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What Have We Learned About Postconflict Elections?

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This article suggests that postconflict elections are a unique subset of transition elections which deserve special attention. The authors describe the evolution of postconflict elections, identify some of their more salient characteristics, and offer preliminary lessons drawn from the recent experiences.

Throughout the 1980s, the phrase "transition elections" was employed constantly by policymakers, democratic activists, and academic analysts. It generally referred to multiparty elections occurring after years of nondemocratic rule, often in countries with a prior history of democratic government. Elections in Argentina (1983), Uruguay (1984), Philippines (1986), South Korea (1987), Pakistan (1988), and Chile (1989) exemplify the transition election phenomena and were featured exhibits in Samuel Huntington's notion of a worldwide third wave of democratization.[1]

With the demolition of the Berlin wall in 1989, the transition election moniker began to be applied in three related, but somewhat different, settings: (1) initial elections in the former communist countries of the Soviet bloc, with the series of elections between March and June 1990 in East and Central Europe setting the stage;[2] (2) elections in several African countries, where previous experiences with formal multiparty electoral practices were quite limited; and (3) elections that were scheduled following the cessation of an internal armed conflict, often as an integral part of a negotiated settlement. It is this last category of elections that is the subject of this article.

Our principal thesis is that postconflict elections are a unique subset of transition elections which deserve special attention. Moreover, recent experiences with postconflict elections provide a wealth of lessons for policymakers and democratic activists.[3] As we are constantly made aware, however, applying the specific lessons learned from previous experiences in the difficult context of negotiating the cessation of a conflict is no easy task.

Treating postconflict elections as a discrete subject has assumed increased importance as such elections have become the mechanism of choice for facilitating the passage from civil war to peace. Moreover, the occurrence of postconflict elections has become an important benchmark for the international community in assessing the institutionalization of a peace process. Both the fact that an election has occurred and the quality of the process have important implications for the withdrawal of international peacekeeping forces, for the allocation of scarce international assistance resources, for beginning the

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process of reintegrating a country that has been detrimentally affected by civil war into the community of nations, and for the creation of openings for external contacts, information flow, and human rights interventions.

Setting the Stage

The post–Cold War era has witnessed the rise of intrastate conflicts that have undermined the very foundation of the state, generated massive migrations, and inflicted widespread suffering on civilian populations. The collapse of the Soviet empire, the end of superpower rivalry, the growth of ethnic nationalism and worsening economic conditions in parts of Africa and elsewhere have undoubtedly contributed to this phenomenon. Ethnic and religious minorities, tribal groups, ambitious warlords, and marginalized and discriminated-against populaces have all raised the banner of revolt as they seek to redress grievances.

The ferocity that has characterized these intrastate conflicts has forced the international community to reassess various norms and practices that developed during the Cold War. While the contours of a new order are not fully settled, recent experiences have kindled a lively debate regarding such issues as forcible intervention in response to gross human rights violations, more aggressive responses to humanitarian disasters, and expanded notions of what peacekeeping operations might entail. Thus, paradoxically, the same factors that have contributed to intrastate conflicts have created conditions for their peaceful resolution.

As major international powers no longer see national conflicts from the prism of Cold War ideology, they have aggressively sought peaceful solutions to seemingly intractable and long-standing internal conflicts. The warring factions, meanwhile, bereft of outside support and suffering from growing war fatigue, have come under intense pressure to compromise. The recent spotlight on democracy and human rights has contributed a recognized framework for reconciling political differences. Consequently, several civil wars have terminated and the populations of a number of countries have once again begun breathing in an atmosphere of relative peace and reconstructing their shattered lives.

The Phenomenon Described

The 1989 elections in Namibia, although sui generis for a number of reasons, provided the impetus for much of the more recent developments involving the use of elections as part of a postconflict settlement. The story of these elections has been told in detail elsewhere, so it is summarized only briefly here.[4] The approach utilized in Namibia was developed and authorized by the United Nations in 1978, but could be implemented only after the major antagonists, South Africa and South West Africa People's Organization (SWAPO), had fought to a standstill and the major powers no longer perceived any advantage in extending the duration of the conflict. The UN formula called for an extensive international presence in Namibia under UN auspices throughout the transition period.

Most relevant to the present subject, the UN Transition Assistance Group (UNTAG) was responsible for "supervision and control" over the planned elections in Namibia. Supervision involved a hybrid between direct administration, which in Namibia was left to the South African colonial authorities, and a more passive monitoring role, which had

characterized the international community's involvement in many of the 1980s transition elections mentioned above. Nonetheless, the extensive nature of the supervision in Namibia deserves underscoring. On the ground, it involved the presence of more than 1,700 election supervisors and 3,500 military personnel in a country with a population of fewer than 2 million. More important, the UN had the responsibility to validate the overall electoral process, which was the keystone for ensuring a cessation of the conflict and the establishment of an independent Namibia. There was some recognition immediately after the Namibian elections that a new mechanism for resolving conflicts was perhaps emerging, but it required utilization outside the very special circumstances of Namibia for the approach to be fully appreciated.[5]

The 1990 elections in Nicaragua provided the next test. Years of intrastate conflict had resulted in a stalemate, but with the end of the Cold War there was a decrease in superpower interest. The Central American governments had initiated a peace process that placed considerable emphasis on the need to guarantee free and fair elections in each of the countries of the region. This time, however, elections were being planned for a member state of the United Nations, not a colonized territory. Nonetheless, the Nicaraguan government invited both the UN and the Organization of American States (OAS) to monitor upcoming elections. Both organizations responded by establishing long-term and large electoral monitoring teams in the country, marking the first time such extensive exercises had been undertaken in a sovereign state. The efforts of the UN and OAS teams, together with several nongovernmental organizations, contributed to an electoral process in which all the key parties participated, the voters for the most part had an opportunity to cast their ballots free of intimidation, and after some difficult negotiations, all parties accepted a process through which the ruling party was defeated.[6]

There followed a series of elections in Angola (1992), Cambodia (1993), El Salvador (1994), Mozambique (1994), Bosnia (1996), and Liberia (1997) in which the basic elements of the Namibia/Nicaragua, or postconflict election model, have been employed, with appropriate modifications for the particulars of the circumstances. Several other elections, including those in Haiti (1990 and 1995), Ethiopia (1992), South Africa (1994), West Bank/Gaza (1996), and Albania (1997), also share many of the characteristics of the postconflict election model. Its critical elements include (1) negotiation of a formal peace accord, which calls, inter alia, for a cessation of hostilities and the occurrence of elections within a fixed period; (2) intensive administrative preparations for the elections, involving negotiations concerning the legal framework, designation of the election administrators, registration of parties and voters, and arrangements associated with the procurement of appropriate electoral paraphernalia and its distribution throughout the country within the requisite time frame; (3) responding to an often tenuous security situation through the deployment of peacekeeping forces, civilian and police monitors, and the demobilization of armed factions; (4) providing for effective participation by refugees and displaced persons either by guaranteeing their safe return to their homes prior to the elections or through absentee ballot and related procedures; and (5) the extensive involvement of the international community in administering, supervising, monitoring, and otherwise assisting the process.

Perhaps the most important point that needs to be understood about postconflict elections is that they are invariably organized under very difficult circumstances, although the specific conditions differ from society to society, depending on the nature and duration of the conflict, previous levels of economic and political development, and the havoc wrought by the war. As a general rule, these postconflict countries are politi-

cally devastated, often with weak interim governments responsible for organizing the elections. Economically, the countries are characterized by high inflation, widespread unemployment, and shortage of essential goods. Many of the countries face food short-ages, and their agricultural and industrial production is quite slack. Transport and com-munication infrastructures often are shattered, making the movements of people, goods, and information difficult.

Postconflict societies also lack the institutional infrastructure required for democratic elections. In many cases, a free press, independent judiciary, democratically oriented organized political parties, and an independent election commission are either just being formed or recovering from the physical, psychological, and financial consequences of war. Further, because of the conflict, a climate of social distrust, antagonism, and frustra-tion exists in postconflict societies, which makes political discourse, much less demo-cratic contestation, exceedingly difficult. In fact, the elections represent more a repudia-tion of the fighting than a choice among political alternatives, with the consequence that the elected government does not necessarily have a popular mandate for specific pro-grammatic choices.

Finally, as noted above, the security situation often remains tenuous. For example, El Salvador is the only country mentioned in which demobilization of ex-combatants was completed prior to elections. In Angola and Ethiopia warring factions kept part of their armies clandestinely, while in Bosnia and Cambodia many parts of the country remained under the control of militia who had not reconciled to the peace process and were loyal to the parties contesting the elections. Consequently, the transformation of the politico-military organizations into democratic political parties was hardly complete at the time of the elections.

Efficacy of Postconflict Elections

In considering the efficacy of recent postconflict elections, it is important to be aware that they have often been expected to accomplish multiple objectives, some of which are not necessarily compatible. Like more conventional elections, postconflict ones are designed to result in the formation of a new and democratically legitimate government. However, they are also expected to consolidate a fragile peace by providing former com-batants a legitimate arena for competition. Indeed, these elections are consciously viewed as mechanisms to transform violent conflicts into peaceful competition for power.

Of the recent postconflict elections, significant progress toward reconciliation has occurred in Namibia, Nicaragua, El Salvador, and Mozambique; in these countries, the former warring groups have been integrated into the emerging political system. Bosnia enjoys relative peace but little reconciliation, and there is considerable concern that the peace can be maintained only with the continuing presence of a rather significant NATO force. The Cambodia situation is quite complex: the Khmer Rouge, who remain commit-ted to the violent overthrow of the regime, have been marginalized, but new conflicts have arisen between the former coalition partners, and more combatants are under arms than when the peace accords were signed. While it is too early to draw firm conclusions from the situation in Liberia following the 1997 elections, recent events suggest that maintaining the peace will not be easy. Finally, fighting erupted in Angola immediately after its 1992 elections, and all efforts to reconcile the warring parties have so far failed.

A second objective of postconflict elections is to initiate a democratization process

within a country. It is assumed, often naively, that the conduct of reasonably free and fair elections generates a momentum toward further democratization and that leaders who assume power through electoral means will necessarily abide by democratic norms.

Here again, the record to date is mixed. While developments in several countries are encouraging, for example, Namibia, Nicaragua, and El Salvador, the experience in other countries where postconflict elections transpired is sobering. The 1997 events in Cambodia, where the coalition arrangement that had existed since the 1993 elections fell apart, highlight the gossamer nature of the democratic transition under way in many of the postconflict countries.

A third objective of postconflict elections is to signify a relatively political stability within a country, warranting the implementation of a massive economic reconstruction program with resources generated both internally and from donor agencies. Successful postconflict elections have generally achieved this purpose, with consequent positive economic growth. Given the devastation of the war, however, and the fact that serious economic planning is often placed on hold during the period between the peace signing and the occurrence of the elections, expectations for instantaneous economic improvements are extremely high among the population, and indeed among the international community, in the aftermath of the elections. These expectations pose an immediate challenge to a new government, which often must rely on the willingness of the international community to remain engaged rather than simply to declare victory and move on.

Role of the International Community

International assistance is essential not only for the organization of postconflict elections, but also to ensure their credibility and acceptance. The international community's extensive role in several postconflict elections, however, has challenged basic development principles regarding local ownership and empowerment. The justification for such far-reaching involvement is based on an absolute mandate to stop the killing, the recognition that failure to move ahead on elections may result in the breakdown of the peace, an acceptance of the international community, however defined in a particular circumstance, as a necessary mediator and prodder, and the desire to maintain the time commitments included in the peace accord.

The pattern and sequence of international electoral assistance has been straightforward, although there is considerable variation in the overall extent of the involvement. During peace negotiations, the international community may provide the services of legal luminaries and election experts to clarify critical issues regarding the nature and timing of elections. If peace negotiations are successful, an intergovernmental organization, such as the United Nations, Organization of American States, Organization for Cooperation and Security in Europe, is often invited to take the lead in administering, supervising, or monitoring the elections.

Inevitably, international organizations assume greater roles and responsibilities than originally envisioned in order to solve pressing logistical, institutional, and political problems. The fine line between technical assistance and political intervention is thin indeed in the harsh realities of postconflict societies. Perhaps because of the number of situations requiring such assistance, the quality of expertise available to help organize or advise on the preparations for holding postconflict elections has improved immensely during the past decade. In fact, the elections in Bosnia demonstrate that even in the most

difficult of circumstances, a technically adequate election can be achieved if the avail-

ability of resources is not a significant constraint.

The precise nature of the international engagement may surprise some not familiar with the phenomenon. The three post–Dayton Accords elections in Bosnia provide a current example of international community roles in ensuring timely elections. Dayton mandated national and municipal elections within nine months of the December 14, 1995, signing of the accords in Paris. The Organization for Security and Cooperation in Europe (OSCE) was assigned responsibility for supervising the elections as well as for monitoring human rights and verifying an arms reduction regime.

Unlike Namibia, supervision of the 1996 Bosnian elections became tantamount to administration. The seven-member Provisional Election Commission (PEC) was chaired by the head of the OSCE mission, and included three Bosnians and three other representatives of the international community. The PEC's international staff drafted the election law, procured the election materials, supervised the voter registration process inside Bosnia and in countries where Bosnian refugees resided, and developed the plan for the procurement and distribution of all election paraphernalia.

The OSCE chairman in office (CIO), meanwhile, was required by Dayton to certify that conditions in Bosnia were conducive to free and fair elections before the election date could be set. Notwithstanding the fact that several key elements of the accords had not been implemented, most notably relating to freedom of movement throughout the country and the return of refugees, the Swiss foreign minister, who was serving as CIO at the time, made the requisite certification in mid-June and authorized that the elections be scheduled for September 14, nine months to the day from the signing of the accords. Several weeks before the elections, however, the OSCE CIO and head of mission agreed to postpone the municipal elections while proceeding with the national elections.

By election day, more than 1,000 OSCE election supervisors were in Bosnia. An Elections Appeals Subcommission, which was headed by a Norwegian judge and staffed by lawyers and investigators seconded by foreign governments, addressed several critical and controversial issues before and after the elections. More than 30,000 NATO troops, who initially were directed to assume a detached perspective toward the election, eventually carried out key transportation and communication responsibilities, contributing immeasurably to the, relatively speaking, administrative success of the elections. And for election day, a separate OSCE team, numbering more than 1,200, was dispatched to the country to monitor the elections.

In most other circumstances, this extensive international involvement abated soon after the initial elections. However, Bosnia has proved more nettlesome, resulting in the same high degree of international involvement in 1997 municipal elections and 1998 national elections. These latter elections were noteworthy for the much improved administrative processes, for the more competitive nature of the overall campaign, and the more unconstrained environment in which the elections took place.

Admittedly, Bosnia reflects unique circumstances, much as Cambodia did a few years earlier, which had previously been identified as the most costly and extensive international engagement in a postconflict election exercise. In most other circumstances, the international community engagement has seemed modest by comparison. Nonetheless, even in these less extravagant settings, the international community role has been momentous and, usually, critical to the occurrence and success of the elections.

Mozambique offers an interesting contrast to Bosnia and Cambodia. Notwithstanding Mozambique's much more limited resources and a less explicit mandate, the UN and others in the international community ensured that the 1994 elections took place and

that all parties participated. Perhaps the most controversial aspect of the UN role in Mozambique was the provision of more than $17 million to the political parties, ostensibly to provide them a basis for conducting a meaningful campaign, but viewed more cynically as an inducement to participate in the process.

Cost and Timing of Postconflict Elections

The cost of planning, organizing, and monitoring elections, given the extenuating circumstances affecting postconflict societies, tends to be comparatively high. The reasons for such high costs are understandable. As noted earlier, postconflict societies lack even the rudimentary transportation and communication infrastructure essential for holding nationwide elections. Undertaking nationwide voter education programs and establishing polling stations in remote areas are inevitably more expensive in these circumstances than in more traditional settings. Moreover, because peace is at stake and the international community is committed to supporting the elections, there is real pressure not to compromise the integrity of any aspect of the process. These factors often contribute to the utilization of electoral mechanisms that would be deemed inappropriate if the country were financing the election without international support. Limited industrial capacity necessitates that many basic electoral commodities — paper, pencils, boxes, typewriters, computers, and vehicles — must be imported at considerable expenditures. Resources are also needed to create minimal infrastructure for democratic elections; as in the case of Mozambique, the international community has provided assistance to struggling political parties to enable them to participate in the electoral process.

The high costs of postconflict elections raise several issues that deserve reflection. One obvious issue concerns the opportunity cost of the resources spent on postconflict elections. It has been suggested that these resources could be allocated instead to addressing the major social and economic problems facing these countries, including civilian security, repair of shattered physical infrastructure, and basic social programs such as health care and education for marginalized groups.

Another issue relates to the precedent for expenditure set by the postconflict elections. In the absence of outside assistance, many countries simply cannot afford to disburse a fraction of the resources spent to conduct the postconflict election on subsequent elections. At the same time, certain precedents have been created regarding the administrative processes, as well as sophisticated technologies, that were utilized during such postconflict elections. Thus, there is an expectation that international assistance will be provided to ensure a successful second and even third election. While in many circumstances such assistance has been forthcoming, an alternative would involve utilizing less resource-intensive administrative processes and technologies that are more appropriate to the economic and technological resources of the country.

A further factor that contributes to reliance on seemingly inappropriate administrative electoral mechanisms relates to the timetables established for organizing postconflict elections. These timetables, as observed above, are often dictated by political considerations rather than a rational assessment of the time necessary to prepare adequately for the elections. In several instances, the inevitable consequence has been a temporary postponement of the election, while in other situations the timetable was maintained at all costs, including those relating to the credibility of the process.

Among the adverse consequences associated with unrealistic election timetables is that the demobilization of combatants has often not been completed before elections.

Therefore, some political forces manage to maintain their military capabilities and, if the election outcomes are not to their satisfaction, they are in a position to resume a military offensive. This course of events happened in Angola, where the National Union for the Total Independence of Angola (UNITA) resumed the fighting after losing the 1992 elections, and in Cambodia where the number of soldiers loyal to the factions increased dramatically following the peace accords.

Rigid timelines often have, in addition, a negative consequence on the implementation of an effective civic and voter education program, thus constraining the potential democratizing impact of the elections. For example, intermediary organizations that sought to implement voter education programs in Angola, Ethiopia, and Mozambique found it extremely difficult to print literature, instruct trainers, and reach remote areas within the stipulated time frame.

Policy Considerations

There are two schools of thought regarding the increased reliance on postconflict elections as a tool for maintaining the end of an armed conflict. The first argues that notwithstanding one outright failure, Angola, and a few instances where there has been both progress and backsliding, Cambodia, the overall record of postconflict elections is positive. While appropriate lessons must be drawn from prior experiences and an understanding of the particular context in which the model is to be applied is absolutely critical, the form is sound and deserves to be at the forefront of the tools utilized by a negotiator trying to end an intrastate conflict.

The second school of thought is more skeptical of the overall record emerging from the experiences of the past few years. The high costs and rigid timelines associated with these elections have led to a search for functional alternatives, such as interim power-sharing arrangements, which might allow for the reconstruction process to begin without the immediate pressures of organizing and conducting an election.

While the limitations of postconflict elections must be understood, we are convinced that such elections will continue to figure prominently in future efforts to move beyond intrastate conflicts. With this reality in mind, we suggest that policymakers consider the following factors in assessing the prospects for a successful postconflict election: (1) the relative presence of democratic traditions and participatory social institutions such as voluntary associations, an emerging middle class economically independent of the state, independent media, and local political units; (2) the presence of ethnic cleavages and the nature of political mobilization, particularly the degree to which political mobilization relies on ethnic or sectarian appeals; and (3) progress toward demobilization of combatants, since this deters losing parties from abrogating the accords and relying on the military option for achieving power.

Once it is decided that an election process will form an integral part of a postconflict accord, the following policy considerations deserve note. First, the parties to the conflict should play an active role negotiating the electoral rules of the game rather than having these rules determined preemptively by an external actor; at the same time, an external actor may be required to ensure that the negotiations continue and to suggest approaches for breaking deadlocks. Second, the electoral rules and mechanisms should be kept simple to ensure that they can be easily understood by the populace and that they can be replicated in future elections. Third, a realistic timeline with objective benchmarks

should be employed, as the constant need to revise the timeline and postpone the elections serves as a confidence destabilizer and exacerbates feelings of suspicion and mistrust.

Fourth, the pre-election period should be used to rebuild those institutions which are critical to both meaningful elections and democratic consolidation; these institutions include an independent election commission, democratically oriented political parties, independent media, and nongovernmental organizations that are prepared to assume responsibility for monitoring the elections and conducting voter education programs. Fifth, given the degree of mistrust that often exists within a postconflict society, the introduction of confidence-building measures, which might involve authorizing the presence of international observers and requiring periodic certifications that conditions are conducive to free and fair elections should be employed during both the pre- and postelection periods.

Finally, the international community should recognize that a successful election process is only a step in a reconstruction effort, and that a long-term commitment is required following elections to sustain both reconciliation and democratization. Admittedly, recent practice has not necessarily conformed to this admonition. Too often the actions, as opposed to the rhetoric, of the international community reflect a shift back to "business as usual" rather than a sincere appreciation of the fact that restoration of trust and dignity among a population that has experienced a bitter intrastate conflict is never a short-term endeavor. ❧

Notes

1. See, for example, Samuel Huntington, *The Third Wave: Democratization in the Late 20th Century* (Norman: University of Oklahoma Press, 1991).
2. A succinct description of these elections is provided by Larry Garber and Eric Bjornlund, *The New Democratic Frontier: A Country by Country Report on Elections in Central and Eastern Europe* (Washington, D.C.: National Democratic Institute of International Affairs, 1992).
3. The most recent publications that present a comparative, empirical analysis of postconflict elections are: Krishna Kumar and Marina Ottaway, *From Bullets to Ballets: Electoral Assistance to Postconflict Societies* (Washington, D.C.: U.S. Agency for International Development, 1997); Krishna Kumar, ed., *Postconflict Elections, Democratization, and International Assistance* (Boulder, Colo.: Lynne Rienner Publishers, 1998); and Rafael Lopez-Pintor, "Reconciliation Elections: A Post–Cold War Experience," in *Rebuilding Societies After Civil War,* ed. Krishna Kumar (Boulder, Colo.: Lynne Rienner Publishers, 1997).
4. See National Democratic Institute for International Affairs, *Nation Building: The U.N. and Namibia* (Washington, D.C.: National Democratic Institute for International Affairs, 1990).
5. Ibid., 74–82.
6. See Jennifer McCoy, Larry Garber, and Robert Pastor, "Poll Watching and Peacemaking," *Journal of Democracy* 2, no. 4 (1991): 104–114.