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Issues in Electoral Process and Design

Dusan Pavlovic

The goal of the papers collected in this volume is to assess electoral process in Southeast European (hereinafter SEE) countries in order to establish the extent to which various aspects of the process are hindering democratic consolidation. One of the reasons we chose to assess the recent developments in electoral process and design in this part of the world was that the nature and consequences of the electoral process characteristic of SEE countries is different than they were in Central East Europe (CEE) at the beginning of the 1990s. The latter countries seem to have completed the stabilization of electoral process by the end 1990s. Additionally, although the electoral rules were changed frequently in CEE countries, the changes did not preclude frequent government change, which was seen essential for a successful transformation. Elections in CEE countries helped to enable peaceful transition in most of the new CEE and Baltic, which allowed these democracies to stabilize by the end of 1990s and enter the European Union in 2004.

By contrast, the transition in SEE countries has been either slow or stalled in many respects. Elections in these countries have not had the same kind of stabilizing effect on democracy and they have not always been able to bring about the kinds of outcomes that would ensure peaceful changes in government. To the contrary, in many respects, elections have been an obstacle to the consolidation of democracy.

Difficulties with elections has impacted the longevity of many governments in the region. Whereas, in many new CEE democracies, governments alternated in power every four years, Serbia and Croatia, for example, had the same government for the first 10 years of independence. From 1990-2004, Romania has had 11 transition years dominated by former communists and four years dominated by a broad coalition of anti-communists. Although it may seem that the continuation of a government brings about stability in electoral system, in newly independent states it is just the opposite: stability in government brings about instability in electoral systems because a party that is in power for more than two mandates tends to modify electoral rules with the aim of securing its re-election. It is, among other things, by way of elections that authoritarian elites blocked democratic transition in some countries of the countries of the SEE region. Manipulated elections led to the slowness or the absence of change in government, and the absence of the change in government is, in opposition to stabilized democracies where governments alternate regularly, detrimental for new democracies and their liberal reform programs (Orenstein 2001, 1-10).

The reasons for slow consolidation are threefold. First, some SEE countries developed a special type of regime called electoral authoritarianism. The
distinguishing feature of this regime was that it insured authoritarian
government by democratic, that is, primarily electoral means. Second, in the
SEE countries in which such regimes did not develop (Albania, FYROM,
Bosnia), the slowness in democratization resulted from the lack of capability of
these countries to technically carry out effective electoral process. Finally,
SEE countries, notably the Balkan countries, are countries of mixed ethnic
structure. These countries have not been able stabilize democratically as long
as ethnic minorities have not been substantively accommodated. Part of this
policy of accommodation is electoral rules that are supposed to be sensitive to
ethnic structure and positively discriminate against ethnic minorities. This
volume focuses on these three aspects of electoral process in SEE countries.
We believe these aspects have been largely neglected or undertheorized in
the literature on elections in European post-communist countries.

Structure of the Book

Chapter 1, by Stefan Krause provides an overview of electoral systems in
SEE. Chapter 2, by Richard Chambers, provides a comparative analysis of
electoral legislation in the region. In Chapter 3, Dusan Pavlovic applies the
concept of electoral authoritarianism to the cases of Serbia and Croatia. He
claims that the willingness of the Serbian and Croatian political elite to violate
electoral rules clearly indicates these governments’ readiness to use
democratic legitimacy in order to insure the authoritarian character of their
regimes. These two governments never wanted to waive free elections, but
nevertheless were prepared to abuse the rules to secure electoral success.

Apart from the nature of the regime, we find several aspects of electoral
process that have been neglected by the extant literature. Due to the fact that
two communist federations broke up in ethnic wars, the treatment of ethnic
minorities has been one of the most critical preconditions for consolidation of
a democratic political regime. The literature that has so far covered the
transition democracies has mainly focused on the cases of the most
prospective democracies such as Czech Republic, Poland, Hungary,
Slovenia, and the Baltic states. Such states (except for Estonia) either did not
have a significant number of ethnic minorities, or the existence of ethnic
minorities was in a strange way neglected in public life and, accordingly, in
academic literature. This is why this volume is premised on the definition of
democracy developed by Larry Diamond, whereby liberal democracy implies
that ‘cultural, ethnic, religious, and other minority groups are not prohibited
from expressing their interests and values’ and that rule of law implies
protection of ‘individual and group liberties’ (Diamond 1999, 11-12). This
definition requires an electoral design in which ethnic minorities are treated in
line with the concept of affirmative action. Florian Bieber in Chapter 4
thoroughly discusses how electoral systems have affected ethnic minorities
and how these systems have obstructed the integration of these minorities in
a democratic system within the context of former Yugoslav republics, with
exception of Slovenia.
Technical details sometimes can be essential for successful elections. Too little attention has been paid to the organizational capability of the state to carry out a successful election. In Chapter 5, Goran Petrov addresses matters of technical support, electronic database, and the role of the computer in organizing elections.

Finally, effective election observation is another aspect of successful elections that has, to some extent, been lacking in the SEE. The Slovak, Croatian and Serbian experience shows that the opposition is able to bring down the government only when the concept of electoral observation is taken seriously enough. Domestic observers will surely be needed as long as elections are held, whereas the departure of international observers will indicate that electoral process is becoming more stable. This is what happened in Bulgaria in 2003 where, for the first time in 14 years, local elections were held without international observers on the grounds that they are no longer needed, thus pointing at the stable electoral process in Bulgaria. Indeed, in 2004, Freedom House was able to rate electoral process in Bulgaria such that it ranked together with the new EU members. The role of domestic electoral observers is addressed in chapter ref. by Marko Blagojevic, whereas the role of international observers was addressed by Konrad Olsewski in chapter ref.

Electoral observation raises the issue of human capital in electoral design. Do SEE countries have human capacity to organize reasonably free and fair elections? In chapter ref. Irena Hadziabdic discusses education and training of election officials in Bosnia & Herzegovina. She claims that for a successful elections it is not only important to have well-designed rules but also well-educated people who will implement them.

ref. Despina’s chapter

Trying to analyze the structure of electoral conflict, Nenad Zakosek applies in chapter ref. Rokkan’s concept of party cleavages to the cases of Serbia, Croatia, and Slovenia. His major aim is to argue that party systems which developed in post-Yugoslav states were also determined by specific cleavage structures. Zakosek demonstrates that party cleavages in SEE were determined by different combinations of the three cleavages: state building, regime, and ideological cleavage. These types of cleavages are somewhat different than the cleavage model advanced by Rokkan, which is why Zakosek’s chapter help explain the peculiarity of the electoral conflict in SEE.

The books concludes with Goran Petrov’s views on how ‘electoral revolutions’ from South East Europe affected some Asian countries such as Georgia and Ukraine.

Quoted literature: