule of law"[69]. In the end of 2006 the European Commission launched a guide named *EC Methodological Guide on Electoral Assistance* – this guide presented a new approach on how to plan, formulate, monitor and implement *electoral assistance*[70] through a new mechanism called The Electoral Cycle

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[64] Ottaway, Marina. "Promoting Democracy After Conflict: The Difficult Choices." *International Studies Perspectives*, Vol. 4, pp. 314-322 (2003) p.316

[65] Jarstad, Anna K. and Timothy D. Sisk. *From War to Democracy: Dilemmas of Peacebuilding.* Cambridge University Press, 2008 http://books.google.com/books?id=DGt8SpelcaAC&printsec=frontcover, accessed October 24th, 2008. p.158

[66] Ibid., p.158

[67] Ottaway, Marina. "Promoting Democracy After Conflict: The Difficult Choices." *International Studies Perspectives*, Vol. 4, pp. 314-322 (2003) p.318

[68] Ibid., p.316 / 317

[69] Ibid., p.316 / 317

[70] Electoral assistance nowadays defined as "the legal, technical and logistic support provided to electoral laws, processes and institutions. It spans a broad spectrum – from the establishment of the legal framework for the administration of elections, to inclusive electoral systems and voter registration processes, support to the institutions called to administer and adjudicate upon electoral processes, through the provision of financial resources, materials, equipment and expert advice, as well as technical and financial support to civil society engaged in civic and voter education, election observation and media monitoring, including

(seen on the picture bellow[71]). The Electoral Cycle can be said to be the latest evolution to the 'political side' of the 'democratic reconstruction model'. The electoral cycle approach "centres on longer-term support and provides a better opportunity to address in
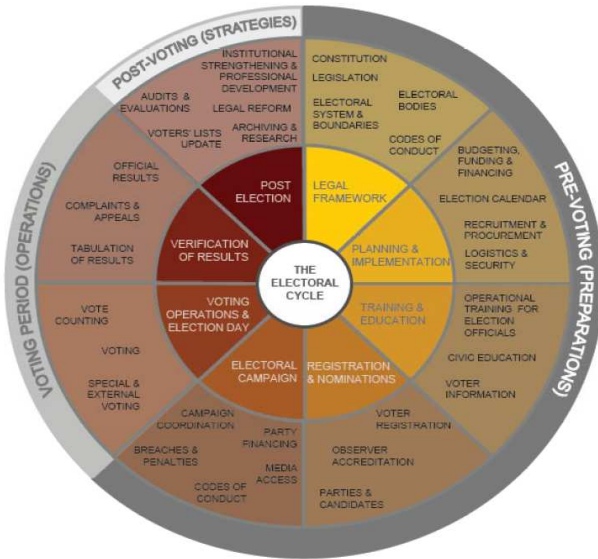
a much more sustainable manner issues of capacity development; institutional strengthening; participation of women; minorities; indigenous people and other disadvantaged groups; and the use of appropriate/cost-effective technology in electoral processes, among others"[72]. Nowadays this approach is widely accepted by electoral assistance providers and Electoral Management Bodies (EMBs) – it has been endorsed

by International IDEA (Institute for Democracy and Electoral Assistance), UNDP and the EC. The Electoral Cycle is meant to assists practitioners in the field of elections to "understand the cyclical nature of the various challenges faced in electoral processes"[73].

Ideally an electoral cycle would start at the end of an election and run through the beginning of the next election.[74]

Since The Electoral Cycle Approach is relatively new it is still not possible to evaluate its results.

Although the democratic reconstruction model is complex and comprehends a wide range of relevant themes its results have seen relative success meeting the twin goals of peace and the consolidation of democracy. According to Call and Cook "[o]f the eighteen single countries that experienced UN peacekeeping missions with a political institution-building component between 1988 and 2002, thirteen (72 percent) were classified as some form of

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technical assistance to political parties". Opening speech for the EC-UNDP-IDEA Joint Training on Effective Electoral Assistance 22-26 Oct. 2007 by Andrew Ellis from International IDEA

[71] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*.

[72] Ibid., p.1

[73] Tuccinardi, Domenico, Paul Guerin, Fabio Bargiacchi and Linda Maguire. "Introduction" in *ACE "Focus On…" Series – Making Electoral Assistance Effective: From Formal Commitment to Actual Implementation*. p.15

[74] Op cit., p.1

authoritarian regime as of 2002"[75] - these countries were: Afghanistan, Angola, Bosnia, Cambodia, Central African Republic, Democratic Republic of Congo, East Timor, Haiti, Liberia, Rwanda, Sierra Leone, Somalia, and Tajikistan. Four countries, El Salvador, Guatemala, Mozambique, and Namibia were electoral democracies, and only one, Croatia, was considered a liberal democracy.[76]

Some critics have pointed at the enormous difficulty of the undertaking of the democratization process. They suggest that in some cases there is a lack of commitment from the international community in providing economic, political, and military resources. Poor choices such as "ill-timed, badly-designed and poorly-run elections have often served to undermine [democratization] processes in fragile post-conflict environments"[77]. Another factor which has the potential of undermining the democratization process is the choice of an inappropriate model; democratization specialists must carefully choose a model which fits each post-conflict environment. According to the article "*On Democratization and Peacebuilding"*, "[t]o date, international and national officials, bound by short time lines and resource limitations, have tended to uncritically implement external models without careful consideration of the full range of options or assessment of preexisting local institutions"[78].

The transitional period is market by the time between cease-fire and elections, this period is critical in paving the way towards the consolidation of peace and democracy. During this time there are enormous efforts towards peace-building, which most likely culminate in the organization of elections to establish a legitimate government. Peace-building efforts are critical in shaping a stable and proper environment for the organization of successful elections where the aim is for voters and politicians to replace soldiers and generals; armies become parties; war economies become peace economies.[79] It is important that elections are not overly delayed otherwise it will make the international

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[75] Call, Charles T. and Susan E. Cook. "On Democratization and Peacebuilding*" Global Governance*; Vol. 9 issue 2 p.233 (Apr-Jun 2003) p. 234

[76] Ibid., p.234

[77] Leyraud, Jerome. "From War Termination to Democracy Building: Elections in Post-Conflict Environment" *Discussion Paper* (May, 2007) http://asef.org/projectData/documents/session1-02-leyraud.pdf, accessed March 26th, 2008 p.1

[78] Op cit., p.234

[79] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.56

peace-builders into colonial oppressors.[80] In the other hand elections shall not be organized hastily without the right foundations for a successful outcome. Effective transitional strategy must take into account levels of hostility and factional capacities. [81] Success will depend on strategic design and international commitments.

A discussion of peace-building programmes will now follow as these programmes are critical in shaping the environment in which elections will take place in post-conflict societies.

4. <u>Peacebuilding</u>

"JUST AS CIVIL WAR is about failures of legitimate state authority, civil peace is about its successful reconstruction. Peacebuilding strategy is what comes in between."[82]

Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace.*

In this chapter the author will argue that to organize successful elections in post-conflict environments peace-building and democratization specialists must work together. The chances of an electoral process to succeed in a manner that strengthens the democratization process will rely to a large extent on the success of peace-building programmes.

The UN describes peace-building as "an attempt, after peace has been negotiated or imposed, to address the sources of present hostility and build local capacities for conflict resolution".[83] Peace-building activities range from the "demobilisation and reintegration of soldiers, demining, emergency relief and food aid, to the repair of road and infrastructure"[84].

Peace-building sometimes lasts for years after the end of a civil war but a short-term assessment can be made two years after the peace treaty is signed. According to Doyle

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[80] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.341
[81] Ibid., p.63
[82] Ibid., p.69
[83] UN Doc S/2001/394 in Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.91
[84] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.335

and Sambanis this assessment is done through analysing the advancements done towards participatory peace[85], which involves institutional and political reform and democratization.[86] This length of time can be associated with the time length for the organization of elections. This transitional period, during which peace-building takes place, is critical, since several peace transitions fail within this time frame.[87]

Post-conflict scenarios and the space for designing peace-building strategies vary according to each particular conflict – strategies must be adopted to address each particular environment but there are numerous similarities which can be identified and fits most conflicts. These strategies combine "peace-making, peacekeeping, postconflict reconstruction, and (where needed) enforcement."[88]

Leatherman argues that conflict interventions need a "'rehabilitative dimension oriented to the past, a resolutive dimension oriented to the present, and a preventive dimension oriented to both present and future'"[89].

Doyle and Sambanis have designed '*The Peacebuilding Triangle*'[90] which illustrates the peace-building space, after civil war, in terms of local capacity, hostility and international capacity. According the 'triangle model' "the probability that peacebuilding will succeed is a function of a country's capacity for peace, the available international assistance, and the depth of war-related hostility."[91] The *Peace Building Triangle* suggests that to combat hostility the international community must commit in providing capacity building,

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[85] Participatory peace requires sovereign peace plus a minimum level of political openness – it does not require a country to be democratic, but excludes the most authoritarian regimes. Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006. p.73

[86] Ibid., p.114

[87] Ibid., p.86

[88] Ibid., p.63

[89] Leatherman J, DeMars W, Gaffnew PD, Vayrynen R. 1999. Breaking Cycles of Violence: Conflict Prevention in Intrastate Crises. Kumarian Press: West Hartford, CT. in Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p.4

[90] "This triangle is a metaphor for peacebuilding space after civil war. Available space is determined by the interaction of the triangle's three sides: Local Capacities (LC), International Capacities (IC) and Hostility (H) level. The greater local and international capacities and the lower the hostility, the greater will be the space for peace. [Doyle and Sambanis] assume a strictly positive level of IC, given the support and legitimacy offered sovereign states by international law and norms. This positive level of international support is denoted ic0 which ensures that IC cannot be zero. All three variables, LC, IC, and H can be measured as indices, ranging from 0 to 1 (maximum)." - Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.64

[91] Ibid., p.69

foreign aid, demobilization of the military forces and institutional reform.[92] International assistance and effective coordination in these areas stimulates parties favouring the peace agreement to meet their commitments and thereby diminishes the possibility of hostility. In most cases it is important for the international community to commit with international peacekeepers, whose presence can "deter defections from the peace treaty"[93].

Stedman, in his publication *Implementing Peace Agreements in Civil Wars: Lessons and Recommendations for Policymakers* identified several determinants of successful implementation for peace agreements which range from identifying the number of soldiers; the presence of hostile neighbouring states or networks; to the commitment of the international community.

Between 1997 and year 2000 Stanford University's Center for International Cooperation (CISAC) and the International Peace Academy (IPA) conducted a research to better understand the determinants of successful peace implementation. [94] It is clear from the project results that each post conflict environment differs "in terms of the difficulty of the implementation environment and the willingness of international actors to provide resources and risk troops"[95]. Some of the findings of this study points to critical issues which undermine peace implementation, these are;

1. Presence of spoilers and neighbouring states which oppose the peace agreement.
2. Presence of valuable marketable commodities (e.g. gems, timber)[96]
3. Whether the country being assisted is perceived as "vital to the national interest of a major or regional power; only when such interest is present has peace

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[92] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.66

[93] Ibid., p.66

[94] This research comprehends every peace agreement concluded between 1980 and 1997 (Angola (1992-93), Angola (1994-98), Bosnia and Herzegovina (1995-2000), Cambodia (1991-93), El Salvador (1993-95), Guatemala (1992-98), Lebanon (1991-2000), Liberia (1990-99), Mozambique (1992-94), Namibia (1989), Nicaragua (1989-91), Rwanda (1993-94), Sierra Leone (1998), Sri Lanka (1987-88), Somalia (1992-93) and Zimbabwe (1980)) in which international actors were assigned a prominent role in implementation. For more information see Stedman, Stephen John. "Implementing Peace Agreements in Civil Wars: Lessons and Recommendations for Policymakers" *IPA Policy Paper Series on Peace Implementation* New York (May 2001) http://www.ipacademy.org/pdfs/Pdf_Report_Implementing.pdf, accessed March 25th, 2008. p.4

[95] Ibid.,. p.4

[96] CISAC-IPA research established that no peace agreement had been successfully implemented where there were valuable, easily marketable commodities such as gems or timber. Ibid., p.2

implementation succeeded in the most difficult environments, characterized by the presence of spoilers and hostile neighbours"[97]

4. Lack of commitment from the international community

5. Lack of strategic coherence and coordination between the international actors

6. "[G]ap between what is needed in some missions and what major regional powers are willing to provide…"[98]

7. When expectations are set higher than what can be possibly achieved

8. Demobilization of soldiers and demilitarization of politics (transformation of warring armies into political parties) does not succeed

This discussion is important since to organize a successful electoral process which serves the purpose of national renewal and peace, peace-building programmes shall succeed. Successful peace-building implementation then depends on;[99]

- The international role must be designed to fit each case

- Support of major powers and interested third parties in the region

- Support by non state actors

- Clear and implementable mandate

- Parties continuing consent

- The peacekeepers' ability to remain impartial

- The likelihood of competing external intervention by a third party

- Deadline for troop withdrawal

- Adequate financial and logistic support

- Effective command structure

- Manageable geographic deployment of peacekeeping troops

According to Doyle and Sambanis "[p]eacebuilding success is a function of the success of peace operations, and that success can be measured in terms of the degree to which the mandate was implemented and by whether or not a stable peace was attained"[100].

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[97] Stedman, Stephen John. "Implementing Peace Agreements in Civil Wars: Lessons and Recommendations for Policymakers" *IPA Policy Paper Series on Peace Implementation* New York (May 2001) http://www.ipacademy.org/pdfs/Pdf_Report_Implementing.pdf, accessed March 25th, 2008. p.2

[98] Stedman, Stephen John. "Implementing Peace Agreements in Civil Wars: Lessons and Recommendations for Policymakers" *IPA Policy Paper Series on Peace Implementation* New York (May 2001) http://www.ipacademy.org/pdfs/Pdf_Report_Implementing.pdf, accessed March 25th, 2008. p.2

[99] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.59, 60

According to the article *Policies for Building Post-conflict Peace* "[t]he potential for peace-building success is also a function of the level of hostility generated by conflict: the less reconciled the parties and the great the physical and human devastation of war, the lower the initial probability of peacebuilding success"[101]. Doyle and Sambanis argues that successful peace-building is only after peacekeepers have departed for at least two years. The United Nations Security Council advocates sustainable peace as the ultimate purpose of all peace operations, where sustainability is defined as "the capacity for a sovereign state to resolve the natural conflicts to which all societies are prone by means other than war."[102]

We will now discuss the main causes for conflict and war.

5. Conflict and War

Scholars and practitioners acknowledge the fact that state failure can lead to the outbreak of conflict and war.

To understand the complexity of peace-building strategies and therefore its link into leading to successful or unsuccessful elections we must look into some theoretical perspectives of the causes of war. There are a number of theories which are associated to the outbreak of conflict and war, be them economic, political, psychological, rational choice or constructivist.

This chapter will first discuss the issue of state failure as the cause or consequence of civil war. State failure highlights the importance of governance and thereby the need for legitimate government to exist. The chapter will then focus on some of the theoretical perspectives of war and will also outline the highest risk factors which determine whether a conflict restarts – this understanding will be useful for electoral assistance and peace-building practitioners when assessing the risk factors for a successful peace-building strategy and electoral process in a given post-conflict country. Through this understanding, policy intervention can be prioritized and better results can be reached.

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[100] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.59
[101] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.336
[102] Op cit., p.91

The author will attempt to reflect on the role played by the international community in designing and executing peace-building strategy and the organization of the electoral process.

5.1.   State Failure

There is no doubt that state failure is usually the cause or consequence of a civil war – where the government should be responsible for representing and protecting the interests of its people, providing security, justice, economic opportunities, and welfare – the importance of governance in establishing and maintaining peace cannot be neglected. As argued by Orr and "the single most important factor that determines the success or failure of a postconflict reconstruction effort is the extent to which a coherent, legitimate government exists—or can be created"[103]. According to Brinkerhoff state failure "as cause and consequence of conflict and civil war has highlighted the importance of governance in establishing peace, pursuing state reconstruction and avoiding conflict in the first place"[104]

In general, a failed state is characterized by:

> "(a) breakdown of law and order where state institutions loose their monopoly on the legitimate use of force and are unable to protect their citizens, or those institutions are used to oppress and terrorise citizens; (b) weak or disintegrated capacity to respond to citizen's needs and desires, provide basic public services, assure citizens' welfare or support normal economic activity; (c) at the international level, lack of credible entity that represents the state beyond its borders"[105]

Since the September 2001 terrorist attacks, state failure has gained further attention as "failing or failed states can offer havens for terrorists to conduct operations that endanger the lives of citizens residing far from those countries"[106].

Somalia can be defined as a failed state but this is an extreme case where "civil and social authority has disintegrated and a Hobbesian anarchic clash of all against all prevails"[107].

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[103] Orr, Robert. "Governing When Chaos Rules: Enhancing Governance and Participation." *The Washington Quarterly*, 25:4, (Autumn 2002) p.139
[104] Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p. 3
[105] Ibid., p.4
[106] Ibid., p.3

State failure can also be considered in a less dramatic way where the state fails to provide for welfare, basic security or facilitate equitable economic growth.[108]

5.2. Theoretical Perspectives of War and Highest Risk Factors

In this section the author will examine the most generic features/risk factors, which increases the chances of war. These are natural resources rents, low levels of per capita income and lack of alternative economic opportunities, and ethnicity fractionalization. Most post-conflict countries tend to have had some or all risk factors prior to conflict – and presumably these risk factors are further accentuated by conflict. [109] This knowledge is important for peace-building and democratization practitioners in prioritizing policy interventions aimed at risk-reduction.[110]

5.2.1. Natural resources rent

According to the Collier-Hoefller (CH) model of conflict the most powerful of the three policy-dependent risk factors is the dependence on primary commodities rents (such as gems and timber). In Angola, Sierra Leone and Liberia, the use of primary commodities were used as both the motive and means to support rebellion.[111]

According to Bigombe, Collier and Sambanis the greater dependence on natural resources the greater it is the risk of conflict.

> "The peak danger level is when natural resources exports constitute around 25-30% of GDP. Natural resources rents attract both quasi-criminal rebel activity, in which rebel organisation is directly predatory on rents, and political rebellion, in which a political leader mobilises the population of a resource-rich region to secede, analogous to tax exodus by the rich."[112]

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[107] Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p.5
[108] Ibid., p.4
[109] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.326
[110] Ibid., p.325
[111] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.107
[112] Op cit., p.325

With respect to war recurrence and post-war peace-building, Elbadawi and Sambanis research suggests that countries with a high dependence on natural resources face greater difficulties in building stable peace.[113] This affirmation leads us to believe that the democratization process is also more difficult and thereby the electoral process might encounter more resistance by the ones profiting from natural resources predation.

In order to reduce the risks of natural resources rent it is important to diversify the economy. In the early post-conflict years this dependence on natural resources rents cannot be changed thereby the aim should be to reduce the incentive for natural resource predation by rebels.[114] Some of the initiatives which can be taken by the international community to reduce the risk factor of natural resources rent are;

- To raise the costs of rebellion
- Provide incentives through foreign aid for the rebuilding of the country. This would assist on reducing the willingness of the population to support those who seek to be predatory on natural resources – through other means of income
- Support Disarmament, Demobilization and Reintegration of Ex-Combatents (DDR)
- "[R]educe the access of rebels to the international markets in natural resouition."[115]

These initiatives should always be taken in collaboration with the interim government until the right conditions are in place for the organization of local and national elections.

A large amount of natural resources does not always lead to conflict. It has the potential of accelerating peaceful development as it is the case in Botswana.[116]

When the cause of conflict is primary commodities it usually generates the worst sort of civil wars.[117]

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[113] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.35

[114] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.330

[115] Ibid., p.330

[116] Collier, Paul and Anke Hoeffler. "Resource Rents, Governance and Conflict" The Journal of Conflict Resoluition, Vol. 49, Iss. 4; pg. 625-634 (August 2005) p. 627

[117] Collier, Paul and Anke Hoeffler. "Resource Rents, Governance and Conflict" The Journal of Conflict Resoluition, Vol. 49, Iss. 4; pg. 625-634 (August 2005) p. 627

5.2.2. Low Levels of Per Capita Income

The most known economic theory of civil war is the one which relates low levels of per capita income, usually associated to the measure of poverty, to a significantly higher risk of conflict.[118] The lack of alternative economic opportunities, mainly for the young men and severe poverty exacerbates the chance for mobilizing potential recruits – therefore the risk of conflict increases.

According to CH model of conflict the lack of economic opportunities increase the chance of conflict through four proxies: "the level of per capita income, male secondary school enrolment, per capita economic growth and population growth"[119].

Here the international community can assist the interim government in projects of raising economic growth which is an obvious priority in post-conflict countries.

5.2.3. Ethnicity

Ethnic identity and the degree of ethnic fractionalization in the society is an important variable at the core of both economic and political theories of civil war.[120] Economists are interested in ethnicity as the cause of grievances – "which can arise from unequal distribution of economic resources and services among ethnic groups"[121] – and a way to ease mobilization of recruits for rebellion.[122] Political scientists focus on the idea that affiliation can easily generate violence or that the elites can capitalize on the existence of ethnic networks to mobilize public support for violence.[123]

The probability of successful peace-building should be lower after ethno-religious wars and in countries with higher level of ethnic fractionalization.[124] This is due to the fact that hostility is easily channelled through ethnic lines and mass mobilization is more easily

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[118] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.34
[119] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.332
[120] Op cit., p.36
[121] Ibid., p.36
[122] Ibid., p.36
[123] Ibid., p.36
[124] Ibid., p.96 & 101

organized for ethnic wars. Further, reconciliation is more difficult to achieve, "particularly because many of the "goods" over which there is ethnic conflict are considered to be nondivisible by the combatants (e.g., access to religious sites, control of territory)"[125].

According to Doyle and Sambanis; "ethnic ties can improve social communication; facilitate coordination of collective action by enhancing group solidarity; and if more trust exists among members of an ethnic group, they can reduce the costs of enforcing social contracts under the conditions of uncertainty"[126].

The Collien-Hoeffler (CH) model of conflict estimates that ethnic dominance approximately doubles the risk of conflict.[127] Forty percent of post-conflict societies are characterised by ethnic dominance – defined "as occurring when the largest ethno-linguistic groups has between 45% and 80% of the population"[128].

The Peacebuilding Triangle model shows that creating participatory polities in these environments is more problematic than establishing peace as narrowly defined as the absence of large scale violence.[129]

The path towards democracy is more difficult in countries enduring these divisions. According to Wimmer "[e]lections are likely to stir up ethno-religious conflicts…"[130]. Ethno-religious post-conflict environments are less likely to sustain peace and the democratization process – this is due to tensions along ethno-religious lines which may lead to an escalation in violence and finally the abortion of the democratic process.[131]

Although introducing democracy means, more often than not, ethnic trouble – the will of the international community to support elections shouldn't diminish. The democratic peace theory argues that mature democracies virtually never go to war with one another. It is proved that established democracies resolve ethnic conflicts more peacefully.

[125] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.96
[126] Ibid., p.36
[127] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, (2000) p.326
[128] Ibid., p.326
[129] Op cit., p.96
[130] Wimmer, Andreas. *Democracy and Ethno-Religious Conflict in Iraq.* Paper presented at the Center on Democracy, Development and the Rule of Law, Stanford University, May 5, 2003. http://iis-db.stanford.edu/pubs/20214/wimmer.pdf, p.1
[131] Ibid., p.3

However, Winner argues that "democracies are on average much richer…[a]nd richer countries have the means to accommodate ethnic claims peacefully"[132].

The path towards democracy in this environment is arduous, "[t]he very nature of democratic legitimacy provides incentives for formulating ethnic nationalist claims and mobilizing followers along ethnic lines"[133].

Critics of the democratic peace theory discuss the dangers of getting from here to there (the difficult path from autocracy or war towards democracy). They argue that democratization increases the risk of nationalist conflict/war. According to Synder "[t]he chance of war in any given decade for the average state has been about one in six, whereas for democratizing states it has been one in four during the decade following democratization"[134] In Africa this number is higher given that half of African peace restorations last less than a decade.[135]

Synder argues that the correlation between nationalist conflict and democratization can be labeled as 'popular-rivalries' and 'elite persuasion'.[136] Popular nationalist rivalries precede democratization – it has to do with 'ancient hatreds' where there are incompatible aspirations of an already-formed nation.[137] In Synder's view nationalism "is usually weak or absent among the broad masses of the population"[138]. Worth quotation is a passage of Synder's book *From Voting to Violence – Democratization and Nationalist Conflict;*

> "Democratization produces nationalism when powerful groups within the nation not only need to harness popular energies to the tasks of war and economic development, but they also want to avoid surrendering real political authority to the average citizen. For those elites, nationalism is a convenient doctrine that justifies a partial form of democracy, in which an elite rules in the name of the nation yet may not be fully accountable to its people. Under the conditions of partial democratization elites can often use their control over the levers of government, the economy, and the mass media to promote

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[132] Wimmer, Andreas. *Democracy and Ethno-Religious Conflict in Iraq.* Paper presented at the Center on Democracy, Development and the Rule of Law, Stanford University, May 5, 2003. http://iis-db.stanford.edu/pubs/20214/wimmer.pdf, p.3

[133] Ibid., p.4

[134] Snyder, Jack. *From Voting to Violence – Democratization and Nationalist Conflict*. New York: W. W. Norton & Company, 2002. p.29

[135] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.323

[136] Op cit., p.31

[137] Ibid., p.31

[138] Ibid., p.32

nationalist ideas… Nationalist conflicts arise as a by-product of elites efforts to persuade people to accept divisive nationalist ideas."[139]

Where elites are in power, Wimmer argues that elites will discriminate between individuals and groups creating patron-client relationships; they will give preference to their own ethnic group and votes will be secured along ethnic lines.[140]

There are three ways to avert nationalist conflicts. Synder argues that where 'popular-rivalries' view is predominant, the preferred solution would be partition of the state, even if it means moving populations.[141] Here the argument is that people should be moved before the fighting rather than afterward. If partition is impractical Synder argues for the closest substitute would be power-sharing between largely self-governing nationalities. This is the way Lebanon is governed, along different religious lines, what is called 'consociational democracy'. This strategy is difficult to sustain as it might heighten distrust between groups. The better solution for Synder's, Wimmer's and the author of this document opinion is to promote more inclusive, civic identities and cross-cultural political alignments in the early stages of democratization. This could be done through strengthening civil society organizations, guaranteeing and enforcing equality to all, providing opportunity for democratic participation, providing security and state services to all independent of the citizen's ethnicity or religion. This discussion will be further elaborated in the next two chapters of this document.

In the form of elections Wimmer recommends "an electoral system that favors vote pooling across ethnic lines; federalism on a nonethnic basis with a strong component of fiscal decentralization; a strong regime of minority rights and a judicial apparatus capable of enforcing the rule of law"[142].

The international community must, among other things, assist on the crafting of the new constitution.

"During the constitution-drafting process must come decisions about the limits and practices of the new regime as well as the rights and duties of citizens. The goal is to build on a solid flooring of democratic

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[139] Snyder, Jack. *From Voting to Violence – Democratization and Nationalist Conflict.* New York: W. W. Norton & Company, 2002. p.32
[140] Wimmer, Andreas. *Democracy and Ethno-Religious Conflict in Iraq.* Paper presented at the Center on Democracy, Development and the Rule of Law, Stanford University, May 5, 2003. http://iis-db.stanford.edu/pubs/20214/wimmer.pdf, p.5
[141] Op cit., p.32
[142] Op cit., p.1

and constitutional principles. Democracy ensures that power holders will alternate in office as majority preferences shift, while constitutionalism sets limits that majorities must respect. The constitution-making process must pursue the sometimes-divergent goals of representing the people's will, forging a consensus regarding the future of the state, and ensuring respect for universal principles such as human rights and the basic norms of democratic governance."[143]

A critical question must be assessed "[h]ow can the majority's right to rule be balanced against the rights of minorities and individuals to be free from oppressive majority dictates?"[144] The constitution must address this issue ensuring "constitutional rights to minority protection and constitutional individual rights to equal treatment"[145]. Benomar argues that "[a]n ill-conceived or otherwise faulty constitutionmaking process can harm the prospects for stable democracy even in countries that offer promising protodemocratic conditions"[146]. In this environment it is important for the government to be convinced, and convince its supporters, that constitutional change has the potential to be effective.[147] The difficulties encountered here will be the distrust of minorities and lack of willingness by ethnic majorities to commit to the new constitution.

If the government is not willing to provide constitutional rights to its minorities than the international community may need to coerce or persuade them to do so – "this might be achieved through donor conditionality, requiring constitutional minority rights in return for aid and peacekeeping"[148]. The international community may also assume the role as the guarantor of these rights for the minorities.

Giving continuation to the discussion of the role of the international community in promoting an electoral process that serves the purposes of national renewal and peace rather then continues conflict we will now analyse other efforts which will determine the extent to which post-conflict countries can end conflict and re-establish peace.

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[143] Benomar, James. "Constitution-Making After Conflict: Lessons for Iraq" *Journal of Democracy*; Vol.15, No. 2; (Apr2004) p.81
[144] Ibid., p.81
[145] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, (2000) p. 332
[146] Op cit., p.81
[147] Op cit., p. 332
[148] Ibid., 332

6. Peace Agreement Monitoring, DDR and Strengthening of Civil Society Organizations

Most of the proposed programmes mentioned above are valid to counter one or another risk factors as "most post-conflict countries tend to have had some or all of them [risk factors] prior to conflict: post-conflict societies were on average already atypically prone to conflict prior to that conflict"[149]. There are other endemic problems in post-conflict countries. Programmes of Disarmament, Demobilization and Reintegration (DDR) of ex-combatants, monitoring of the peace agreement and strengthening of the civil society must be in place independent of the reason for which conflict started.

Outside actors can assist in the monitoring of the peace agreement – this is important when spoilers (leaders or parties whose vital interests are threatened by peace implementation) might try "undermine the agreement and reduce the expected utility of a negotiated settlement for all parties"[150]. According to Doyle and Sambanis "if spoilers are present in a peace process, peacekeepers can keep the peace only if they can exercise some degree of enforcement by targeting the spoilers and preventing them from undermining the negotiations"[151].

Spoiler's problems were first systematically analyzed by Stephen Stedman, who identified three types – total, greedy and limited spoilers – according to their strategies and likely impact on the peace implementation process. "The difficulty to peacekeepers is to distinguish moderates from extremists, or total spoilers, when conditions are such as to encourage all parties to defect from agreements."[152]

The international community should be able to allow moderates ("limited spoilers with specific stakes") and greedy opportunists to "act like peacemakers in the peace process without fearing reprisals from total spoilers who are unalterably opposed to the peace settlement".[153] Doyle and Sambanis case-studies suggests that to manage spoilers effectively, "peacekeepers should avoid acquiring a reputation for weakness or

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[149] Bigombe, Betty, Paul Collier and Nicholas Sambanis. "Policies for Building Post-Conflict Peace" *Journal of African Economies*, Vol. 9, No. 3, pp. 323-348 (2000) p.326
[150] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.58
[151] Ibid., p.58
[152] Ibid., p.58
[153] Ibid., p.58

inconsistency and they should raise the costs of non cooperation early in the peace process"[154].

For peace-building strategies to succeed, spoilers must be identified and marginalized to a possible degree.

Another area where the international community can play an important role is in the Disarmament, Demobilization and Reintegration (DDR) of ex-combatants. This action is imperative in the transition from war to peace. In post-conflict societies this is a complex process as "different fighting groups are divided by animosities and face a real security dilemma as they give up their weapons, when civil society structures have crumbled, and when the economy is stagnant"[155]. The short-term goal of DDR is the restoration of security and stability – through progressive disarmament the mistrust that a fuels security dilemma fighting factions will reduce, allowing "aid workers to intervene more effectively, and allows peaceful social and economic activities to resume". [156]

The long-term goal of DDR is "the sustained social and economic reintegration of ex-combatants into a peaceful society"[157].

To strengthen DDR, opportunities must be created for those leaving their armed groups, through social and economic development.

It is also important to demilitarize politics so that processes of war termination and democratization are successful. According to Lyons "demilitarize politics entails building norms and institutions that bridge the structures of wartime based on violence, predation and fear (such as militias, black markets and chauvinistic identity groups) to arrangements based on security to trust that can sustain peace and democracy (like political parties, open economies and civil society)"[158].

Lastly, the international community must contribute to the strengthening of civil society, civil culture, and social capital as all are important for strengthening democracy and enabling conflict resolution. But we must be cautious in this statement. Robert Putnam in

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[154] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006 p.58

[155] Fusato, Massimo. *Disarmament, Demobilization, and Reintegration of Ex-Combatants* http://www.beyondintractability.org/essay/demobilization/ (2003) accessed November 12th 2008.

[156] Ibid.

[157] Ibid.

[158] Lyons, Terrence. "Post-conflict Elections and the Process of Demilitarizing Politics: The Role of Electoral Administration." *Democratization*, Vol. 11, No. 3, pp. 36-62 (June 2004) p.38

his book *Bowling Alone* distinguishes between 'bonding' and 'bridging' social capital, "and only the latter unambiguously supports democratization"[159].

Bonding social capital develops when you get involved with people like yourself and bridging social capital is when you become involved with people who are less like you. To cite a terrible example of bonding social capital, "there is little doubt that the authorities fanned the anti-Tutsi hatred of the Hutu who flocked to the Interahamwe in Rwanda in the early 1990s and made them more and more likely to physically take their anger out on the Tutsi."[160]

Where there is ethnic trouble bonding social capital should not be encourage as it can serve to reinforce preexisting beliefs including prejudices.[161] Bonding social capital offers an opportunity for elites to capitalize on nationalist ideas.

Bridging social capital can be as simple as joining a neighborhood association. For post-conflict countries, developing bridging social capital is essential as through dialogue people of different faiths or ethnicity can develop trust and toleration – critical values for the building of democracy and for resolving conflict.[162]

Civic culture shall be encouraged from the beginning – most people shall think the interim government is legitimate and that their institutions can be trusted.

Civil society "refers to *voluntary* participation by average citizens and thus does not include behavior imposed or even coerced by the state"[163]. Fostering the development of civil society organizations and other informal institutions can help democratic institutions to better represent their people.[164] According to the UNDP 2002 Human Development Report "participatory processes can increase efficiency and economic sustainability, particularly for projects requiring community involvement".[165] Participation implies a process of empowerment and effective citizens.

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[159] Hauss, Charles. *Civil Society* (2003) http://www.beyondintractability.org/essay/civil_society/ accessed November 12th 2008
[160] Ibid
[161] Ibid
[162] Ibid
[163] Ibid
[164] United Nations Development Programme. *Human Development Report 2002 - Deepening Democracy in a fragmented World*. p.5
[165] Ibid., p.69

Emphasis should be given to projects at the local level because "[i]t is by participating at the local level, claims Mill, that the individual really 'learns democracy'"[166].

In Mill's own words;

> We do not learn to read or write, to ride or swim, by merely being told how to do it, but by doing it, so it is only by practicing popular government on a limited scale that the people will ever learn how to exercise it on a larger one (Mill 1963, p.186, quoted in Pateman 1988 [1970], 31)."[167]

To finalize this discussion I propose more participatory policies in post-conflict societies as a tool to lessen ancient hatreds and also nationalist ideas being advanced by the elites. If participatory policies are more fearlessly advanced by the international community I believe that promoting an electoral process that serves the purpose of national renewal and peace would be more easily achievable.

7.   Steps towards a Successful Post-Conflict Electoral Process

"Without the rule of law and respect for human rights; without transparency and accountability; and unless governments derive their power legitimately, through the ballot box, the path to prosperity is likely to be more difficult..."[168]

According to Brinkerhoff, "experience in state reconstruction has shown that external intervention to create stable democratic societies out of ashes of intra-state conflagration is extraordinarily difficult"[169]

Up to now the discussion has been mostly related to peace-building strategies. I argue that the consolidation of short-term peace-building programmes serves as the foundation for the organization of an electoral process that serves the purposes of national renewal and peace. Without this basis the chances of an electoral process to succeed is thin.

This chapter will now focus on the organization of the electoral process and the role of the international community.

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[166] Font, Joan (Coord.) (2001): *Ciudadanos y decisions públicas*. Barcelona, Editorial Ariel SA p.15
[167] Schugurensky, D. (2003), paragraph 3 -4
[168] United Nations Development Programme. *Governance for the Future – Democracy and Development in the least Developed Countries*. p. 2
[169] Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p.5

Important factors of success or failure of post-conflict elections are associated to the security of the electorate and the legitimacy of the process. This document calls for an electoral process which comes last and not first. Careful attention must be paid to the timing and conduct of post-conflict elections as "[h]astly planned, poorly designed elections in post-conflict or newly created states may actually exacerbate the problems they are intended to help"[170].

Post-conflict elections need to be transparent, fair and reflective of the will of the people – it must express people's voices and choices. As political events with high-stakes outcomes, "…it is often useful to help counter them with conflict-sensitive and cautious external support"[171].

Two multilateral actors have shaped the way electoral assistance has been justified and delivered since the end of the 1990s: the UN and starting from mid 90' the European Commission (EC). The UN has extensive experience in the field of electoral assistance. On average UNDP[172] now supports an annual average of 40 to 50 countries.[173] UNDP has provided assistance, among other countries, to Afghanistan, Palau, Cambodia, Mozambique, Democratic Republic of Congo, Sierra Leone, Liberia, and Ethiopia.

As mentioned in the beginning of this document, during the 1990s development agencies often provided specific assistance to one-off election event, this support was provided on the belief that "fast elections could be the panacea for transitional countries structural and economic problems and set a sort of virtuous circle in motion in the partner country"[174] – there was also the interest of development agencies to 'flag' their support to highly visible events through "short-term targeted training of polling officers, ad hoc electoral material and voter education were the items preferred by development agencies, despite

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[170] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide.* New York: UNDP, 2007. p.24
[171] Ibid.,. p.1
[172] UNDP assistance to electoral processes aims to "ensure that elections are fully owned nationally, that there is awareness of elections being part of a broader democratic governance framework, and that elections provide a vital means to safeguard human rights, exercise choice and express opinion" Ibid., p. 1
[173] Ibid., p. 5
[174] Tuccinardi, Domenico, Paul Guerin, Fabio Bargiacchi and Linda Maguire. *ACE "Focus On…" Series – Making Electoral Assistance Effective: From Formal Commitment to Actual Implementation.* p.10

the fact that in most cases they were not sustainable…"[175] This support proved to cause partner countries long-term development goals far more difficult.[176]

In June 2002 the UNDP published the review *UNDP and Electoral Assistance: Ten Years of Experience* – this was the first comprehensive evaluation made in the field of electoral assistance.[177] The results of this review were that "[e]lectoral support was not linked to other aspects of democratic governance such as constitution building, as well as political and electoral system design… elections were too often supported as isolated events…. the relationship between electoral systems and political party systems, and the need to involve stakeholders through dialogue, were often insufficiently understood or not fully considered…"[178] These conclusions, followed by other evaluations and observations of electoral assistance programmes proved that too much assistance was being provided too late.

Nowadays a comprehensive approach has been established, focusing on the strengthening of institutions and participation. This approach is meant to last long after the first elections. Based on the UNDP approach to democratic governance the focus should be on: well functioning electoral systems and processes; the strengthening of the capacity of political parties and civil society; expansion to access to information and e-governance; public administration reform; decentralization, local governance, and urban/rural development; assistance to parliamentary development; responsive and efficient justice institutions; human rights; gender-equality; anti-corruption; and governance assessment by national ownership.[179]

Long-term exercises are less visible and therefore can prove less politically attractive.

The *UNDP Electoral Assistance Implementation Guide* states that "[p]ost-conflict elections typically involve extremely high-costs due to the number of activities that need

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[175] Tuccinardi, Domenico, Paul Guerin, Fabio Bargiacchi and Linda Maguire. *ACE "Focus On..." Series – Making Electoral Assistance Effective: From Formal Commitment to Actual Implementation*. p.11
[176] Ibid., p.10
[177] Ibid., p.12
[178] Ibid., p.12
[179] "UNDP organizes a pro-poor, gender-sensitive, and human-rights based approach to development, UNDP organizes its democratic governance agenda around (1) fostering of *inclusive participation* and (2) strengthening of *accountable and responsive governing capacity* in the context of (3) well-established international standards and principles of *human rights, gender equality* and *anti-corruption*." The areas of democratic governance falls into each of the above mentioned headlines. Clara. *Democratic Governance for Human Development – Reflections from the United Nations Development Programme on Democratic Governance*. New York, UNDP, 2008. p. 7

to be carried out for the first time as well as higher costs associated with securing the integrity of the vote and the safety of the voters. Tight deadlines, lack of adequate infrastructures and assets, and volatile security environment can further drive costs up"[180] According to UNDP electoral assistance provided to post-conflict societies/transitional environments need most often then not;[181]

- Constitutional/legal reform
- Capacity-building of political parties
- Capacity-building of Electoral Management Body (EMB)
- Voter Registration
- Civic and voter education campaigns
- Setting up electoral disputes mechanisms
- Election logistics and infrastructure
- Integration of new technologies
- Media and elections

I will now explain each of these areas and the role played by the international community.

7.1.   Legal Reform

"The foundation of every democracy is its constitution and legal framework that governs its electoral institutions"

Andrew Ellis, EC-UNDP Joint Trainning on Effective Electoral Assistance (Oct.2007)

As we have previously discussed the importance of the constitution earlier in this document I won't repeat myself on the subject.

International assistance in the legal reform area is many times perceived as intrusive but yet again fundamental.

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[180] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide.* New York: UNDP, 2007. p.25
[181] Ibid., p.24

Assistance to the legal framework is critical at the early stages in the organization of the electoral process. Special attention must be given to the choice of electoral system as this is "the most important and inevitable institutional decision for any democracy"[182].

According to the *UNDP Electoral Assistance Guide* international actors typically provides policy and legal advice in the following areas;[183]

- Constitutional drafting or reform
- Drafting or reform of election law(s), often to allow marginalized voices to be heard
- Drafting or reform of political party law(s)
- EMB structure design or reform, often ensure the body's independence, efficiency and wider levels of transparency in its work and the performance of its mandated functions
- Drafting of reform of electoral regulations
- Drafting or reform of codes of conduct (EMB, political parties,observation)
- Electoral procedures (i.e., activities through which regulations are implemented, such as the ones described in registration, polling and counting manuals)

Some examples of assistance provided in legal reform area are; "overall design after the peace agreements enforcement by the international community (Bosnia and Iraq); high-level expert advice (Nigeria, Indonesia); research, studies and design; legal drafting (Sudan, Nepal); facilitation of negotiation (DRC, Lebanon and Somalia); and public consultation, often through CSOs (DRC, Kenya)."[184]

While providing legal assistance the international community should be cautious about the model it chooses as western models are not always the solution. Attention shall be paid to social, political, historical and geographical particularities of each post-conflict country as the wrong decisions might undermine the peace process.

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[182] EU-UNDP Electoral Assistance website: *Trainings and Learnings - Maputo 2008. http://www.ec-undp-electoralassistance.org/index.php?option=com_content&task=view&id=53&Itemid=83,* accessed November 15th 2008

[183] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide.* New York: UNDP, 2007. p.40

[184] Op cit

7.2.   Capacity-building of political parties

Working with political parties in post-conflict countries is especially difficult, "given that some parties may be converted from armed movements and, therefore, have members that in the past were members of militia groups with no tradition of democratic practices"[185].

Capacity-building to political parties in post-conflict societies is critical to democratization – "[t]he transition to political party membership from militia membership may be the essential first step toward a lasting peace in fragile communities"[186].

The international community can support capacity-building of political parties in a number of areas including;

> "the dialogues between parties on electoral reform and other issues; integrating human development and gender equality principles into internal party activities and platforms; internal operations of parties (fundraising, campaign planning, candidate selection and training); long-term capacity development; media outreach; and specific initiatives women, youth and political party finance"[187].

An important role which can be played by international actors in post-conflict societies is to mediate with the different political parties so that they do not defect from the democratization process and return to war.

As in most programmes funding is a critical issue of a successful demilitarization. "The UN's Special Representative of the Secretary-Genereal, Aldo Allejo, attributed his great success to implement Mozambique's peace accord to economics, namely the $17.5 million trust fund provided by the international community. He used this primarily to help transform RENAMO guerrilla army into a political party."[188]

The international community must be wary of the fact that to work with political parties and provide capacity development it must do so in a balanced, non partisan way. No

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[185] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide.* New York: UNDP, 2007. p.25
[186] Ibid., p.49
[187] Ibid., p.49
[188] United Nations Development Programme. *Handbook on working with Political Parties.* New York. p.26

funding should be given directly to political parties. Assistance should be capacity-building, technical or advisory in nature.[189]

7.3.   Capacity-building of Electoral Management Body

The strengthening of national EMBs is a major part of electoral assistance. Key to any election is the creation of a strong, professional and independent Electoral Management Body (and related institutions) or promotion of independence and credibility of already existing institutions.

The EMB must be responsible for administering the elections, "[i]t must honestly and impartially implement the procedures specified in the legal framework"[190]. The activities which must be performed by the EMB[191] are;

- Prepare electoral budgets;

- Conduct training needs assessment;

- Procure electoral materials;

- Conduct voter registration;

- Understand party and campaign financing;

- Perform polling and counting operations;

- Conduct or supervise voter and civic education;

- Help manage and coordinate stakeholder activities;

- Engage in public outreach and communication;

- Manage logistics for the election, including result reporting and tabulation;

- Advise and enact (when applicable) electoral law reforms;

- Facilitate electoral observation activities;

- Engage in global/regional activities with other EMBs.

In post-conflict countries capacity development of the EMB is ever more important as this is the body that both administers and supervises elections. In post-conflict societies it is vital to build "inclusive and sustainable institutions and processes that enable people to

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[189] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*. p.49
[190] http://aceproject.org/ace-en/topics/ei/eic/eic02
[191] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*. p.39

freely choose their representatives"[192]. As noted by the Chief Election Commissioner of India, "credible elections require several elements, one of which is "an election commission which is truly autonomous and fearless""[193].

By strengthening the independence and capacity of EMB there is a larger chance for no rejection of the outcomes and more peaceful transitions of power.

7.4. Voter Registration

Voter registration is "one of the most complex, time consuming and expensive operations of the electoral administration. At the basic level, it consists of collecting and storing data to create the list of those who are eligible to vote in an election"[194].

In some post-conflict societies voter registration is done for the first time. In June 2005 the Electoral Commission from the Democratic Republic of Congo began its voter's registration campaign for the first election in 40 years, which happened in November 2006. To have an idea of the complexity of this process, 9000 voter-registration centres opened nationwide, donors contributed with US$ 430 million in all and the DRC government contributed with ten percent.[195]

The international community may provide assistance in the following areas;[196]

- Assistance to the choice of technology
- Staff training initiatives
- Development of a process which is inclusive
- Boundary delimitation
- Physical access to voter registration

Voter registration should include minorities, women, tribal people, migrant workers, internally displaced and refugees on the voter registration process. The environment in which elections will take place might not be prepared (in terms of capacity and also

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[192] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*. p.37
[193] Ibid., p.4
[194] Ibid., p.41
[195] UN Office for the Coordination of Humanitarian Affairs websit. *DRC: Voter registration begins in Kinshasa* (21st June 2005) http://www.irinnews.org/report.aspx?reportid=5498, accessed November 20th, 2008
[196] Op cit., p.41

geographically feasible) for the implementation of technological innovations in voter registration – limiting the opportunities and also the outreach of the process.

7.5.   Civic and voter education campaigns

"Both civic and voter education encourages citizens to participate in the democratic processes and can help promote peace and prevent violence during elections."[197]

Expanding people's capabilities through civic and voter education campaigns is fundamental for democracy learning. Educated citizens can play a more effective role in politics; expands democratic participation, particularly for women and other under-represented segments of society; help promote peace and conflict prevention messages;[198] and can determine opinions on democracy.[199]

Civic and voter education campaigns are often treated as less important than the operations and logistics of the electoral process and thereby receives less financial resources.[200]

7.6.   Setting up electoral disputes mechanisms

In the context of post-conflict elections setting up electoral disputes mechanisms is very important. Electoral disputes arise in the context of any election. "They should not be viewed as a symptom of poor or manipulated processes, but as a demonstration of the democratic process that seeks the expression of differing views."[201]

Political will and the engagement of political parties in electoral processes remain fundamental and are ultimately necessary for any dispute resolution mechanism to be efficient.[202]

One of the fundamental challenges to the international community/EMBs is to build consensus into a process that is ultimately about competition. "Competition is not

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[197] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*. p.42
[198] Ibid., p.45
[199] United Nations Development Programme. *Human Development Report 2002 - Deepening Democracy in a fragmented World*. p.5
[200] Op Cit., p.42
[201] Summary of Conclusion from workshop on Electoral Disputes Resolution Mechanisms. p.1
[202] Ibid., p.1

inherently negative, if those competing know and accept the rules of the game and if they can trust that their challenges will be dealt with fairly, consistently and in accordance with the law."[203]

International actors might also have to assist in the establishment of formal mechanisms to deal with disputes such as "electoral commissions, special electoral tribunals, ordinary courts with jurisdiction over electoral offenses, and others"[204].

Other areas in which the international community can play a pivot role is in mediation, conflict resolution, and early warning tracking systems of conflict.

Regardless of the model chosen, there are principles that should be respected:[205]

- transparency
- credibility
- clear, accessible, timely and known procedures
- sanctions and their application/enforcement
- independence, accountability and impartiality of EDR institutions.

7.7. Election logistics and infrastructure

"Procurement and the distribution of election materials is often the most costly part of the electoral process, apart from the payment of election workers and the voter registration exercise per se."[206]

Logistics is an important factor to be considered as the infrastructure of the country might have been disrupted by the conflict. For a successful electoral process to happen it is important that it reaches the whole population of the country in question. Thereby the delivery of all goods and services of the required quality and standards in compliance with the established deadlines for voter registration, voting operations or any other electoral process must be distributed without delay or shortfall in order not to delay or undermine the process.[207]

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[203] Summary of Conclusion from workshop on Electoral Disputes Resolution Mechanisms. p.1
[204] Ibid., p.2
[205] Ibid., p.1
[206] United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*. p.73
[207] Ibid., p.73

7.8.   Integration of new technologies

As mentioned above the choice and integration of new technologies is a critical aspect of voter registration and Election Day. Expert opinion is necessary to indicate the best technologies which fit each individual post-conflict scenario.

7.9.   Media

Media support is essential as promoting a free and independent media by improving the capacity of local journalists to report independently and constructively can assist on the monitoring of the democratic process and on the ongoing monitoring of corruption. [208]

7.10.   Knowledge Sharing on Electoral Assistance

In 2005 Brinkerhoff wrote; "…the state of knowledge and practice regarding the establishment and/or reconstitution of effective governance in post-conflict and war-torn societies is still in its infancy"[209].

Since 2006 several seminars, trainings and publications have addressed the issue of how to promote more effective electoral assistance. The Ottawa Conference[210], held in May 2006, proved a milestone in the establishment of a new approach to effective electoral assistance. During this conference it was acknowledged that "concepts such as 'effectiveness', 'sustainability' and 'capacity building' had been recognized as the way forward, turning the concepts into reality implementation had proven difficult"[211]. By the end of 2006 the European Commission launched the EC Methodological Guide on Electoral Assistance – this guide took stake of the outcomes of the Ottawa Conference

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[208] United Nations Development Programme. *Human Development Report 2002 - Deepening Democracy in a fragmented World*. p.46
[209] Brinkerhoff, Derick W. "Rebuilding Governance in Failed States and Post-Conflict Societies: Core Concepts and Cross Cutting Themes." *Public Administration & Development*, Vol. 25, Issue 1, (Feb. 2005) p. 3
[210] The Ottawa Conference was organized by International IDEA and the Canadian International Development Agency (CIDA).
[211] Tuccinardi, Domenico, Paul Guerin, Fabio Bargiacchi and Linda Maguire. "Introduction" in *ACE "Focus On…" Series – Making Electoral Assistance Effective: From Formal Commitment to Actual Implementation*. p.14

and presented a new approach on how to plan, formulate, monitor and implement electoral assistance through a new mechanism called Electoral Cycle. In 2007 UNDP followed suit publishing the UNDP Electoral Assistance Implementation Guide. UNDP, EC, IFES, International IDEA, The Carter Centre, Independent EMBs and many other actors in the field of electoral assistance now participate in Global Initiatives through ACE – Electoral Knowledge Network[212] (www.aceproject.org); BRIDGE[213] (http://bridge-project.org); UNDP-European Commission Partnership in Electoral Assistance (www.ec-unpd-electoralassistance.org); and UNDP, EC, International IDEA Joint Training on Effective Electoral Assistance[214].

These initiatives have helped to foster knowledge-sharing among electoral assistance practitioners and I believe they are now more prepared to the challenges of post-conflict elections than they were 20 years ago – when democracy was promoted as the antidote to international war and civil strife.

Before the concluding remarks I propose more participatory policies in post-conflict countries as I agree with Putman that participation is the best guarantor for democratization to work.

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[212] "ACE is a joint initiative of international IDEA, IFES, Elections Canada, the Federal Electoral Institute of Mexico, the UN Department of Economic and Social Affairs (UNDESA), DPA/EAD, Electoral Institute of Southern Africa (EISA) the European Commission and UNDP. Ace is the world's largest repository of information (with more than 10,000 pages divided by 12 electoral topics), tools and methodologies on electoral assistance and global Practitioners' Network including more than 300 experienced election practitioners." United Nations Development Programme. *UNDP Electoral Assistance Implementation Guide*. p.55

[213] "BRIDGE is the most comprehensive professional development course available in election administration. As of the date of the Guide was published, BRIDGE had been conducted in 25 countries for more than 3000 election officials. The course aims to improve the skills, knowledge, and confidence both of election professionals and key stakeholders in the electoral process, such as members of the media, political parties and electoral observers." Ibid., p.56

[214] Since September 2006 this training has been conducted six times. "The objectives of the joint training were to introduce EC and UNDP staff to the policy and strategy framework that governs both EC and UN involvement in elections, share experiences, and familiarize practitioners with the Electoral Cycle approach in order to build capacity for formulation and implementation of future electoral projects" Ibid., p.56

8. <u>Participation</u>

In this last chapter I would like to call for more participatory policies in post-conflict societies. I believe that participation as a form of democratic decision-making realizes important principles of Human Rights and lead to a more fair type of Human Development. UNDP argues that "[p]eople must be free to exercise their choices and to participate in decision-making that affects their lives. Human development and human rights are mutually reinforcing, helping to secure the well-being and dignity of all people, building self-respect and the respect of others"[215].

The starting point for participatory policies is at the local level as argued in the end of chapter 6 – at the local level is where people 'learn democracy'.

Like other normative concepts idealism about participatory policies is a dangerous thing as participation is not automatically a good thing. The elitist and the public choice theory argue that people are not capable to making public decisions. Some politicians might also have reservations about participatory policies as they might feel they loose power in the political process.

There are different mechanisms and experiences which allows for a wider citizen participation in the public sphere of decision-making. This mechanism brings stronger political awareness to the people. The World Bank "has drawn on participatory appraisal methods to permit poor individuals to articulate their experiences and priorities, letting these perceptions drive the conceptualization of violence and the development of appropriate policy responses from the state, from civil society, and from international donors. In East Timor, a different World Bank "community empowerment project" linked local-level development to empowerment of local voices in the setting of priorities for both political and economic policies affecting their communities. The experience proved to be a useful endeavor at stimulating participation locally as a precursor to national elections"[216].

Such experience illustrates ways in which participation can enhance governance in war-torn societies. "Other examples of creative local-level initiatives abound but have not

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[215] http://hdr.undp.org/en/humandev/ paragraph 4
[216] Call, Charles T. and Susan E. Cook. "On Democratization and Peacebuilding*" Global Governance*; Vol. 9 issue 2 p.233 (Apr-Jun 2003)

been systematically catalogued or digested by research institutes or international organizations."[217]

The drawback for participatory policies in post-conflict countries is that the process needs time to be concluded and equal opportunity must be given to all the people who wish to participate in the process. Participation may also increase the cost of the process. The cost can be valued in time as well as resources required.

The main reasons for which I advocate participatory policies are;

- Improves Democracy
- Brings an understanding to people that not all problems are local but national
- Increases the feeling of citizenship
- Increases political and economical transparency
- Gives opportunity to minorities
- Brings legitimacy to the decisions

9. **Conclusion**

In 2001 the UN former secretary-general, Kofi Annan, described the connection between democracy and peace:

> "At the centre of virtually every conflict is the State and its power – who controls it and how it is used. No conflict can be resolved without answering those questions, and nowadays the answers almost always have to be democratic ones, at least in form... Democracy is practised in many ways, and none of them is perfect. But at its best it provides a means for managing and resolving disputes peacefully, in an atmosphere of mutual trust."[218]

According to the 2002 Human Development Report "[d]emocracy has proven to be the system of governance most capable of mediating and preventing conflict and of securing and sustaining well-being."[219]

But there are challenges to democracy as a solution to conflict, these include: "lack of trust among the protagonists, the influence of elites who may continue to mobilize on

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[217] Call, Charles T. and Susan E. Cook. "On Democratization and Peacebuilding*" Global Governance*; Vol. 9 issue 2 p.233 (Apr-Jun 2003)

[218] Large, Judith and Timothy D. Sisk. Democracy, Conflict and Human Security: Pursuing Peace in the 21st Century. Stockholm: International IDEA, 2006 p.197

[219] Human Development Report 2002 – Deepening Democracy in a fragmented World, http://hdr.undp.org/en/reports/global/hdr2002/

divisive nationalistic, ethnic or racial lines in their quest for power; and the weakness or fragmentation of the state, the political parties and civil society"[220]

As we have observed throughout this document post-conflict environments are complex, involve many actors, a lot of history and strong emotions.

The main question this document attempted to answer was: *How can the international community promote an electoral process that serves the purposes of national renewal and peace rather then a continuous conflict?*

For the international community to promote an electoral process that serves the purpose of national renewal and peace commitment, involvement and allocation of resources are essential.

Democratization and Peace-Building are interdependent concepts when it comes to post-conflict elections as both areas seek to establish or improve post-conflict governance.

Critical factor of success or failure of the electoral process is the level of commitment and involvement from the international community – post-conflict interventions require enormous efforts (through funding, peacekeeping, capacity-development, mediation, training of the security forces etc) but according to Ottaway the international community lacks the political will to really try and thereby very few countries receive the level of support commensurate with the tasks prescribed to them.[221] Nowadays there are a growing numbers of post-conflict countries where the international community is called upon to handle, Afghanistan, Iraq, Democratic Republic of Congo, Sudan, among many others.

This document acknowledges that to promote an electoral process that serves the purposes of national renewal and peace the commitment of the international community is imperative as questions of how to address peace-building and electoral assistance have received extensive attention. What is missing from the international community is commitment, deployment of peacekeepers, coherent strategic planning, resources and personnel. According to Doyle and Sambanis "[o]ftentimes, a UN mission is dispatched with narrow objectives and few resources that cannot determine the outcome of the entire

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[220] Large, Judith and Timothy D. Sisk. *Democracy, Conflict and Human Security: Pursuing Peace in the 21st Century.* Stockholm: International IDEA, 2006 p. 153
[221] Ottaway, Marina. "Promoting Democracy After Conflict: The Difficult Choices." *International Studies Perspectives*, Vol. 4, pp. 314-322 (2003) p.315

peace process"[222]. Call and Cook wrote "[s]ome research shows that the international community appears unwilling to commit the economic, political, and military resources necessary to implement the model [democratic reconstruction model] in any given society. Indeed, important research shows that applying the model, or misapplying it, can fuel setbacks to pluralism, such as armed conflict and even genocide."[223]

This document also argues that the two year period prescribed in most peace-agreements for the organization of elections shall be re-thought depending on the conditions in which the country is emerging from war. International actors shall also provide continued outside supervision and support when needed, during years to come, to make democracy sustainable.

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[222] Doyle, Michael W. and Nicholas Sambanis. *Making War & Building Peace*. New Jersey: Princeton University Press, 2006.
[223] Call, Charles T. and Susan E. Cook. "On Democratization and Peacebuilding*" Global Governance*; Vol. 9 issue 2 p.233 (Apr-Jun 2003) p.234

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