



**Elections are Not an Island:
The Process of Negotiating and Designing Post-
Conflict Electoral Institutions**

**Andrew Ellis
Head of Electoral Processes
International IDEA**

Paper for presentation at the conference

**Post-Conflict Elections in West Africa: Challenges
for Democracy and Reconstruction**

**organised by the Nordic Africa Institute under the
programme**

**Post-Conflict Transition, the State and Civil
Society in Africa**

**Accra, Ghana
15-17 May 2006**

Summary

Much of the conventional wisdom relating to post-conflict elections fails to take three critical factors into account. First, elections are often debated and planned in a way that is linked only tenuously to other parts of the emerging institutional framework, although experience of transition shows that the impact of electoral frameworks is intimately connected with issues addressed in constitution building processes, political party systems, and provisions relating to the establishment of legislative bodies at all levels.

Second, it is insufficiently recognised that institutional frameworks involve not only the substance of design, but a political process or roadmap towards reaching design.

Third, it is often held that effective and stable political systems reflect ideological divisions, and that electoral debate and campaigning consists ideally of offers by parties of competing ideologies and policies. The value of this paradigm when the state is weak or non-existent, when development is limited and/or when conflict and human security issues play an important role is highly questionable. The politics of identity and/or the politics of leadership may sometimes be an inevitable part of the post-conflict democracy building environment.

1. The process of electoral system choice

In the past twenty years, electoral system design has changed from a subject to which little thought was given, to a subject which many participants in political change left to the technicians, to a subject which is now recognised as being an inherently political process¹. The adoption of electoral systems results in the election of political institutions. Those with direct interests in these institutions will seek to influence their form, almost always in a way that will strengthen those interests. Attempts to create and stabilise the institutions will be linked to the support or opposition of politicians.

In transitions, there may be no established politicians – but there are plenty of potential or intending politicians, and forces which are seeking to carve out or preserve a role. In post-conflict transitions, those who lead

¹ Andrew Reynolds, Ben Reilly and Andrew Ellis, *Electoral System Design: The New International IDEA Handbook*, International IDEA, Stockholm, 2005.

the recently warring groups are likely to be seeking to retain their power – and often access to resources – by political rather than military means.

Electoral system choice in transitions

The first transitions in many post colonial states can be considered as having taken place with independence. Many states adopted the electoral arrangements of the former colonial power without much debate. This led initially to much use of majoritarianism and winner-take-all solutions – whether of the first past the post (FPTP) variety in many former British colonies or the two round variety in many former French colonies. Of the fourteen West African states which are former British or French colonies, seven – Gambia, Ghana, Liberia, Mali, Mauritania, Nigeria and Togo – still use a version of the system which they inherited. Globally, however, the record of such systems is not good. As Sarah Birch recently showed in a study of some 70 transitions, 'countries which chose majoritarian systems either abandoned majoritarianism, or abandoned democracy'². Larry Diamond has added that 'if any generalisation about institutional design is sustainable, given the bloody outcomes of countless political systems that appeared to exclude major cleavage groups from power, it is that majoritarian systems are ill-advised for countries with deep ethnic, regional, religious or other emotional and polarising divisions. Where cleavage groups are sharply defined and group identities (and intergroup insecurities and suspicions) deeply felt, the overriding imperative is to avoid broad and indefinite exclusion from power of any significant group'.³

Many transitional democracies, however, have followed the proportional representation (PR) approach. A number of advantages and disadvantages can be advanced for this. One advantage is that such systems reduce the risk of regionalising party division by making it more likely that any party with more than minimal electoral strength will elect representatives from all parts of a country. Another is that there is a strong link between proportionally based electoral systems and the representation of women and also of minorities. Against these, the links between elected members and voters appear weaker – although the importance of such links is disputed (see below). Much the most common version of PR is list based PR: this approach makes the inclusion of significant political actors in elected assemblies a priority, and has gained a firm foothold in West Africa. Benin, Burkina Faso, Cap Verde, Guinea

² Sarah Birch, *Single-Member District Electoral Systems and Democratic Transition*, *Electoral Studies* 24/2, 2005.

³ Larry Diamond, *Developing Democracy*, Johns Hopkins University Press 1999, p104.

Bissau, Niger and Sierra Leone use it to elect all or most legislators, while Guinea (Conakry) and Senegal use it as an element of a parallel, mixed electoral system.

List PR has often been adopted on its own account. In the context of a transition, its mechanics are simple, with no need for example for messy and time consuming boundary delimitation. The control over candidacies which comes with the drawing up of lists may be make it attractive to leading conflict participants. This control can be loosened somewhat if an open list system is adopted, in which voters choose not only a party but one, or perhaps more, candidates of the party: while party balance is determined by the party vote, those who occupy the party's seats are determined in part by the voters rather than the party leaderships.

List PR is also sometimes associated with the consociational model of institutions, of which it is one of the essential components. This model is linked above all with the name of Arend Lijphart⁴ and is often related particularly to the issues facing divided societies. Representation is defined at the group level: voters make a choice between groups through the List PR mechanism, and any group with more than minimal support gains seats in the elected assembly. Government formation requires a grand coalition of all major groups, giving each an effective veto; both legislative and executive posts are distributed between the actors, and groups enjoy considerable autonomy in their respective areas of strength.

Vote pooling: adventurous or foolhardy?

In contrast to the consociationalist approach, a more adventurous and individualist perspective to electoral system design in divided societies, the concept of vote pooling, has been developed by Donald Horowitz⁵ and others. Its advocates viewed the consociational approach as giving no incentive to groups to make the compromises necessary to build a stable and inclusive political system in the longer term. If a party sought to reach out to groups other than its own in a polarised society, it would probably gain few votes because trust across the divide between groups did not exist, but run the risk of losing the votes of its own group to a party which denounced an actual or potential sellout. Vote pooling

⁴ Arend Lijphart, *Democracy in Plural Societies*, Yale University Press 1977.

⁵ Donald Horowitz, *Ethnic Groups in Conflict*, University of California Press, 1985: *Encouraging electoral accommodation in divided societies*, in *Electoral Systems in Divided Societies: the Fiji Constitution Review*, RSPAS 1997.

requires the use of a preferential electoral system, under which voters would express not only a first choice which would inevitably go to a candidate of a party of their own ethnic group, but second and subsequent choices which would have to be given to candidates of parties of other ethnic groups. Parties and candidates would therefore have an incentive to take moderate positions in order to attract these voters.

The vote pooling approach addresses the lack of any clear link between individual elected representatives and those they represent – a major criticism that is levelled at the consociational approach, and indeed any approach based on group identity. However, the conventional wisdom on the importance of this link is inadequate, and assessing its value is complex. John Curtice and Phil Shively⁶ have shown that in a broad range of countries, this link is significant in the perception of the electorate only to that small group of people who make actual contact with their elected representative between elections. In addition, the distinction these people draw is between systems in which they vote for parties, and systems in which they vote for candidates.

However, the pressures on elected legislators may also be an important factor in incentives for accommodative rather than 'winner take all' behaviour by those who hold or gain power. Do elected legislators respond primarily to voters, party members, party activists, party leaders, or – as when they are term limited – to whoever is going to give them their next job? It is intuitively likely that the party base of the consociational approach may be associated with stronger discipline over elected members. Equally, the candidate based approach usually associated with the vote pooling electoral systems may tend to give more freedom of action to elected legislators. Which is more helpful to accommodation and coalition building?

⁶ John Curtice and Phil Shively, *Quem nos representa melhor? Um deputado ou vários?*, University of Lisbon 2003, forthcoming in English.

Fiji: a test bed for vote pooling?

What may be regarded as the major test bed of the vote pooling approach took place in the electoral system design process in Fiji. The Fiji Constitution Review Commission was established in 1995 'to review the Constitution promoting racial harmony and national unity and the economic and social advancement of all communities and bearing in mind internationally recognised principles and standards of individual and group rights.' The Commission sought international and comparative input. In its report, it put a high priority on multiethnic government, substantially accepting the arguments for the vote pooling approach and recommending the use of Alternative Vote (AV) in multimember electoral districts. Although envisaged as a package, the Commission proposals were amended in their passage through Parliament, resulting in the use of AV in single member districts.

What may have been the major weakness in the Fiji provisions was found in both the original recommendations and the revisions. Voters were given the option to vote either 'above the line', selecting a party of first choice and allowing second and subsequent preferences to be allocated as specified by that party, or 'below the line', expressing preferential choices directly. In addition, the use of the 'below the line' option required preferences to be given to at least three quarters of the candidates – a provision to force the expression of cross-ethnic preferences.

This 'ticket voting' provision was strongly supported by Fiji's political parties at the time of the Commission's deliberations, during which its specific impact does not appear to have been addressed in great detail. The desire of parties and their leaderships to reduce uncertainty by limiting the power given to voters is not surprising. As the political process unfolded, the parties acquired a great deal of control over the redistribution of preference votes, and this influenced electoral outcomes in several unpredicted ways.

Voters have one interest: parties may have another

While the vote pooling approach may have strong attractions, many of the mechanisms proposed to make it work have thus far been unsuitable either in their implementation or in principle, and the way in which political parties work in practice may be much more integral to the process than realised hitherto. Parties and voters do not necessarily act in the same way. Parties generally aim to maximise their own support and influence, and therefore seek the votes of those who have previously not been supporters as well as of those who have. The electors targeted

by a party are far more likely to be the previous supporters of a party that is adjacent in the spectrum of ideology or identity than previous supporters of a party which is far distant. If a party is to grow in a significant and sustained way while the composition of the electorate remains roughly constant, another party or parties will become correspondingly weaker over time. This would appear to hold under any electoral system. It may be particularly true in systems where an electoral threshold, actual or effective, exists – because once a party falls below that threshold, all its votes are more likely to be up for grabs.

In the 1999 Fiji elections, 92% of those who voted chose the 'above the line' option, voting for a party and accepting that their vote would follow the order of preferences between candidates put forward by that party. The Fiji Labour Party, the largest party of the Indo-Fijian community, won 2% of the first preference votes of ethnic Fijians, 34% of the first preference vote overall – and 52% of the seats. In six of the seats elected from a common register of all electors, the FLP's success rested on preferences received from the VLV – a radical indigenous Fijian party. This was part of a general pattern: the FLP and the VLV both declared preferences which put parties far away in the political spectrum above parties which were closer. Only those parties specifically identified with moderation and ethnic accommodation regularly transferred their preferences to neighbouring parties.⁷ In short, 'nice guys finished last'. Yash Ghai's 1997 comment that 'the Commission may have underestimated the difficulties of persuading political parties and communities... to move away from the essentials of the old system of representation' appears prescient.⁸ The result did not command sufficient legitimacy, and the majority government which resulted was unseated as a result of the attempted coup in 2000.

A further reason for the Fiji failure may be the common perception that, as a preferential system, alternative vote is more proportional than first past the post. There are however counterindications in practice. The overall majority that the Fiji Labour Party and its partners achieved in 1999 under AV was a more extreme result than would have resulted from the same votes cast under FPTP – never mind under any proportional system option.

⁷ Data derived from the Fiji Election Commission website www.elections.gov.fj and from Jon Fraenkel and Bernard Grofman, *Does the Alternative Vote foster Moderation in Ethnically Divided Societies?*, forthcoming.

⁸ Yash Ghai, in *Electoral Systems in Divided Societies: the Fiji Constitution Review*, RSPAS 1997, p158.

Ben Reilly⁹ argued in 2001 that the vote pooling approach 'has not yet received the prominence it deserves as an alternative democracy and inter-ethnic accommodation in divided societies', considering its potential application to the urban areas with demographics of intermixed ethnicity which are becoming more prevalent worldwide and which are certainly relevant to design issues in West Africa. He looks also at its historic record in the highly diverse society of Papua New Guinea - an arena in which it is now being introduced again, with what appear encouraging results in the first six by-elections held under the new system. As vote pooling is a mechanism which can involve individual voters in making choices across divisions, it might be thought good as a matter of democratic principle if he were right. But the Fiji experience shows it is not that easy.

2. It's not only the electoral system!

Much of the preceding discussion has focused on the issue of the specific electoral system to be used. It is however important not to see electoral systems as an island, which can be debated by technicians in isolation either from the rest of the institutional framework, or of the political process. The design and effects of electoral systems both depend heavily upon other structures within and outside the constitution.

For example, the electoral system chosen has a clear impact on the way in which the political party system will develop. Pippa Norris has shown that while the average number of parties which win more than 3% of legislative seats in majoritarian systems worldwide is just 3.3, the corresponding figure under proportional systems is 4.7¹⁰. This clearly has implications for the way in which legislatures function and, especially in parliamentary systems, for the way in which governments form and survive (or not). Equally, the party system that exists may have an effect on electoral system choice – if power is concentrated, electoral systems that keep it that way may be more likely to be chosen: if it is more diffuse, systems that produce more diffuse results may equally be more likely. And parties with power that think they may be in trouble may be calculating between the safe option of a system which is certain to enable them to retain a share of power and influence, and the uncertainty of a

⁹ Ben Reilly, *Democracy in Divided Societies*, Cambridge University Press 2001.

¹⁰ Pippa Norris, *Electoral Engineering*, Cambridge University Press 2004.

system which may lead them to retain sole power – or be wiped out – as Josep Colomer has analysed.¹¹

Successful electoral system design thus comes from looking at the framework of political institutions as a whole: changing one part of this framework is likely to cause adjustments in the way other institutions within it work. Some of these issues are considered in detail in 'Electoral System Design: the New International IDEA Handbook'¹².

Presidentialism and parliamentarism

Presidentialism and parliamentarism both have their advocates, and the traditions of different countries may influence which is chosen or even foreclose debate; but the different relationship between legislative and executive institutions has important implications for electoral system design for both. The issue has become particularly relevant in recent debate about state building. On the one hand, it can be suggested that where identification with and loyalty to a weakly resourced state inevitably takes a poor second place to tribal or community loyalties, a single executive president can assist state building by personifying the state. On the other, there can be serious dangers in combining the great power that is vested in the hands of a directly elected president who is head of the executive with the use of a plurality electoral system in a diverse or ethnically divided country where no single group has an absolute majority. The result can be devastating for legitimacy or indeed for the success of a peace process.

Although until recent years there were few examples of enduring democracies using presidential systems, the best question to pose now may be: What aspects of institutional design help make presidentialism work? This is certainly an approach which is relevant in West Africa, where directly elected presidencies are universal. There is some evidence from the Latin American experience that stability can be problematic in countries with presidential constitutions and highly fragmented party systems, and that there are tensions between divided executive and legislative branches when the presidential electoral system is over two rounds, the legislative system is List PR and the elections are not held

¹¹ Josep Colomer, *The Strategy and History of Electoral System Choice*, in *Handbook of Electoral System Choice*, Palgrave Macmillan 2004, p63.

¹² Andrew Reynolds, Ben Reilly and Andrew Ellis, *Electoral System Design: The New International IDEA Handbook*, International IDEA, Stockholm, 2005, pp 7-8.

concurrently.¹³ However, it does appear helpful to adopt an electoral system which makes it likely that the party or coalition supporting an elected president has a significant block, although not necessarily an absolute majority, of elected members of the legislature.¹⁴

Plurality elections for the presidency and simultaneous presidential and legislative elections are often seen as helping to focus the party system into fewer and more viable challengers for power. Also, a presidential electoral system may complement a federal system by requiring a successful candidate to achieve a winning vote not only nationwide but also a significant fraction of the vote in a minimum number of the states of the federation - as in Nigeria, and more recently also in Indonesia.

Centralism and localism

The degree of centralisation is also relevant to electoral system design debate. Is the country federal or unitary, and, if federal, are the units symmetrical in their power or asymmetrical? When elections take place at multiple levels, to a legislature (which may have one chamber), the presidency, and the institutions of government at provincial or local level, it is crucial that the systems used are considered together. It may for example be possible to promote representation of minorities at regional level while discouraging or even prohibiting it at national level. Whether this is or is not desirable is a matter of political debate and choice. And the frequent debates over the desirability and timing of direct elections for mayors and heads of the executive at local level combine both the central/local and the presidential/parliamentary aspects of the debate.

Questions posed by major transitions

Several other political questions have been posed by high profile transitions. For example, the institutions developed in Bosnia and Herzegovina under the 1995 Dayton peace agreement contained strong elements of consociationalism, with a variety of institutions at different levels in which the different ethnic communities were represented and initial elections conducted within nine months using List PR. The entrenchment of the warring parties as the political contestants in these institutions has been widely regarded in retrospect as a mistake.

¹³ Scott Mainwaring, *Presidentialism in Latin America*, in *Parliamentary versus Presidential Government*, ed Arend Lijphart, Oxford University Press 1997.

¹⁴ Scott Mainwaring and Matthew Shugart, *Presidentialism and Democracy in Latin America*, Cambridge University Press, 1997.

The debate on elections and institution building within the international community was also highly relevant throughout Africa during the 1990s. The consociational and vote pooling approaches were both put forward during the transition in South Africa as potential mechanisms. South Africans chose to use the consociational approach, leading to the involvement of the National Party in the first post 1994 government despite the overall majority in both votes and seats gained by the ANC.

List PR, although not the full consociational model, has been used in many of the internationally driven transitions undertaken by the UN, most recently in Iraq in 2005. The motivation has often been primarily a recognition of timetable pressures and administrative possibilities.

These transitions, in which the international community played a major role, illustrate a number of issues and options that are faced by institutional negotiators. It is sometimes suggested that elections take place too early during post conflict transition, with Bosnia in 1996 the most frequently cited example. But if elections do not take place, who exercises authority in the meantime? For how long can, or should, a transitional authority created through peace negotiations retain legitimacy? Is there advantage in electing a constituent assembly as part of the process of transition, and to encourage popular involvement and dialogue in the process of institutional design for the longer term?

It is also sometimes suggested that as the rebuilding of services and perhaps of relationships forms a major element of the process of post conflict reconstruction as experienced by most of the population, it is useful to hold local elections first, as part of a process of practical cooperation at local level about issues that matter. There are, however, as yet few examples of this approach having been used in practice.

3. It's not just the plan – it's how you get there

It is the nature of institutional design that trade-offs have to be made between a number of competing desires and objectives. Even if a model that looks like it will work can be devised, the process of getting to it may be fraught with danger. Political actors may make amendments to it in the course of debate and adoption which lead the institutional framework onto different courses with less desirable outcomes. It is easily possible, for example, to imagine the Fijian parties having combined to introduce ticket voting as an amendment to the draft institutional framework even if the original report of the Constitutional Commission had not included it.

Afghanistan affords another illustration of how thoughtfully devised plans can be modified during the political process. International technical advice sought to recommend an open list PR system – suggesting that this would lead to representation within the national elected assembly of all significant forces within the country and its regions, promote inclusion and encourage integration, and enable voters to make choices between both parties and people. President Karzai and those close to him disagreed on two grounds: first, that the legacy of the Communist period made the use of the ‘party’ concept undesirable in any form; and second, that levels of literacy and understanding meant that Afghans should only be required to make a single mark on the ballot paper. If both of these objections were accepted, the lack of reliable registration, accepted boundaries and time to establish either of these would hugely restrict the available options and lead inevitably to the adoption of Single Non-Transferable Vote (SNTV) – an unpredictable system which is probably the nearest the world of electoral systems comes to a fruit machine¹⁵. The technical advisers concentrated their argument on undermining Karzai’s first objection, and failed to convince him: so SNTV was adopted. It is interesting to speculate on whether an attempt to tackle the second objection would have been more successful – at least opening up STV and Block Vote as possible choices.

For stakeholders in democratic reform, these experiences provide a series of lessons in the need to think design issues through in a political as well as a technical context, and an understanding that it is not good enough to have the ‘right answer’ unless there is also a route map to get there with buy-in from those whose lives it will affect. The importance of these lessons is shown by the salutary reminder that while the process of experimental learning about vote pooling has evolved, Fijians of all communities have had to live with the results. The people of West African states can at least use the benefit of their experience and that of many other transitions.

Political euphoria

The reality of many transitions can be enormous political momentum, even euphoria: as the fighting winds down, or a previous authoritarian regime is displaced, there is a sense that anything can happen and a wish to get on with it, which can lead to public expectation of, even pressure for, early elections. At the same time, political actors may be insisting on elections to get on with things - especially if they fear that they personally

¹⁵ Richard Soudriette and Andrew Ellis, *Electoral Systems: Frameworks for Democracy*, Journal of Democracy 2006, forthcoming.

will be overtaken by events if they do not get their feet firmly into the new system. These actors are almost certainly involved in negotiating the new political framework, and know that good negotiators get maximum value for concessions if made at the last moment, beyond the planned date for political agreement.

Election administrators therefore inevitably have both a short time window and less time than planned to implement the election – although the ragged edges which result are often compensated by the international resources that are available. Electoral systems emerge which are capable of implementation in a short time frame and which avoid for example the need for boundary delimitation exercises.

Sustaining the electoral cycle

The euphoria, however, is relatively short lived: after a year or eighteen months, the momentum for fundamental change is almost certain to have dissipated. International donors seek an exit strategy as political boredom sets in domestically, and as other high profile transitions emerge as candidates for donor support. Yet at this stage, the consolidation of democracy is only at a starting point.

It is too often the case that donors have considered transitional elections solely or primarily as a single event. The consolidation of democracy involves electoral events which follow each other: there will be a second, a third, a fourth national election, maybe presidential elections, maybe also local elections, maybe one or more referendums. Every one of these events is not a single day occurrence when polling takes place. Each is a process which goes from legislation to regulations to electoral staff recruitment and training to electoral registration to nominations of parties and/or candidates to campaigning to polling to counting to tabulation to declaration of results to electoral dispute resolution to installation into office to reviewing lessons learned... and back to the beginning of the cycle. It is the electoral cycle that needs to be sustainable and to be institutionalised. It is the electoral cycle which demonstrates that the democracy building needs to be considered as an inseparable element of the process of development, and not merely as a series of events.

As the high profile of a transition on the international agenda fades, the continuity of the electoral process will rely increasingly on domestic human, administrative and financial resources only. Electoral systems and administrative machinery that may have worked well, or acceptably, during a well resourced transitional period may not work as well in the

long term. Electoral system design, and electoral management design, may thus remain on the agenda.

Political interests and the power of incumbency

These arguments apply to electoral systems and management. The same reasoning appears to apply just as well in relation to the wider constitutional and legislative framework of institutions. Andrew Reynolds has compared the process of constitutional change to that of medical treatment, which follows a sequence of emergency care, convalescence, and long term health management.¹⁶ The agreements and political forms that are appropriate – or within the realms of realism – in the early stages of transition may not be so useful in the longer term.

However, the process of change may be difficult. As 'politics as usual' becomes established, so do the political actors who have an interest in the existing system because they have been elected under it. As Andrew Macintyre has noted, institutions do not cause outcomes on their own: they set the framework within which contending interests do battle.¹⁷ Tom Carothers adds that institutional reform requires deeper changes down among the interest structures and power relationships, but that this realisation underscores how slow and difficult such change will be.¹⁸

Rein Taagepera¹⁹ has argued that it is desirable to use almost any set of electoral arrangements for three elections, in order that parties, candidates and voters can fully appreciate and learn from the incentives and dynamics that they include. Some would argue that there are arrangements which are so disastrous that earlier change is necessary – Fiji may be an example. But on the other hand, it may be that once arrangements are established, it takes much more than three elections to build any momentum for electoral system change – or indeed for any institutional framework change which can overcome the conservatism of incumbency.

¹⁶ Andrew Reynolds, *Constitutional Medicine*, Journal of Democracy 2005: 1, pp54-68.

¹⁷ Andrew Macintyre, *The Power of Institutions*, Cornell University Press 2003, p169.

¹⁸ Tom Carothers, *Aiding Democracy Abroad*, Carnegie Endowment for International Peace, Washington 1999, p337.

¹⁹ Taagepera, Rein, *Designing Electoral Rules and Waiting for an Electoral System to Evolve*, in *The Architecture of Democracy*, Andrew Reynolds (ed.), Oxford University Press, 2002.

4. Post conflict elections within political frameworks

Much of the conventional wisdom relating to the development of political systems contends that political party systems are most likely to be effective and stable when they reflect ideological divisions, and that electoral debate and campaigning consists ideally of offers by parties to the electorate of competing ideologies and policies. Leaving aside the extent to which this paradigm exists even within developed democracies, its value when conflict and human security issues play an important role is highly questionable.

Tim Sisk has reflected that election systems and laws are not self contained, and that they interact with other parts of the political framework. He recommended that mediators in transitions 'consider a wide range of conflict regulating institutions and practices beyond just the nature of the election and the electoral system... seek other avenues of innovation such as the decision rules of a parliament and incentives for intergroup bargaining'²⁰. He also recognised the need to take a long view in the development of institutional frameworks, considering not only their form in the immediate transitional period but through the second and third elections under a new framework. Despite the pressure on the most visible interventions of the international community to 'declare victory and go home', this lesson still applies. The politics of identity and/or the politics of leadership may be an inevitable part of the environment in which democracy builders are working.

The politics of identity

Electoral choice may be influenced, or largely determined, by the politics of identity. In post-conflict transition, it is well recognised that such identification can entrench the warring factions into the political process, leaving little or no space for new and cross cutting political forces to develop. However, identity can work in very different ways outside post-conflict transition. To take three examples not usually considered as falling within the 'conflict' paradigm, compare and contrast the ethnic political identification of the vast majority of the people of Guyana, the collective and tribe or village based politics of Papua New Guinea, and the '*aliran*' or 'channel' identification – secular nationalist, traditionalist Islamic and modernist Islamic being the major examples - which has long been a major aspect of political loyalty in Indonesia. The first is a reflection of

²⁰ Tim Sisk, in *Elections and Conflict Management in Africa*, USIP Press 1998, p166.

the entrenchment of two communities in what most participants perceive as zero sum politics. The second reflects a society where a state which was never strong has delivered less and less and has not had reserves of popular loyalty on which to fall back. While identity is only arguably an inevitable element of tradition, it is a barrier to complete atomisation. The third has been a mechanism which has assisted the development in the democratic era since 1999 of a coherent political system in a vast and diverse country which nonetheless does for the most part possess legitimacy – and formed the underlying basis of loyalties going back to the first free and fair elections in 1955.

The politics of leadership

Equally, the politics of leadership poses questions. One question unanswered by the conventional wisdom relates to less developed countries where poverty levels are high and the subsistence economy remains a primary way of life. Even when the state has managed to achieve some relevance and legitimacy in the minds of most of the people, those people are unlikely to view programmatic competition between contestants in an election as very relevant. It is likely that all parties or candidates participating in the election will be advocating similar, developmental policy aims – improvements in education or health or infrastructure. There will not be a clash of ideologies between pro-development and anti-development political forces. There may be differences in the pecking order that they give to potential spending in different geographical communities, tending to make the election a head count between competing areas. Otherwise, it probably makes sense in practice for voters to judge competing politicians and parties on how good they will be at practical service delivery. The result is a choice based on leaders, not on programmes. How competent will they be? How corrupt will they be? Will they appropriate public resources for sectoral or private purposes? With thirteen West African states featuring on the UNDP list of the fifty Least Developed Countries, these questions are of major relevance to the region.

Another unanswered question derives from the changing nature of communication and information gathering in almost all societies. The clash of programmes was conceived in an age where direct communication was paramount, and could be sustained when radio became the primary medium of communication. The same was much less true when television became the primary medium of communication, which is probably now most common: to attract and retain attention, messages needed to be simultaneously visual and aural, not merely verbal, and not in the form of a carefully developed line of argument.

Leadership and identity are probably both easier concepts than programme to promote through the televisual medium. Effective democracy building takes place in the world as it is, and the evidence that programme based political systems may in theory perform better should not cause democracy builders to assume – still less try to recreate - a previous world of communication whose obsolescence may or may not be desirable but is nonetheless a reality.

Political competition and state building

A further question is posed by societies where the state is weak or almost non-existent. Robert Dahl stated the issue thus: '...the democratic process presupposes a unit. The criteria of the democratic process presuppose the rightfulness of the unit itself. If the unit itself is not considered proper or rightful... it cannot be made rightful simply by democratic procedures.'²¹ Barnett Rubin describes the problem in general terms as a prelude to his analysis of Afghanistan: 'where the population is fragmented and not integrated into a single national society, the state cannot represent a common interest. The state is instead another particular interest.'²² While the existence of such conditions is not synonymous with violent conflict, such conflict is likely to have weakened or destroyed much of the capability and penetration of the state – as can be attested from Afghanistan to Haiti to Somalia to the Democratic Republic of the Congo. The design of democratic institutions in transition will be linked with the legitimacy of the state of which they form part – yet the pressure within the international community for a success and an exit strategy pulls in the opposite direction. In such circumstances, political competition may take many forms, some of which may lead towards a more sustainable democracy, others of which do not. It is not self evident that the politics of ideology and programme provide the only benign approach.

All of these issues need further consideration as knowledge of the relationship between constitutions, political legislation, electoral systems and party systems continues to develop. Each solution is complex, tailored to the constraints of the political and power dynamics in which it is formed and the negotiating skills of the parties involved. The devil is always in the detail, and some provisions of transitional agreements may turn out to have unintended and surprising effects.

²¹ Robert Dahl, *Democracy and Its Critics*, 1989, p207.

²² Barnett Rubin, *The Fragmentation of Afghanistan*, Yale University Press 2002, p15.