

4. ENHANCING ELECTORAL DEMOCRACY

The right to vote and to hold those in office accountable at the ballot box is a necessary element of democracy. Local elections are a central element of democratic governance closest to the people. In local elections citizens can personally know the candidates, can offer direct knowledge and information on the issues, and can communicate with elected officials on a more frequent basis.

This chapter focuses on *traditional participation* in terms of elections, elected officials, and political parties. Chapter Five addresses what has become known as *enhanced representation* – citizens becoming directly involved in policy-making and implementation. The approaches are complementary; each seeks to improve the quality of democracy and they both have important ramifications for successfully managing conflict. This chapter explores:

- Major aspects of local elections;
- The functions of elections, with regard to accountability, representation, inclusion, and the creation of coalitions;
- Options for electoral systems and major considerations for local elections;
- Advantages and disadvantages of using popular referendums; and
- The critical role of political parties in local elections and electoral contests.

4.1 Elections: Legitimacy, Accountability, and Trust

■ *There is no viable alternative to popular elections as a way to legitimize the actions of representatives in a democratic political system.*

The principal function of elections is to *legitimize* public authority and to provide officials with a mandate for specific action. Election campaigns serve many functions too, such as clarifying issues and policies, holding candidates to account, communicating information among candidates and voters, and offering choices about solutions to community problems to the general public.

Elections are also a critical means of promoting public *accountability*. Accountability involves not just the ability of voters to vote out of office elected officials who have not performed well in the public interest, but it also includes the opportunity for elected officials to give an account. As Professor John Stewart explains: “Those who exercise public power and spend public money should be accountable to those on whose behalf they act....[But] to give an account would be inadequate without a basis for holding to account. To hold to account requires an account as a basis for judgement. The two elements complement each other.” In addition to elections, elected officials can be held accountable by external inspections, audits, and regulation.

The link between elections and accountability becomes clear if we consider the problems that often arise when local officials are appointed rather than elected. In Africa, for example, many local political positions are not usually filled through the electoral system but through appointment by central government (with or without consultation with local citizens). As African political scientist Dele Oluwu explains, this often means that municipal or metropolitan council political representatives perceive themselves as representing the central government rather than the citizens or community they serve.

The critical issue with regard to elections is the element of *trust*. Voters must be able to trust elected officials to carry out their campaign promises and believe that they will engage in open, corruption-free governance. Candidates must trust that if they lose this election, they will have a fair opportunity to win the next one (the concept of alternation in power). Minority communities must trust that even if they do not win a majority of seats in the city council, for example, their interests will not be neglected and they will not be subject to systematic disadvantage, given their minority group status. All actors in local elections must trust that the administration of the poll is free and fair and that the will of the voters will prevail.

4.2 Local Elections: Major Issues

■ *Local elections can be much more passionate and more important to the daily lives of citizens than national elections.*

4.2.1 The Who? What? When? and How? of Local Elections

- The *Who?* of elections refers to the traditional distinction between individuals standing for office, or voting for political parties who have pre-selected candidates running on their ticket (for example, in a proportional representation system). The positions for which elections are held vary widely, but the actors in local elections often include: candidates standing alone or under the banner of a political party; the voters, who cast ballots; election officials, who ensure the procedural fairness of the vote including issues of security and honesty in vote counting; the press, which reports on the campaign and outcomes; political party volunteers and other civil society actors; and official and unofficial monitors.
- The *What?* of local elections refers to the institutional forum for which elections are held. These are often described in terms of executive positions – mayors, city administrators, ombudsmen, judges, law enforcement officers, and so on. And elections can occur for legislative functions – city councils, district councils, neighbourhood committees, and the like. The *What?* can also refer to public decision-making on specific questions, such as incurring new public debt, phrased in terms of a referendum or ballot initiative.
- The *When?* Elections for local office may be held coincidentally with national or provincial/state polls, or they may be held at other times. Issues related to *When?* include the periodicity of elections, the term of office, whether they are staggered around the country or held all at once, and the length of the election cycle (over one day or even several weeks). The significance of the *When?* of elections is that the frequency and timing of voting may significantly affect voter turnout.
- And the *How?* How voting occurs is a matter of electoral system choice. But other administrative aspects of elections impinge. Recent innovations and issues in the *How?* of voting include voting by mail, online voting, “queuing” (lining up publicly behind a sign for a candidate or party) versus secret balloting (in which individual vote preferences are not made public), and the increasing use of referendums in some countries.

4.2.2 Advantages of Local Elections

Local elections can have certain distinct advantages as compared with national elections, including the following.

- *Barometers of national political trends.* Local elections are important for their role in a broader national democracy. Recent local elections in China, Japan, Germany, Nigeria, and the United Kingdom show that these polls can be important indicators of national political trends.
- *Determining what matters most to voters.* Often issues in local elections are those that directly affect the daily lives of citizens; sometimes, local issues are the ones that voters care about most. The nature of contestation among parties and candidates, and the issues that arise, can be an important indicator of what voters care deeply about.
- *Democratization process.* Local elections may be used as a first step towards a country's democratization process, as was the case in the Nigerian local elections of 1998.
- *Minority inclusion.* Local elections can be highly useful for allowing minorities at the national level to find inclusion in a country's political life in a local arena (see essay on India on page 135).
- *Development of national party systems.* There are also intricate linkages among local elections, party systems, and local level and national-level party system formation. In Nigeria, for example, party formation rules applied to the local elections in 1998 had a strong influence on the formation of the party system at the national level in Nigeria.

4.3 Local Elections in Democratizing Societies

■ *Without a viable system of local elections, the transition to democracy remains incomplete.*

Local elections have become especially important in countries that are experiencing, or have recently undergone, transition from authoritarian rule to more open political systems, as these elections occur in the context of broader political reforms.

In democratizing countries, local elections often raise important questions of *sequencing*. In some cases, local elections precede the introduction of national democracy (e.g., in Nigeria in 1998); in other instances local elections follow the creation of new national-level governments, for example in South Africa in 1995 and 1996 and Bosnia in 2000. There is no agreed rule to indicate when local polls should precede national ones, or *vice versa*; each country has its own experience and rationale for sequencing local and national elections. Clearly, local elections are

lower risk for incumbent governments and it is no surprise that democratization efforts are often allowed to unfold slowly and under tight control. Most recently, Pakistan's military government under General Pervez Musharraf, who seized power in a *coup d'état* in October 1999, announced a possible return to civilian rule to start with local voting in a new, three-tiered system of local government.

Whatever the sequencing, it is clear that without a viable system of local elections, the transition to democracy remains incomplete or insufficient. Consider, for example, the first municipal elections held in Mozambique in June 1998. The overall transition from civil war to a more peaceful democracy in Mozambique is regarded as one of the important successes of the immediate post-Cold War period. Two relatively successful national elections were held (1994 and 1999) and the country enjoyed a new-found openness and vibrant political competition. However, local elections were less than successful. In addition to administrative irregularities, there were serious problems of voter turnout. Estimates are that, on average, across 33 local administrative areas, more than 85 per cent of the population abstained from voting after a call by the principal opposition party, Mozambique Resistance Movement (RENAMO), for a boycott.

Although Mozambique's 1998 election results were sustained by the Supreme Court – which argued that there was no provision for annulling election results due to low voter turnout – the legitimacy of the outcome was clearly questioned. The depth and quality of post-transition democracy in Mozambique cannot be considered complete. A critical challenge for the country is to continue efforts to improve the legitimacy of elected local governance in subsequent municipal elections.

The Mozambique experience underscores a general finding from the literature on elections in democratization processes. The transition from closed to open political systems is inherently a long-term and difficult process. National-level elections are critical in starting (as in South Africa) or culminating (as in Nigeria) this process, but they are not enough. Local elections play a critical role in democratization, despite the fact that they have been under-valued in many academic and practitioner evaluations of democratization.

Local elections have also proved to be critically important and valuable in political systems where competition at the national level is highly constrained or circumscribed by law or in practice. Jim Schiller has commented that, for example, “Nearly two-thirds of Indonesia's voters live outside the major cities in small towns and villages. For them, the face of the government is the village head or the sub-district officer. If democracy is going to be meaningful to a majority of Indonesians it must reduce their dependence on officials and increase their freedom to choose leaders and to influence local governance”.

The example of village-level elections in China is also a case in point. Despite a tight political monopoly of the Chinese Communist Party at the national level, space for democratic activity (on a strictly non-party basis) has been allowed. Thus, local elections can be an important aspect of the democratic experience in a country even when the overall climate is hostile to multi-party politics. They may serve as harbinger of future democratization, as the case study on China illustrates (page 137).

4.4 Evaluating Local Elections

■ *The critical test for evaluating the efficacy of local elections is to examine whether the issues of immediate relevance to citizens are debated and tackled.*

The greater the extent to which important issues can be solved locally, the better; not all issues (such as foreign policy) can be solved in local contests, but many (such as the local environment) often can be addressed.

The following questions can be used as a checklist to analyse the integrity of a given election:

- *Will of the people.* Do local elections indicate that the will of the people has been expressed and the authority of governance approved as legitimate?
- *Possibility of alternation.* Does the election allow for the possibility of alternation in winning political coalitions? That is, does the opposition party have a real chance of winning?
- *Confidence-building.* Does the election build confidence in the political system, namely that the leaders are exercising public power in pursuit of the common good?
- *Educated choices.* Do the elections provide voters and candidates an opportunity to clearly define the issues and to make choices among solutions to community problems? Do the elections help educate the citizens on the critical issues before the community?
- *Level playing field.* Is the playing field among the various candidates and parties a level one? That is, does any given candidate have an inherent advantage?
- *Mandate.* Is the primary purpose of the election to generate adversarial, “winner-take-all” choices among parties and candidates or are the elections designed to produce representatives of various elements of the voting population, leaving the resolution of contentious issues to subsequent bargaining among these officials?

Figure 12**Local Elections in Comparative Perspective****Iran, February 1998**

In Iran in February 1998, local elections were an important indicator of the relative strength of moderate and conservative political forces. The 1998 poll was the first local elections to be held in Iran since the 1979 revolution. More than 300,000 candidates contested the poll for more than 200,000 seats on local councils; the candidacy of many of those standing for office, particularly the non-clerics, was disputed between a national screening panel and the Interior Ministry responsible for holding the vote. Since the revolution, Muslim clerics have held the balance of political power in Iran. The elections were hotly contested and most observers saw the aggregate result of the voting as an indicator that the supporters of moderate President Mohammad Khatami were ascendant.

Israel, November 1998

In a very politicized society, some of the most difficult disputes in Israel are fought out in highly adversarial politics at the local level. Particularly in Israel's big cities, the politics of identity is especially important; differences among secular and more religious Jews, among various immigrant communities, and between Israeli Jews and Arabs are especially acute when local-level decision-making and representation is at stake. In the 1998 elections, for example, an Arab won election to the city council in Jerusalem for the first time.

Azerbaijan, December 1999

Elections for local councils in Azerbaijan were held in December 1999. This was the first round of local voting since the country's independence following the disintegration of the Soviet Union. The voting was deeply troubled, with opposition parties unable to compete in nearly three-quarters of the contested seats for local councils. Moreover, international observers from the Council of Europe declined to certify the elections as "free and fair", citing alleged ballot stuffing and other violations. The implications of the elections were significant: first, the poor showing weakened Azerbaijan's bid to join the Council of Europe; second, it reinforced a broader concern that the country's system of democracy is deeply flawed. Finally, and most important from the opposition's point of view, as a result of flawed local elections, no level of political institution in the country could claim democratic legitimacy.

Bosnia-Herzegovina, April 2000

Wracked by years of war and bitter memories of atrocities, Bosnia seems an unlikely case for the development of local democracy. Yet, in April 2000

the OSCE organized local elections to augment the country's two national-level elections held since the war ended. In many ways, the elections were successful. Voter turnout was comparatively high: an estimated 70 per cent of the electorate voted. The OSCE declared the voting generally free and fair (noting intimidation and irregularities in some districts, however). The results mirrored the general pattern of post-war politics in Bosnia, namely that the nationalistic parties that led the country to war still receive strong support in their respective communities. At the same time, the local elections showed that, particularly in Bosniac-majority areas, opposition parties are gaining ground.

South Africa, December 2000

South Africa held nation-wide local elections in December 2000, which were the first for newly created municipal structures that unified previously segregated areas. In the polling, the nationally dominant African National Congress (ANC) won the lion's share of municipalities (170 of the nearly 240 contested), although the party saw a slip in its overall share of votes across the country (winning just under 60 per cent of the votes cast, down some four per cent from the national elections in 1999). Significantly, the principal opposition party (the Democratic Alliance) gained ground (winning 22 per cent of the overall vote) and won control of 18 municipal councils. The elections were watched carefully because they dealt with a number of significant issues pertaining to South Africa's ongoing process of democratization after apartheid: the predominance of the ANC, the creation of viable multi-ethnic opposition parties, the role of traditional leaders, the importance of service delivery, and the enthusiasm of the people for democracy in general. So far, the elections seem to reaffirm that South Africa's nascent democracy remains functioning and vibrant.

4.5 Electoral Systems

■ *Electoral systems define and structure the rules of the game of political competition. The process by which these rules are adopted is critically important.*

Academics and practitioners alike have focused on the structure of the electoral system as critical to determining the overall character of a democracy. These choices have received important attention in recent years, too, as a means of "engineering" certain political outcomes, such as ensuring that minority communities are not systematically excluded from representation and influence when "winner-take-all" pol-

itics prevail. Analysts of electoral systems agree that the choice of a particular system of translating votes to public positions entails decisions – and sometimes trade-offs – over certain values such as stable government, clear election outcomes, representation, accountability, links to constituencies, the importance of political parties, and the degree of voter choice among alternative candidates and parties.

Election systems can also affect the overall “spin” of a political system. Systems that set up “winner-take-all” contests among candidates, for example, arguably encourage a more adversarial government versus opposition political system. On the other hand, forms of proportional representation are often said to lead to more accommodative politics, albeit at the cost of potentially fragmenting the political system.

In local elections, electoral system issues are important because they critically effect how the political community is defined, and the ways in which elected officials relate to sub-districts, neighbourhoods, or dominant social interests. In many of today’s more diverse municipalities, ethnic, religious, and gender diversity is an important consideration in the choice of an appropriate electoral system. Some systems may, in various contexts, be more amenable to promoting municipal peace than others.

4.5.1 Choosing an Electoral System

In some cases, local municipalities have the right to choose their own electoral system; in other cases the electoral system is determined by national legislation. Choosing an electoral system is a matter of careful design to meet the specific challenges of any given local setting. The choices are often difficult as they involve decisions about how to manage trade-offs – such as representation of all communities, which might lead to unstable governing coalitions – and maximizing values such as links to constituencies, ease of understanding, inclusion, contestation, proportionality, accountability, candidate identity, and the formation of alliances among contending political forces. For example in Andrew Nickson’s study of local governments in Latin America, he argues that the reliance on closed-list proportional representation in many countries in Latin America has weakened public discretion and enhanced the national-level political grip on power; he advocates reforms to introduce an open-list proportional representation system.

Choosing among alternative election systems for a municipal arena means bargaining among interests over the objectives, meaning, and form of elections. The choices may imply very serious decisions for a community, especially the choice between adversarial elections – choosing among candidates with sharply differing positions – and more collaborative democracy in which representatives to consen-

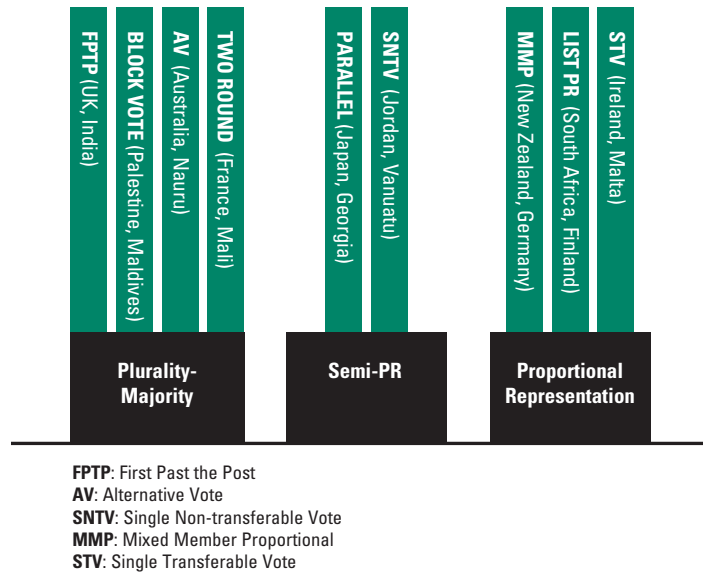
sus-building forums such as city councils are chosen. But reform of election rules is inherently difficult, because they involve such fundamental choices for a political community.

In Italy, for example, the electoral system was reformed in late 1999 to allow for the direct election of regional presidents (there are 20 in total, five have special status). In the regions, 80 per cent of the council seats are elected from provincial lists using proportional representation. The remaining 20 per cent of seats are assigned to the candidates of the regional list that got the highest number of votes. The first names on the party lists are their candidates for the Presidency of the *Giunta* (region), and the party with the most votes gets its front-running candidate elected president. For the first time, on 16 April 2000, voters directly elected presidents of the regions in elections held around the country.

Figure 13

Types of Electoral Systems

The following diagram presents the three basic families of electoral systems: Plurality-Majority, Semi-Proportional Representation, and Proportional Representation (PR).



Source: The International IDEA Handbook of Electoral System Design, 1997. Stockholm: International IDEA

4.5.2 Principal Options

The principal options for local-level systems of elections mirror in many ways the choices that are available for other arenas, such as in national elections or within a labour union.

The three main types of electoral systems are: plurality or majority systems, semi-proportional or mixed systems, or proportional representation systems. But the features of various electoral systems can be combined in myriad innovations. There are, as a result, an extremely wide variety of electoral system options for application in municipal settings. The three principal variables or elements to consider are:

- *Electoral formula*, which defines the ways in which votes are transferred to seats;
- *Ballot structure*, or the way in which candidates or parties appear on the ballot paper or in other methods of voting; and
- *District magnitude*, or the number of candidates elected from a given district (in general, the higher the district magnitude, the greater the degree of proportionality).

The principal electoral systems are:

Plurality or Majority Systems. These systems can be used for the election of executives (mayors and similar functions) or legislative members (city council) and other individual office-holders.

First-past-the-post. The simplest system for single-member districts, the candidate (not party) who receives more votes than any other candidate wins the seat; this does not necessarily mean that the candidate receives a majority of votes, simply a plurality.

Two-round or run-off. If no candidate receives a majority of the votes in the first round, a run-off is held between the top two (or sometimes more) vote-winners. Whoever wins the highest number of votes in the second round is declared elected, sometimes regardless of whether they have achieved majority support or not.

Block vote. Used in multi-member districts, the block vote allows voters to have as many votes as there are candidates to be elected (e.g., if there are three seats, each voter has three votes). Voting can be either candidate-centred or party-centred. Counting is identical to first-past-the-post, with the candidates with highest vote totals winning the seats.

Alternative vote. A system, used in single-member districts, in which voters specify their first and alternative (second, third, etc.) preference on the ballot paper. A candidate who receives over 50 per cent of first-preferences is declared elected. If no candidate receives an absolute majority of first-preferences, votes are reallocated until one candidate has an absolute majority of votes cast.

Semi-Proportional or Mixed Systems

Parallel. In parallel systems, proportional representation is used in conjunction with a plurality-majority system but the two systems run in parallel, and the PR seats do not compensate for any disproportionality (i.e., the variation in the proportion of votes to seats) arising from election of the candidates in single-member districts.

Single non-transferable vote. In this system, first-past-the-post methods of vote counting are combined with multi-member districts, with voters having only one vote. Thus, the largest one, two, three, and so on, vote-getters are deemed elected.

Proportional Representation. Systems in which the vote-to-seat allocation (for example in city councils) is roughly proportionate.

List systems. List systems enable each party to represent a list of candidates to voters who choose among parties. Parties receive seats in proportion to their overall share of the vote. Winning candidates are drawn from the party lists. List systems can be closed (or “fixed” as candidates are not changeable by the electorate) or open (voters can indicate their preferences among candidates on the list). In some instances, parties can link their lists together through a mechanism known as *apparentement* (agreements among political parties, often those with primarily a local or regional base, to pool their votes together in an election contest by “linking” their lists).

Mixed member proportional. In these systems, a portion of the council (usually half) is selected by plurality-majority methods, and the balance is elected from PR lists. The PR seats are used to compensate for the disproportionality that may occur in non-PR seats, so that the overall calculation leads to proportional outcomes in the assembly as a whole.

Single transferable vote. A preferential system used in multi-member districts. To gain election, candidates must surpass a specified quota of first-preference votes. Voter’s preferences are reallocated to other continuing candidates when an unsuccessful candidate is excluded or if an elected candidate has a surplus. The overall effect of this system is proportionality in the assembly with elected officials having a link to a specific constituency.

4.5.3 Special Considerations for Local Democracy

Among the special considerations concerning electoral system choice for local government is the relatively greater importance of geography and personality and the common use of “at-large” delegates (chosen by the general electorate and not tied to a specific district) that are sometimes elected in addition to those elected on the basis of constituency.

Geography and space. Districts and their boundaries are particularly important for local democracy. The geographic dimension of representation matters because the issues decided at the local level involve the issues of everyday life, such as service delivery, neighbourhood safety, sub-municipal identity (neighbourhoods characterized by ethnic, religious, cultural, or racial factors), economic development, transportation, schools, and the like. People identify closely with the area in which they live, and they feel common interests with others sharing their part of the city.

For this reason, many municipal electoral systems feature a “ward” (small district), neighbourhood, or sub-municipal system of electoral boundary delimitation. This can be beneficial in terms of ensuring representation, but it can also be problematic when minorities within these sub-municipal boundaries are not fully represented. Districting or boundary delimitation offers certain opportunities but also introduces potential problems.

One solution is the “spokes of the wheel” principle in which districts or wards are delimited not on the basis of definable communities, but instead on the basis of segments of a circle emanating from the city centre. That is, districts are drawn in a manner that divides the city up into several equal segments (much like a pizza). This option may allow for districts to include both inner city and suburban communities and a greater mix of ethnic or class differences; in systems such as these, other urban boundaries such as neighbourhoods or geographical features are not taken into account when drawing boundaries for districts.

Personality. Because local officials are especially well known to voters, often on a personal basis, and because cities often lend themselves to mayoral systems with a strong executive, the role of individuals and personality in local politics is relatively more important. This emphasis on personality and individuals in politics tends to favour the adoption of majority systems for executive selection, often featuring “run-offs” if no clear winner emerges in the first round of electoral competition.

Density of representation. The density of representation, or “district magnitude”, is another important factor. As John Stewart writes, “local government has the potential to achieve a scale of representation that is qualitatively different from national representation. . . . Representation should be built on and by a continuing relationship between the councillors and those he or she represents. The more citizens participate in the process of government, the stronger will be the process or representation”.

Although there is no general guideline, a critical factor to assess is the number of councillors as a ratio to the voting-age population in electoral districts. Local government systems have the opportunity to minimize that ratio (offering more representatives for fewer people). That is, representation is enhanced with the lowest possible density of representation.

PR and “at-large” options. Another important aspect of electoral system choice in municipal settings is the common practice of using PR systems within a single defined municipal boundary. In these instances, single-list (party-based) PR is used to proportionally reflect the various political opinions. This election system choice is conducive to the formation of broadly representative municipal councils or district legislatures, and it obviates the need for sub-municipal districting. One concern about PR list systems is that they can potentially give an advantage to parties at the expense of individual candidates or representatives of local associations that do not have a party-political profile.

Another mechanism that is often used is the election of “at-large” candidates not tied to a specific sub-municipal district. When several at-large candidates are elected, it is possible to promote a more proportionate outcome through the crafting of the election rules. As a result, it may be possible to achieve some degree of proportionality through multi-member at-large seats while reserving the principal orientation of the electoral system as featuring constituency-based representation.

4.6 Referendums and Ballot Initiatives

■ *Referendums can give voters a direct say in important policy matters, but potential disadvantages must also be considered.*

One of the most rapidly evolving practices is the use of referendums to solve contentious municipal disputes. In a referendum, a public issue that cannot or should not be decided without direct reference to the will of the people is put to the electorate in terms of a question. Voters are asked to vote “yes” or “no” on the referendum question, and in most cases 50 per cent or more of votes will decide the outcome (although some require “super-majorities”, for example two-thirds or 67 per cent of the voters, to accept or reject the proposal).

Questions to consider when deciding to use referendums to settle community public policy questions include:

- Is it an appropriate issue to be decided directly by the people?
- Are the people sufficiently interested in the question being put to them?
- How is the referendum called or placed on the ballot?
- How is the question phrased?
- How intense are opinions about the issue?
- What are the consequences of a yes or no outcome?

- What is the “decision rule” (amount of votes needed to pass or fail)?
- Does the public require educating on the ramifications of the issue?

Citizen initiatives have forced referendum questions to be placed on the ballot on a wide variety of issues, such as hunting, abortion, transportation, taxes, and health care, particularly in the United States. In January 1999 the US Supreme Court was asked to rule on the validity of such measures, with the State of Colorado arguing such initiatives should be more strictly regulated. The Court ruled that restricting such activity was a violation of constitutional guarantees of free speech.

Referendums also sometimes become larger than the specific question being addressed, amounting to a public confidence vote on the government of the day. This was at least one interpretation of the overwhelming defeat of a November 1999 referendum in Portugal on a plan for regional devolution of power. The plan proposed the division of Portugal into eight regions, with the view that greater powers for the regions could stimulate economic development in the relatively less prosperous rural interior of the country. The plan would have set up regional assemblies and allowed for greater public involvement in economic planning. Opponents of the plan argued that it would undermine national unity, lead to inconsistency in economic policy, and create a new, unnecessary layer of government administration. The proposal was rejected in a referendum by 63 per cent of voters.

Because public education is such an important aspect of a referendum process, in some countries and localities independent campaign consultants are hired to lobby for a question being put on the ballot, mounting the campaign for advocating passage or denial of the question, and advocating for its adoption. The increasing use of campaign consultants has led some to conclude that referendums can be anti-democratic when huge sums of money are at stake and costly consultants are brought in to manipulate the political process and influence the electorate. Others believe that consultants play a critical role in democracy, so limiting their role or prohibiting their use infringes on the rights of free speech, association, and advocacy.

Figure 14

Popular Referendums: Promises and Perils

Many praise referendums because they give voters a direct say on important policy matters. Sometimes, when special interests are powerful, referendums may allow the public’s will to prevail. Others, however, question whether the public has enough information on certain policy issues and whether the people can always make the best choice. With the advent of information technology applications like Internet voting, some see referendums as a practical means of marrying elections and voting with direct democracy on a day-to-day basis.

Promises

- Definitive resolution of a public dispute;
- Clear and easy-to-understand mechanism for citizen participation and direct decision-making;
- Citizen initiatives can put the question on the ballot;
- Clear and unambiguous determination of the popular will and the precise level of support or opposition among voters; and
- Opportunities for public education on important issues.

Perils

- Referendums lend themselves to “minimum winning coalitions”, or bare majority rule. On contentious issues, this can lead to “winner-take-all” politics, which can induce community conflict rather than resolve it;
- Questions can be written in such a way as to mislead or obfuscate the issues, rather than clarify them;
- Referendums may become a vote on the legitimacy of the incumbent government instead of the merits of the particular issue at hand;
- Some issues require deliberation and compromise rather than clear “yes” or “no” answers;
- Some issues require specialized knowledge and information that the public may not be able to easily digest and decide upon, particularly if the issue is highly technical or emotionally charged;
- Sometimes what may be in the individual interests of a bare majority of voters is not really in the broader interest of the community as a whole, such as tax cuts that then undermine funding for education and schools.

4.7 Political Organizations

■ *Developing democracy within political parties is a key challenge for established and traditional democracies alike.*

Electoral system choices have important ramifications for the development of local political parties, their linkages with national parties, and the internal democracy practices within the local-level party structures. Plurality-majority systems place a greater premium on public assessment of individual candidates; PR list systems give more discretion to political parties in selecting candidates. For this reason, many stress the importance of practices of internal democracy within political parties as a means to enhancing representative democracy.

Some countries or municipalities, however, have opted not to promote political parties at the local level at all. The view is that political party formation may be detrimental to the promotion of local democracy at this level. In Canada, for example, no local party systems occur in cities unless the population is greater than 20,000. Candidates for office run as individuals. Some of the advantages of “party-free” local democracies are that successful candidates can claim to speak for all citizens, mayors of various cities can work together without party-political labels, and the best, most capable candidate may have a better chance of gaining a larger share of votes.

The challenges for political party development in established, democratic, municipal polities is different than those affecting post-transition and especially post-war environments. In established systems, party affiliation and affection among voters is strong, the networks of party organization are well-established, and political leadership within parties is more stable and cohesive. Thus, change is less likely to occur rapidly. Stability of the party system has a “down-side”, however; more established political parties may be less adept at adapting to changing challenges in today’s municipal arenas. In transitional countries, political party formation is less well-established and more susceptible to the volatile entry and departure of new political parties, often based around a charismatic individual.

In post-war societies, political party development often reflects the divisions of the war and the extent to which reconciliation occurs is often a matter of intra-party politics. The most recent example of the importance of within-party politics at the local level is the relationship within Northern Ireland’s Unionist parties (pro-association with the United Kingdom) and within the nationalist factions (pro-association with the Republic of Ireland) community. Within the Ulster Unionist Party led by the first minister of the Northern Ireland Assembly, David Trimble, debates between moderates and conservatives have been critical as to whether the Good Friday Agreement setting up new local autonomy would be implemented. A very close vote in November 1999 led to the party’s agreement to participate in the new assembly. Similarly, debates within Sinn Fein have often dictated the nature of nationalist positions in the talks and the pace of implementing the peace agreement.

It is generally believed that there is a “right” to form political parties and that political parties as associations have certain “rights”. This view is contested in some countries, such as Uganda, which has argued for a “no-party” democracy. Some commonly accepted “rights of political parties”, include:

- The right to form political parties on economic or political interest;
- The right (questioned by some) to form political parties on a regional, ethnic, religious, or other identity-group basis;

- The right of an individual to run as an independent candidate and to have an equal opportunity to compete against party candidates;
- The right to form single-issue parties or *ad hoc* coalitions on a single issue;
- The right to gain a place at publicly-sponsored community forums.

A critical issue in many municipalities is whether political parties and other associations (particularly civic associations and publicly funded groups) have the right to exclude individuals. These issues are invariably fraught with conflict precisely because political parties and the form of representation is so important in defining the political community and determining how governance occurs within the community.

4.7.1 Local Party Development

Developing democracy within political parties is a major challenge to established and transitional democracies alike, and in many situations around the world there are real challenges for the effective development of local party structures. The networks that aggregate interests upwards – building coalitions among like-minded individuals – can also be abused for creating patronage networks that can feature anti-democratic practices such as nepotism and corruption. The wheeling and dealing that occurs in coalition-making can sometimes lead parties to develop narrow agendas and interests separate from the broader community of individuals they purport to represent. An important issue for local political party development is the ways in which recruitment of party activists and members occurs, and the extent and nature of grassroots organizing.

Exclusion of traditionally under-represented groups has also been an issue in many communities. Sometime the onus is placed on political parties to ensure that their candidates generally reflect the composition of the communities they serve. In India, for example, laws stipulate that one-third of the office-holders in the *panchats* (local governments) must be women. This legal change has revolutionized the way that political parties find, nominate, and promote their candidates and relate to their office-holders. Some have suggested that these changes have also significantly affected the agendas and policies of parties, with greater reflection of issues often of special concern to women such as health, sanitation, and nutrition.

A critical issue is the financing of campaigns and candidates and the influence of money in politics. The extent to which campaign spending influences party and candidate positions, democracy based on the will of all the people – rich and poor – is undermined. Real issues of access to the political system occur when money plays a nefarious role in the development of parties and the way they relate to the electorate. Transparency and fair practices are essential in campaign financing.

Concerns about undue influence and money in politics has led to emphasis on the ways in which democracy can be fostered from the lowest branch level to the ways that local political parties can have more influence at other tiers of governance. For example, in Europe many local political organizations have a direct role in the selection of members of the European Parliament.

4.7.2 Democracy within Parties

Democratic procedures need to be built into the very first level of political organization for a fully integrated democracy to occur, and that means at the very branch level of political parties. Again, a series of questions can help structure evaluations of the relative democratic nature of local political organizations. The purpose of the questions is not to suggest that there is only one recipe for internal party organization, but rather to suggest the central issues that need to be discussed within an organization as it seeks to improve its practical, internal democratic procedures.

Checklist

Evaluating Democratic Practices in Local Political Organizations

- Are the internal electoral processes of parties subject to external observation and monitoring, and are elections procedurally and substantively free and fair?
- Are candidate selection procedures transparent, open, and fair? Are the criteria for standing as a candidate and the nomination and selection process clear and reasonable? How does the party deal with candidates clearly tied to narrow special interests as opposed to broader community-wide interests?
- Are candidates allowed to switch parties once they have been elected, or is their election tied to representation of the party? What is the balance between the exercise of individual discretion and decision-making by party office-holders or candidates and the policies of the party?
- How do ward or district and “at-large” candidate selection occur? Is the process accessible? What is the nature of the party’s ties to the community that is represented?
- What are the procedures for funding candidates and linkages among local campaign finance and regional- or national-level party coffers? Can the party receive donations from foreign sources? Can party funds be externally audited?
- Is the party open to the representation of communities that are often marginalized, such as women and young people?
- Is a neutral, independent agency (such as court or electoral commission) empowered to oversee and supervise local political party practices?

ENANCING ELECTORAL DEMOCRACY

The world-wide concern with the role of money in democratic politics suggests that new, innovative ways need to be discovered to re-engage citizens in democracy and to encourage their direct expression of the views. Practically, involving all citizens in large political entities (like mega-cities) is limited; there are too many voices to be heard. One of the solutions may be further sub-municipal devolution; another may be improving the electoral system and fostering democracy internally through political parties. A third option is to expand civic participation beyond the traditional, and occasional, casting of ballots as the primary means of citizen involvement in governance. This is the subject of Chapter Five.

E S S A Y

LOCAL GOVERNANCE IN INDIA Empowering Women and Minorities

Pran Chopra

The Constitution of India contains the directive that “The State shall take steps to organise village *panchayats* and endow them with such powers and authority as may be necessary to enable them to function as units of self-government”. *Panchayat* means a gathering of *panch* (five) wise men. The concept was changed later to *gram sabha*, the *gram* (village) *sabha* (assembly), consisting of all voters. All voters in a municipal ward became the urban equivalent.

As the directives contained in the Indian Constitution are not enforceable in law, in the early 1990s a new section was added making local self-government enforceable both in rural and urban India. This section has vastly increased the number of elective offices recognized by the constitution, from about 5,000 (members of parliament and members of the 25 or so state legislatures) to more than three million (including all members of *panchayats* and municipalities in this new sub-state level of governance). They are elected by the same universal adult franchise, and state-level election commissions supervise all elections.

These local bodies are a country-wide network of sub-federations under the overarching federation, the Indian Union. Just as the constitution stipulates division of powers, resources, and finances between the Union and the states of the Union, it now enjoins a similar division between a state and these new sub-state entities. The main difference is that since local governance is a state subject and not a Union subject, and socio-economic conditions vary widely from state to state, the specifics of the sub-state structure within a state have been left to be defined by that state’s legislature. But each state has to have *zilla parishads* (district councils) at the highest rung of the rural sub-state structure, and municipalities or corporations at the equivalent urban level.

The sub-state elective bodies have some additional provisions that the Union and state legislatures have not acquired as yet. As at all levels, they too reserve seats for the most underprivileged sections of society. But they also make a reservation of seats for women, one-third of the total, which higher legislatures have not yet provided for. In many cases, the actual number of women elected is more than the number of seats reserved for them; thus, women are winning elections for the unreserved seats. In the southern state of Karnataka, for example, the number of women elected to the local bodies is 10 per cent more than the number of seats reserved for them. The sub-state local bodies also have another advantage compared with the state legislatures. They too may be dissolved, like the latter, but fresh elections must be held within a relatively short and stipulated time; there is no equivalent stipulation for restoring a state legislature.

ENANCING ELECTORAL DEMOCRACY

Nevertheless, the picture is less rosy on the ground than on paper. Firstly, it takes time for the newly empowered to learn how to seize and use their power. Also, there is resistance from entrenched institutions to share power with a new institution, further aggravated by the fact that a male-dominated institution is required to devolve power to structures in which women are guaranteed a position.

As a result elections are not held on schedule in many states; in others the devolution of power and resources is insufficient given what the Constitution stipulates. While legal remedies are available, they take time to take effect. But the dynamic of empowerment is such that once begun it gains momentum, and the pace with which the states of the Union have gained power at the expense of the Union suggests that the same thing may happen at the sub-state level also in the not so distant future.

CASE STUDY

VILLAGE ELECTIONS**China's Experiment in Rural Self-government**

Minxin Pei

There are two types of local elections in China (at and below the county level). Firstly, Chinese citizens directly elect the deputies to local (county and township) people's congresses, the nominal legislature which chooses local executives. But these elections are hardly competitive because the government nominates almost all candidates and voters have no alternatives. Secondly, direct elections have been officially adopted, since 1988, to elect village leaders in rural China. Compared to the government-controlled elections of deputies of local people's congresses, village elections are more competitive and have greater potential of growing into established democratic institutions and processes.

Despite the overall lack of democratic reform in China since the country's drive toward a market economy in the late 1970s, several important trends of political change have emerged and may help lay the foundations for democratization in the future. The institution of village elections is regarded as one of the most promising political openings in China even though the constitutional status of the bodies elected by these elections – village committees – is not that of a local government, but of a local self-governing civic group.

The Evolution of a Democratizing Experiment

Self-governing local political institutions, such as village committees, emerged in China in the wake of sweeping economic changes. An unintended, but inevitable, victim of de-collectivization of agriculture (1979-1982) was the political administrative infrastructure that was attached to the people's commune system. After agricultural reform dismantled the communes, this infrastructure, along with the rural cells of the Communist Party, collapsed almost totally, creating a serious problem of governance in China's 930,000 villages where 800 million peasants lived. In some areas, peasants responded by spontaneously holding elections to organize self-government. Both reform elements and conservative leaders ironically, endorsed this experiment. Reformers pushed these elections as the initial step towards democratization while conservatives, worried about deteriorating political order in rural China, supported the same elections as a useful instrument to re-constitute a new mechanism of political control. Peng Zhen, a well-known conservative who headed the National People's Congress (China's legislature), became the patron of village elections and was the driving force behind the passage of "The Draft Organic Law of the Village Committees" in 1987. This law formally established the legal status and administrative functions of village committees. The 1987 law was revised in 1998 and contains many procedural improvements (such as the mandatory requirement of secret balloting).

The early history of the implementation of the village elections law was not encouraging. Between the second half of 1988 and 1989, only 14 provinces (out of 30) held the first round of village elections on a trial basis. The political crackdown following the pro-democracy movement in Tiananmen Square in 1989 temporarily halted this reform. The experiment picked up momentum only after 1992, when a new round of economic reform was launched. At the end of 1995, 24 of the provinces had passed local legislation on electing village committees. According to official data, village elections have been held in all 30 provinces (excluding Tibet). Fujian and Liaoning, two provinces considered leaders in the experiment, had completed six rounds while 19 other provinces had held three to five rounds.

Although village committees elected by rural residents are not, according to the Chinese Constitution, a form of local government, they perform essential administrative functions such as fiscal management, economic development, implementation of government policies, and provision of public services. Typically, village committees membership consists of chairman, vice chairman, and three to five members. The size of the committee varies with local population; a Chinese village has anywhere between 800 and 3,000 residents. The role of the village committee is akin to that of an executive council that makes daily administrative decisions. In theory, the highest decision-making body is the village representative assembly, which effectively functions as the local legislature. Some reports suggest that the most important economic decisions (such as those involving large capital expenditures) are made by the assemblies. Assemblies also play an important role in the nomination of candidates for village chairmen.

In many ways, these assemblies complement the role of village committees and enhance the legitimacy of their decision-making because of greater participation by villagers. Unlike the elected village committees that have received extensive scholarly attention and media coverage, there is scant knowledge about how the village representative assemblies are elected or function. (There are no laws or formal rules specifying the elections and functions of the assembly.) What is known is that such assemblies have, on average, about 30 members. In areas that have fully established this governance structure, village committees and village representative assemblies are elected concurrently. Although most Chinese villages have elected village committees, official reports indicate that, by 1994, only about half of the Chinese villages had formed such assemblies.

Assessment of the Experiment

Given the relatively short history of village elections, the enormous diversity of local conditions, and lack of accurate national and regional data, it is impossible to generalize the progress of democratic governance in rural areas. Published accounts, both by academics and journalists, portray a complex but incomplete picture. Unfortunately, the best data available come from provinces that have implemented this experiment most effectively (such as Fujian and Liaoning) and are thus unrepresentative. In Fujian

province in the south, village elections have gained significant institutional maturity after six rounds. Voter turnout has been high. Secret ballots and covered voting booths were used in 95 per cent of the villages in 1997 (neither was used in 1989). Elections have become more competitive, as demonstrated by the fact that the number of nominees for village committees in 1997 was three times that in 1989. The province has also introduced the use of absentee ballots and election monitors, abolished proxy voting prone to fraud, and extended voting time from two to eight hours. Estimates of how village elections are held in other areas vary widely. Top government officials openly admit their ignorance while academics offer varying educated guesses. Some estimate that between 10 and 20 per cent of villages have implemented the electoral procedures well, while others put the figure slightly higher.

A widely shared reservation about the democratizing potential of village elections is the pre-eminence of members of the ruling Communist Party in newly established self-governing institutions. A survey of village committees carried out in the early 1990s found that about 60 per cent of elected members of village committees and 50 to 70 per cent of chairmen of village committees were Communist Party members. About 20 to 50 per cent of the members of representative assemblies were estimated to be Party members. Sceptics of China's village elections cite such evidence to downplay the political significance of the experiment. Optimists counter that the situation is more complex on the ground. Members of the ruling party win these elections not because such elections are inherently uncompetitive, but because Party members may be stronger candidates than non-party ones (for example, they may have better education, name recognition, and advantages of incumbency). In many cases, non-party candidates who win are later recruited into the ruling Party. This suggests that membership of the Party may not offer as critical an advantage as many think.

Available studies of village elections suggest that the success of the experiment is not related to macro structural factors such as the level of economic development. The leading provinces in this experiment are neither the wealthiest nor the poorest. Fujian and Liaoning are among the upper-middle income provinces in China. However, there is evidence that the laggards in this experiment are more likely the poorest provinces. An authoritative study on village elections conducted by the Carter Center (at Emory University in Atlanta, Georgia, US) shows that the most important variable is the leadership provided by provincial authorities in charge of local elections and by consistent government efforts to enforce and improve electoral procedures. This conclusion highlights the dilemma of democratic reform in an authoritarian system: initial democratic opening must receive some support from elements within the regime. The progress of democratization under such circumstances is inevitably slow, uncertain, and ambiguous.

The most fascinating but least-known aspect of village elections is their impact on local governance. Has this democratic experiment made a difference in the daily lives of villagers and reduced corruption and abuse of power? Unfortunately, no systemat-

ic study has been carried out to address these questions. However, anecdotal evidence suggests a link between democracy and good governance in villages that have implemented this reform more effectively. Official publications report that law and order improved measurably in villages with elected committees. Village resistance to government policies (especially unpopular ones involving family-planning and taxes) declined. Fiscal management became more transparent and less corrupt.

External factors have also played a positive role in China's experiment of rural self-government. Although these factors were not crucial at the initial stage of the experiment, they provided valuable technical and material assistance in the late 1990s when the prospects of village elections improved considerably. The EU donated US\$ 12 million in 1998 to support elections-related programmes. American non-governmental organizations, such as the Ford Foundation, the Carter Center, the Asia Foundation, and the International Republican Institute supplied funds and technical expertise. For example, Professor Robert Pastor of the Carter Center was invited to comment on the draft revision of the Organic Law of Village Committees by the National People's Congress, and some of his suggestions were adopted in the final text of the law. The IRI also reported that most of its technical recommendations on elections management were adopted by provincial authorities in Fujian.

Prospects

Many factors influence the prospects of village elections as democratic institutions and their effects on political opening elsewhere in the Chinese political system. As a newly-established channel of political participation, village elections seem to be undergoing consolidation. At the grassroots level, poll data indicates a rising level of democratic consciousness. A 1996 survey of 5,000 peasants reported that 80 per cent cared about the election of the members of the village committee, and 91 per cent were concerned with the management of village affairs and especially its budget. In addition, villagers may be acquiring valuable learning experience as they repeat the electoral process. Electoral procedures may likely improve and produce more accountable local administrations. Village elections and village committees may gain importance and change the political landscape in rural China because these institutions can provide ambitious individuals with a certain degree of popular legitimacy and power to counter the dominance of the ruling Communist Party.

Reformist elements inside the ruling regime have also invested enough political capital in this experiment and seem to have been encouraged by the initial results. The central government has announced plans to train as many as 1.5 million local officials in elections management to improve the electoral process in villages. Finally, village elections may produce a demonstration effect and increase pressure on the government to expand similar democratic experiments. In December 1998, an impoverished township of 16,000 in Sichuan province held a competitive election for its mayor without receiving approval from provincial or central authorities (the township leaders did get an informal endorsement from the county leaders). Although the central

government initially criticized the township for holding an “illegal election” (because it was not sanctioned by the existing Chinese Constitution), official media eventually hailed the event as a bold experiment and the authorities did not, significantly, annul the results of the election.

However, expectations for the potential of village elections must be tempered by the political reality in China. The ruling Communist Party has so far consistently ruled out democratization as a future political goal and exhibited a high sense of insecurity toward signs of organized political opposition. While Chinese leaders see certain instrumental value in allowing village elections to continue, they have given this experiment low political priority. This is evident in the fact that a secondary bureaucracy – the Ministry of Civil Affairs – has been assigned the responsibility of implementing the programme. Lack of top-level political commitment will deprive this experiment of new momentum and support in addressing several thorny political issues. For example, there are no clear policies on how to define the power and role of the Communist Party in villages with elected village committees, the legality of political opposition groups in villages, and the relationship between elected village officials and the unelected township officials who wield enormous power over the former. These unresolved issues are likely to cloud the prospects of village elections and increase the uncertainty of their political impact.

Therefore, one must maintain both caution and hope in assessing the future of village elections and the prospects of democratization in China. At most, village elections represent a small and tentative step toward democratization. The progress has been slow and uneven. However, this experiment may have started a gradual process of political participation for nearly 80 per cent of China’s population and, if allowed to continue and spread, may constitute the first step toward China’s long-delayed democratic transition.

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