



Lisa Ann Vasciannie

INTERNATIONAL
ELECTION OBSERVATION
IN THE COMMONWEALTH
CARIBBEAN

Race, Aid and Democratization



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Lisa Ann Vasciannie
Department of Government
The University of the West Indies
Kingston, Jamaica

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For Horace and Pearl.

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Introduction

STATEMENT OF THE RESEARCH AGENDA

International election observation has become a relatively regular feature of international relations in the post-Cold War era. As Bjornlund declares, “international observation is now an international norm”.¹ This assertion is supported by the fact that it is highly unlikely that any upcoming election will not have at least one team of international observers. This has especially been the case for developing countries, and most recently, Caribbean countries. In the contemporary global environment the decision to invite international observers may superficially be taken as a country’s desire to be accepted into the club of “free” states. Implicit in the decision to have international observers, though, is the recognition that parties—host country and observers—are very likely to have other unstated political motives. Organizations dispatching observer teams may want to indicate renewed support of a particular regime or rectify previous foreign policy mistakes; while sometimes the government issuing the invitation may want to entrench its hold on political power.

This book examines the practice of international election observation in a Caribbean context. It presents a survey of the Commonwealth Caribbean perspective and a detailed case study of Guyana between 1964 and 2015. In doing so, the dependent Commonwealth territories are excluded as the UK handles their foreign affairs, and their elections have not been subject to international observation. This research traces the

history of election observation and how this practice became integrated into the landscape of Caribbean electoral politics. More specifically, the study examines the process by which election observers have become key actors in elections in the Commonwealth Caribbean with a special focus on Guyana.

Up to three or even two decades ago, the observation of national elections by foreigners in an independent country would have been highly offensive to the political integrity of the people. To have outsiders oversee one's electoral process would imply that a country's leaders and political representatives were incompetent and incapable of administering a relatively straightforward procedure. In its original form, observation was used as a tool of self-determination rather than for its current purpose of providing international legitimacy. Prior to the 1980s observation was rare in sovereign states and used by some such as the United States (US) and United Kingdom (UK) governments, the United Nations (UN) and the Organization of American States (OAS) primarily in trust and dependent territories. Up until recently, therefore, the presence of international observers represented a negative indicator of a country's ability to manage its own affairs.

Since the 1990s there has been a steady development of the field of international election observation. In the early 1990s most international organizations observed, on average, no more than one election per year. Between 1990 and 1998 the Commonwealth conducted 27 election observation missions in member-states.² For the same period, the OAS observed 34 elections in member states. Likewise, between 1999 and 2007, these figures increased by approximately 50% to 43 and 54 observed elections respectively. Each organization moved from observing the typical one election per year to an average of five; and up to twelve as was the case for the OAS in 2006. Between 2008 and 2016 the OAS observed over 70 elections in its member-states. These figures reflect a steady growth in the practice of international election observation in the post-Cold War period. This begs the question of what has directed this change in the foreign policy behaviour of states that in their international relations, they place such great importance on the holding of internationally accepted elections at what many traditionally consider to be at the expense of individual state sovereignty? The answer might be found in an examination of the policies and declarations of the major inter-governmental organizations (IGOs).

In 1989, for example, the UN set the stage for the development of the trend of election observation with the first of a series of resolutions on “free and fair” elections. Essentially, these resolutions underscore the importance of elections as a cornerstone of individual freedoms and human rights. UN action in this and other spheres has advanced the notion of the centrality of elections within a liberal democratic model of governance. So although states have always highly regarded the principle of sovereignty, they have acknowledged that in absolute terms this is merely an ideal. Over time therefore, states have also readjusted the manifestation of sovereignty in their international relations and have changed how they indicate their acceptance of other values that might traditionally have been problematic.

Notwithstanding reconfigurations and reformulations of Westphalian sovereignty observer groups have not circumvented the principle of non-interference in the affairs of independent states in the pursuit of exposing their adherence (or lack of it) to liberal democratic principles. In this regard, observer delegations and states have developed guidelines that attempt to reconcile these two conflicting trends. Currently, organizations will not observe elections unless they receive written consent from the host government or legally empowered agent such as the electoral authority. As discussed later, the European Union (EU) represents an exception in as far as it does not insist on a formal letter before initiating its programme of activities. The country holding the election issues an invitation to the organization that it wishes to send observers, although as the discussion shows, this invitation is sometimes not initiated by the country holding elections but solicited by an observer group. In other words, organizations and some political administrations in developed countries pressure governments to facilitate international observer teams and in effect solicit a request for their presence, or invite themselves.

This study examines the question of how observers came to operate in the Caribbean. It contemplates the underlying issues of sovereignty within the context of the relations between developing states and international actors that predominantly represent the interests of states in the developed world. The discussion therefore acknowledges as a starting point, that within the dynamics of this asymmetric relation arguments of respecting sovereignty are likely to emerge, but are also likely to yield to other economic and political considerations. So while the axis of this research rests on a discussion of elections and democracy in general, this does not limit the research to the field of comparative politics.

This research creates an important interdisciplinary nexus between Comparative Politics and International Relations. Its roots in the former are more obvious because of the focus on the role of elections in the formation, consolidation, endurance and renewal of democracy. However, the discussion is also intricately connected to many aspects of International Relations. Beyond the evident links to sovereignty, the examination of the process of the involvement of observers in the Caribbean requires an analysis of key International Relations concepts and issues such as foreign policy formulation, the role of international actors in domestic policy and the dynamics of power politics. The activities and role of various actors in spreading democracy and the philosophical neoliberal motives behind this trend are also clearly rooted in the field. Further, the underlying assertion that election observation is now accepted as an almost routine process suggests that states have set and accepted rules and guidelines among themselves. This notion of the existence and acceptance of norms of international relations is a central element within the constructivist theoretical debates in International Relations.

Many studies have been conducted on the activities of international observers. The effect of observation and a fairly extensive critique of the practice have been carried out. So, for example, there are articles on the merits and weaknesses of the practice; analysis on observation in several countries has been conducted and the performance of various regional, international and local observer groups has been evaluated. Amidst this explosion of material in the field since the late 1990s, however, is the striking gap of a substantial body of work that is relevant to the Caribbean reality.

CARIBBEAN OVERVIEW

One of the issues this research contemplates is why Caribbean countries accept the imposition of observation within the context of sovereignty. As the case of Guyana shows the costs of not having observers have been multidimensional and have eclipsed concerns of respecting state sovereignty. In first instance, the opposition People's Progressive Party (PPP) had become extremely frustrated with the inattention of the international community to the blatant electoral fraud conducted by the People's National Congress (PNC). Considerations of sovereignty were therefore redundant in the context of the strong determination of the PPP and other local actors such as the Guyana Human Rights Group to

bring international attention to the extensive problems in the country's elections.

Beyond the initial cases of requesting observers, Guyana in particular, and other countries such as Jamaica and Antigua and Barbuda to a lesser extent have acquiesced to having observers as part of their foreign policy strategy to maintain the flow of aid and assistance to their countries. In that vein, some Caribbean countries have been eager to show the various stakeholders that even if their elections had not reached desirable standards, they were committed to ensuring that elements of fraud and violence would not be supported by political parties. In effect, Caribbean leaders invite observers as a signal of their commitment to improving elections processes of governance as these are increasingly used as pre-conditions for receiving aid, technical assistance and other types of support. Where there is likely to be no link between the decision to invite observers and the need for or receipt of support, countries have clearly preferred not to have observers.³

Observation in Guyana and other Caribbean countries has typically been accompanied by various packages of technical assistance. At the same time, the reforms that have been proposed to implement changes and improvements in the electoral system have usually involved equipment, projects, and personnel requiring funding beyond what could be reasonably afforded by the political administration. Extensive financial assistance has therefore been a major component of the bundle of activities associated with observing elections in the country. In some cases, both technical and financial assistance have been conditionally provided upon the guarantee that the country will have observers.

WHY GUYANA?

There are several grounds which justify the selection of Guyana as a case study for Caribbean election observation. These include the phases of involvement of observers in the country, the range and number of actors involved in observing elections, and the degree of involvement of these actors in various related electoral activities. The process through which observers became involved in Guyana and the outcomes of their involvement on the country's political processes also present similar patterns in how observers became involved in other Caribbean countries.

Specifically, Guyana has had international observers, in 1964 and 1980, long before the practice gathered momentum as a regular feature

of international relations. These instances of observation were entangled with the dynamics of Cold War politics. Grenada also had international observers in 1984 for reasons similarly hinged on tensions of East-West relations. The 1990s marked the dissolution of Cold War tensions and international election observation persisted despite the shift in polarity of power. Observation started to be packaged as support for and consolidation of democracy but maintained hegemonic motives. Along with Guyana, St. Kitts and Nevis, Belize, Jamaica, Grenada, Antigua and Barbuda are among the countries that had their elections observed. These countries continued to have observers in the 2000s when others such as St Lucia, Trinidad and Tobago were having them for the first time.

The range of actors that has been involved in Guyana is generally representative of the various groups that have observed in other Commonwealth Caribbean states. Guyana has had international observers from inter-governmental organizations such as the Commonwealth; regional inter-governmental organizations including the OAS, EU and CARICOM; foreign observers such as the Carter Center and a local group, the Electoral Assistance Bureau (EAB). A similar range international, foreign and local observer groups has been involved in the other states under review.

States have frequently had reservations regarding the idea of having their electoral process observed by others. This is especially the case during the earlier phases of international observation. As the chapter on the invitation of observers shows, the inclusion of observers has often been an intensely complex process. It was only in 1992 when local and international political conditions changed that there was negotiation and eventual consent from all parties that international observers were necessary. The entry of observers to other Caribbean countries has been surrounded by varying degrees of controversy as typified by the case of Guyana.⁴

Reports on the outcome of observation in Guyana have been controversial for different reasons. One included a separate statement by a dissenting observer (1964); another highlighted the volatile circumstances that required regional efforts (1997 CARICOM Audit) and another included the overthrown election results based on technicalities (1997–1998 election petition/ruling on the absence of voter cards). Although the specific circumstances in other Caribbean countries are different there have been similar pockets of cynicism and apprehension towards the statements and reports of some observer groups. Generally, Guyana

provides the elements of all the reasons that explain why Caribbean elections have been internationally observed.

RATIONALE FOR STUDY ON OBSERVATION IN THE CARIBBEAN

There is a growing body of research on election observation that has focused on various aspects of the practice. Much of the literature on the subject takes the form of descriptive field reports written and commissioned by a number of international and regional organizations.⁵ There is also a reasonable number of publications on election observation in particular regions and countries.⁶ These often take a more analytical perspective and seek to examine critically the role, mandate and experience of election observers in a particular election.

Not many major general works on the benefits and shortcomings of this practice exist, although there is some growth in this area.⁷ For the Caribbean, while there is no scarcity of research on electoral politics, less work has been done on this specialized field of observation. Noteworthy, however, is the foundation established by work of Figueroa and Sives,⁸ Munroe,⁹ Sives,¹⁰ and Vasciannie¹¹ on Jamaica; and Will¹² and Griffith¹³ on Guyana. There has however, also been observation in Antigua and Barbuda, Grenada, St. Kitts and the Grenadines, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago and Belize. The corresponding research on the development of the trend in Commonwealth Caribbean, and the issues arising from international election observation has not been extensive.¹⁴ The main contribution of this research therefore, is to extend the discussion on elections in the Caribbean and help fill in the gaps on the specific practice of election observation.

Insightful commentary on election observation may also be found scattered in the vast range of literature on Democracy. Within this wide area, more specifically, is work on the origin, purpose and efficacy of election observation as one component of packages of “democracy assistance”. As may be expected this part of the literature is largely rooted in studies of democracy assistance as a tool of US foreign policy. Of these, among the most path-breaking are the works of Carothers¹⁵ and Cox et al.¹⁶ These, however, do not pay particular attention to the Caribbean context and more generally, provide an analysis that is clearly more in keeping with the US perspective.

Of considerable merit, as well, is the increasing number of policy documents on elections and election observation.¹⁷ As the practice becomes

a more frequent feature of international relations, governments, regional and international organizations find it necessary to establish guidelines concerning the funding, role, logistics and codes of conduct of observer groups. These actors are of particular importance since the financial responsibility of election observation rests primarily with them. While they are a useful starting point in providing a framework for understanding the chronology and basic history of observers in the region, such reports have been authored more for the purposes of the sending states and their political pursuits and motives. A more complete discussion on the dynamic and intricate process through which observers became involved in Caribbean elections in general, and specifically in individual countries requires delving deeper into this process.

Finally, there are various national, regional and international instruments and documents that place elections and their observation in a legal context.¹⁸ Among these are UN resolutions that express the views of member-states on the place of elections, as well as those which reaffirm the principle of non-intervention and the supremacy of the state. Important too are the national and multilateral legal instruments that establish the civil and political rights of individuals. An examination of these helps to resolve some of the tensions between the elements of sovereignty and non-intervention on the one hand, and the rights of peoples and the accountability of their governments on the other.

International Election Observation in the Commonwealth Caribbean: Race, Aid and Democratization examines the cases of international election observation in the Caribbean with special focus on Guyana and therefore expands on the body of work in this area that is relevant to the Caribbean. It would be fair to point out the obvious justification for the prevalence of research on other regions. Caribbean countries, especially in the Commonwealth, have had relatively stable and democratic political systems¹⁹; and election observation, particularly during the earlier periods of the practice, has been generally confined to countries having transitional or first elections and in post-conflict societies. With the exception of Guyana, no Caribbean country had experienced election observation as a normal feature of its international relations until the practice received greater acceptance in the late 1990s.

The research traces the historical context of the development of international election observation in Antigua and Barbuda, Belize, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago. It summarizes and assesses the

available theoretical literature on the practice. The discussion traces the origin of observation in these countries, and evaluates the practice and outcomes of international election observation in their particular contexts. It then provides a detailed case study of Guyana as the one Caribbean country that has had the most intense involvement with international observers most frequently and for the most years. The specific research questions I explore are:

1. How did international election observation become part of the political process in the Commonwealth Caribbean generally, and specifically in Guyana?
2. How have observers operated in these countries?
3. What were the outcomes of international observation in Guyana and how do these inform us about the trend for the rest of the Caribbean and wider international community?

RESEARCH DESIGN

This book sets out to evaluate the practice of international election observation in the Commonwealth Caribbean. It examines the outcomes of international election observation on the political processes in Guyana. The research examines the efficacy of this exercise and assesses the challenges and benefits of the observation exercises in the case study. As the empirical focus of the study is on election observation, I situate the place of elections in the democratic process. I argue that free and fair elections have been accepted as the pillar of democratic governance, although some scholars argue that they find difficulty with objectively outlining the precise elements of such elections. The debate concerning the difficulty of arriving at a consensus of what constitutes free and fair elections is also explored.

The main sources of data for this empirical study are found in the field reports and activities of international and domestic organizations involved in election observation, regional and international human rights instruments, interviews, election results and the electoral laws of the countries under study. The public debates, particularly between political parties are also an integral information resource.

I argue that although international election observation has limitations related to professionalism and impartiality, it can produce subjectively positive outcomes within the matrix of contemporary Caribbean

international relations. The outcomes of observation are optimized when there is collaboration among all levels of actors: state, regional and international. I propose that the practice has spread to the Caribbean as the manifestation of the increasing need for mainly developing countries to show their commitment to liberal democratic practices through the holding of internationally accepted elections. By examining the case of international observers in Guyana, this research seeks to apply the practice to the specific conditions of Caribbean societies. This book is particularly relevant as the records shows that more and more Caribbean states are hosting international observers. Examining the process of how observers came to be invited in the countries that have had them, is useful for countries such as Barbados and other developing countries that have not yet had international election observers.

It is also important to evaluate if the identifiable features of the political culture of Commonwealth Caribbean states have developed into markers for determining which Caribbean states will have international observers. The emerging trend has been to describe observation as an international norm welcomed by established and emerging democracies.²⁰ One of the main premises of the research is that an international election observation has developed into an unevenly applied international norm. The records reflect that the majority of “established” democracies that have been “welcoming” observers in the true sense are those in developing countries. The records also show that to say that observers are generally welcomed is an overstatement of the practice as, in many cases; governments have initially resisted their presence. Bearing in mind the hegemonic nature of the international system it is clear that not all states are required to show their convergence with this normative standard of holding free and fair elections. But since not all Caribbean or even developing states have had international observers, and because as the research reveals, some governments are pressured into issuing invitations, it is important that we try to identify any patterns in predicting which countries will have international observers.

With reference to the conditions requiring observers, Anglin suggests that they are only practical in four main scenarios: in new states, post-civil war conditions, during the transformation of political regimes, and in founding elections where there is internal tension.²¹ He suggests that in rare cases international observers may be practical in consolidated democracies with severe problems. The Commonwealth Caribbean countries under review do not fit neatly into any of these four, widely

accepted scenarios for international observers. This research proposes that there are special considerations in Caribbean societies that create a different set of loose typologies or “practical scenarios” for the presence of international observers. One main contribution of the research is therefore to propose a model of election observation that carefully reflects the special features of Caribbean politics.

STRUCTURE OF RESEARCH

Chapter 2 establishes a foundation discussion on election observation that provides an important framework for several emergent issues in subsequent chapters on the Caribbean in general, and Guyana, in particular. It approaches these issues from five main angles: defining observation; tracing the history of observation; exploring the issues relating to the use of free and fair elections as a reference standard; outlining the actors involved in observation; and discussing the conditions for and main purposes of election observation.

Chapter 3 addresses the main concerns in the procedural and performance-related activities of international observers. The shortcomings and problems associated with international election observation are organized around eight main areas. These are largely, but not exclusively, categorized according to the chronological order of various activities and stages involved in an election observation programme—pre-election period, the observation period and the post-election period. This chapter also presents views on the role, mandate and benefits of having international observers.

Chapter 3 also provides a discussion on the nature of some of the challenges related to carrying out election observation such as negotiating an invitation, overcoming the obstacle of sovereignty, and determining the prerequisites or political conditions for the presence of international observers. At the same time, the role of observers and their activities have been the subject of extensive criticism. To that extent, this chapter also explores arguments of vagueness, superficiality, inexperience, poor logistics that have been used to highlight the shortcomings of election observation.

Chapter 4 establishes a Caribbean perspective on election observation by discussing the practice with specific reference to the Commonwealth countries that have had observers. First, it provides an overview of some of the main features of politics in the region. It then traces the origins of

regional election observation providing an answer to the main research question, “how observers came”. It also provides a chronology of the countries that have had elections observed and a discussion on the types of groups that have become involved in elections in the region. In this vein, the discussion explores some of the contentious issues in the Carter Centre observation of the 1997 Jamaican elections. It will highlight the main matters arising in other observations in other Caribbean countries. In presenting this survey of observation in the Caribbean, the research develops a case for the various scenarios in the region that have resulted in observed elections.

Chapter 5 assesses the political conditions in Guyana that created the basis for the presence of international observers. These include electoral fraud, racial conflict and the existence of deep political tensions. This chapter also considers other features of Guyana’s electoral system which required technical and administrative support. It also discusses Guyana’s desire to show the international community its commitment to improving the electoral process.

Chapter 6 identifies the main features of Guyanese political culture and the main milestones in the country’s electoral politics. It outlines the process of how international observers became involved in the first elections in 1964. The main themes of racial division, a history of external involvement in elections, and problems in the administration of elections and how these justified the involvement of external actors in successive elections are also explored. The substantive discussion in this chapter is the overview and analysis of the observed elections in Guyana for the period 1964 to 2015. There have been eight such elections in Guyana involving at least five foreign or international groups. The country has also had local observers and the regional presence of CARICOM. In addition to the formal observation of elections, Guyana has received technical and financial support from a number of international agencies.

This chapter also covers the range of activities of observation missions from the invitation to the verdicts. It outlines the elections that have been observed, discusses the involvement of various actors and provides an analysis of the main issues and controversies in each election and a preliminary statement of the verdicts of the various observer delegations. It also offers insight on the different approaches to observation and the levels of involvement of the various groups. It shows how some groups are perceived differently and the tensions that may arise as a result. The

discussion also provides different explanations for the proliferation of observer groups in Guyana.

Chapter 7 assesses the main findings of the study and outlines their implications for Caribbean countries. It re-examines the central research questions and offers explanations for the development and practice of election observation in these countries. It notes that the overall effect of international observation has been good, and creates an even more useful synergy if there is a partnership with regional and local actors. The Caribbean experience has been that observation has improved countries' international profile, provided material benefits, technical support and improved electoral conditions.

International election observation is no longer taboo. It has become a well-established, if not entrenched practice for many states. The main prerequisites for having observers have not changed. So, for instance, groups may not observe an election without an invitation from the government. This preserves the notion of the sovereign equality of states; especially since the majority of countries hosting international observers are still developing states. There, are however, developments in the procedural and technical aspects of international election observation. Some organizations now provide professional training courses in an effort to build a network and pool of electoral experts for observation missions.

There have been a few cases, (Maldives, 2012 and Tanzania {Zanzibar}, 2015) where teams have observed elections and assessed them as acceptable only to have the incumbents declare that there were several irregularities. While these are not Caribbean cases, they are telling of some of the issues arising from the observation of elections. Many observer groups now place greater emphasis on issues of gender—participation as voters or candidates—and the treatment of the elderly and disabled. There are also new developments in election processes that affect some aspects of observation. For example, approximately 116 countries have legal provisions for external voting. Many of these are developing states or fledgling democracies most likely to have international observers. External voting complicates the logistical aspects of election observation. Chapter 7 will also explore these and other current trends in the field. Finally, *International Observation in the Commonwealth Caribbean* will consider future prospects for international election observation in the Caribbean and the wider international community.

Overall, the case of Guyana shows how the political circumstances throughout the last fifty years have placed the country in the position of

having to hold its elections up for international scrutiny. By the 1990s the participation of international election observers was a complex mix of three factors. First, it represented the continuation of a culture of vulnerability to political intervention because of persistent electoral turmoil. Second, the involvement of the Carter Center in 1992 suggested a tacit need for the post-Cold War US administration to make amends with Jagan and the PPP for the clandestine manipulation of electoral conditions in the country. Finally, the decision to have international observers, especially in 1997 and 2002 was an acknowledgement and a strategic response to the development of an international trend for developing countries in particular.

Elections in 2006, 2011 and 2015 represented a different stage for election observation and political maturity in Guyana. This was due to internal factors as well as to some dynamics of the international environment. Locally, the administration of elections in Guyana had drastically improved since 1992. This included several aspects of the election including the registration process, voting, campaigning, and issues related to racial voting. Overall, these elections witnessed substantial progressive advances to the extent that their observation was almost routine.

The normalization of election observation in other Caribbean countries and in other regions also helped to change the perception of observer groups from external actors imposing their will to international partners working to strengthen electoral and democratic processes.

This chapter has introduced the topic of international election observation as a growing global trend that has not escaped Caribbean countries. It has established that while there has been considerable research on the field, not enough of this applies to the Caribbean. It has shown that there is need for the description of the evolution of the practice in the region, and an even greater need for an evaluation of the role of international observers. The introduction has also shown how Guyana provides fertile ground for an analysis of the relevant issues pertaining to international election observation in the Commonwealth Caribbean by virtue of how the country's experience relates to the rest of the Caribbean. Chapter 2 defines observation and explores its emergence and actors involved. It also examines the context of free and fair elections and sets out the conditions under which observation is done.

NOTES

1. Eric C. Bjornlund, *Beyond Free and Fair: Monitoring Elections and Building Democracy* (Baltimore: Johns Hopkins University Press, 2004), 49.
2. Carl Dundas, *Observing Elections the Commonwealth's Way: The Early Years* (Kingston: Ian Randle, 2007), 47.
3. In 2006 for example, the Prime Minister of Trinidad and Tobago made a strong statement that the country would only have Caribbean Community (CARICOM) observers. The country received no subsequent pressure to have any other observers.
4. So, for instance, there was strong resistance from the PNP Patterson administration to the idea of observers in 1997. The government eventually yielded to local and international pressure to invite observers.
5. The OAS, Carter Center, Commonwealth and others have published reports of the background and findings of their observation missions. Examples include: for the OAS—Peru, 1995; Guatemala, 1995–1996; Peru, 1996; Belize, 1997; The Dominican Republic, 1998; For the Commonwealth—Malaysia, 1990; Bangladesh, 1991; Lesotho, 1993; St. Kitts and Nevis, 1995; South Africa, 1999; Sri Lanka, 2000; For the Carter Center—US, 1992; Guyana, 1990–1992; Nicaragua, 1996; Jamaica, 1997. Finally, the June 1996 Bangladesh Parliamentary Elections were observed by a South Asian NGO. See, Jeevan Thiagarajah, ed., *Governance and Electoral Process in Bangladesh: Report of the Non-Governmental Election Observers from South Asia (SAARC)* (Bangalore: International Center for Ethnic Studies Vikas Publishing House 1997).
6. For Africa, see for instance, Douglas G. Anglin, “International Election Monitoring: The Africa Experience,” *African Affairs* 97, no. 389 (1998): 471–495 and Gisela Geisler, “Fair? What has Fairness Got to Do with It? Vagaries of Election Observation and Democratic Standards,” *Journal of Modern African Studies* 31, no. 4 (1993): 613–637. For Russia, International Institute for Democracy and Electoral Assistance (International IDEA), *Lessons Learned Observing Russian Elections 1996* (Stockholm: International IDEA, 1997). For Romania, see Thomas Carothers, *Assessing Democracy Assistance: The Case of Romania* (Washington, DC: Carneige Endowment for International Peace, 1996). For Latin America: Jorge V. Alcocer, “The International Observation of Election Processes: The Mexican Experience in 1994,” *Houston Journal of International Law* 19, no. 3 (1997): 689–703.
7. See e.g., Yves Beigbeder, *International Monitoring of Plebiscites, Referenda and National Elections: Self Determination and Transition to Democracy* (Dordrecht: Martinus Nijhoff, 1994); Thomas Carothers,

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8. Mark Figueroa and Amanda Sives, “Homogenous Voting, Electoral Manipulation and the Garrison Process in Post-Independence Jamaica,” *Commonwealth and Comparative Politics* 40, no. 1 (2002): 81–108 and “Garrison Politics and Criminality in Jamaica: Does the 1997 Election Represent a Turning Point,” in *Understanding Crime in Jamaica: New Challenges for Public Policy*, ed. Anthony Harriott (Kingston: University of the West Indies Press, 2003).
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 13. *Ibid.*, 156–172; Ivelaw L. Griffith, “Democracy and Human Rights in Guyana,” in *Democracy and Human Rights in the Caribbean*, ed. Ivelaw Griffith and Betty N. Sedoc-Dahlberg (Colorado: Westview Press, 1997).
 14. One must acknowledge the contribution of Carl Dundas on integrating a Caribbean perspective in his work on election observation by the Commonwealth. See, Dundas, *Observing Elections*.
 15. Thomas Carothers, “The Observers Observed.”
 16. Michael Cox, John G. Ikenberry and Takashi Inoguchi, eds., *American Democracy Promotion: Impulses, Strategies, and Impacts* (Oxford: Oxford University Press, 2000).
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 21. Anglin, “International Election Monitoring,” 471–495.

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International Election Observation: Context and Definitions

INTRODUCTION

This chapter examines various aspects of the practice of international election observation. It establishes observation as a regular, prominent and rising feature of international relations that departs somewhat from the traditional notions of sovereignty. It establishes a foundation discussion on election observation that provides an important framework for several emergent issues in subsequent chapters on the Caribbean in general, and Guyana, in particular. It approaches these issues from five main angles: defining observation; tracing the history of observation; exploring the issues relating to the use of free and fair elections as a reference standard; outlining the actors involved in observation; and discussing the conditions for and main purposes of election observation. The following section clarifies the technical differences between the terms “observe” and “monitor” and explains that they are frequently used interchangeably even by practitioners in the field.

ELECTION MONITORING, ELECTION OBSERVATION: CONCEPTUAL CLARIFICATIONS

Generally, it may be plausible to define election monitoring as any third party or foreign presence in an election in which the outsider undertakes activities to assess the integrity of the electoral processes.¹ The activities under a monitoring programme may include passive observation

of electoral processes, verification of voter registration lists or election results, and the active mediation of electoral or political reforms.² Election monitoring involves the authority to observe an election process and to intervene in that process if relevant laws or standard procedures are being violated or ignored.³

Election monitoring is different from the overall administration of an election. It must also be distinguished from technical advice and material assistance that may be provided to political parties, electoral advisory committees, or civic groups before or during an election. However, while these activities may not be considered part of the actual monitoring process, they play an integral role in complementing and reinforcing the complete programme of electoral assistance.⁴

Implicit in this definition is the notion that election observation is one component of a wider monitoring programme. Election observation entails the collection of information about an election or electoral process and making an informed assessment of that election or process based on that information.⁵ To be precise, therefore, the observation of an election is less intrusive than its monitoring, since observers are not usually permitted to directly influence the proceedings by their input.

Election observation may also take place at different levels. Observers may be international groups originating outside of the country where the election is to be held, or they may comprise domestic civic groups from within a country itself. Whatever their origin, election observers perform essentially the same scope of activities: they collect information about an election or electoral process and make informed judgements about that process based on that information.⁶ The task of observers is therefore twofold and limited primarily to the following main activities, namely watching the electoral process, and

- a. making a judgement on the process based on their observations.

Monitors, on the other hand, have a third tier inserted in their mandate:

- a. watching the electoral process
- b. intervening to identify and rectify violations and omissions
- c. making a judgement on the process based on their observations.

The main concern of this research is with the election observation as defined above and more comprehensively as:

... the purposeful gathering of information regarding an electoral process, and the making of informed judgements on the conduct of that process on the basis of the information collected, by persons who are not inherently authorized to intervene in the process, and whose involvement in mediation or technical assistance activities should not be such as to jeopardize their main observation responsibilities.⁷

The central role of observers is to watch an election process, either exclusively on polling day, or for the entire range of proceedings including the pre-election activities of administration, campaigning, or voter education; and activities after the actual polling such as ballot counting and the announcement of results; and conclude by making an assessment of their observations. In their written reports, observer teams may sometimes offer advice and strategies for improvement in areas in which they have identified weaknesses. They therefore have no official function in the administration or supervision of an election.⁸ It is the clear recognition of this limited and restricted mandate of election observation that usually provides the green light for its acceptance by the host country.

Not all authors make the above distinction between the terms monitoring and observation, and this has led to the interchangeable use of the terms. International election observation has been the more prevalent type of election assistance since it is less invasive and arguably infringes less on the sovereignty of the country in which elections are being held.

THE EMERGENCE OF ELECTION OBSERVATION AND MONITORING

Early Instances

Election observation in sovereign nations was rare before the 1980s,⁹ but in non-independent nations monitoring has taken place from as far back as the mid-1800s. One of the earliest international monitoring exercises took place in 1857 in Moldavia and Wallachia, which unified to become the State of Romania in 1859. These elections were monitored by a European team comprising individuals from France, Britain, Prussia, Russia, Austria, and Turkey.¹⁰ The international monitoring of these elections was significant, as they had to be re-held two months later due to charges of manipulation and fraud, which may have gone undetected without the presence of monitors.¹¹

Observation by the League of Nations and United Nations

The League of Nations was the first international organization to perform a major international observation or election supervisory role in the twentieth century. Election monitoring in this context, however, was primarily linked to the principle of self-determination and the rights of individuals to determine their political fate, and not so much to hold one's political processes up to international scrutiny or solely to assess how well they compare with so called international standards. The League's first experience in this area was the observation of the conduct of the plebiscite on the Saar Question in 1935. The proceedings ran smoothly, with the majority of the electorate voting for reunification with Germany.¹² Arguably, the League's role in the Saar plebiscite created the first skeletal model for the basic principles of effective international election observation—impartiality and neutrality.¹³

After World War II, the UN became the main organization that conducted the international monitoring of elections. Initially, it continued the mandate of its predecessor organization in overseeing a number of plebiscites, referenda and elections under two main sets of circumstances. First, the UN observed monitored elections in divided countries—the first example being the May 1948 elections in South Korea and later in Germany.¹⁴ The second and more frequent example of early UN international election monitoring was conducted, as in the case of the League, largely under the principle of the right of self-determination of peoples. Here, especially since the 1960s, the UN encouraged decolonization efforts and supported these by monitoring elections in several trust and non-self-governing countries.¹⁵ In recent years, this activity has become rare but not non-existent.¹⁶

Ad hoc Observation

After the major wave of decolonization of the 1960s election observation occurred sporadically. As Bjornlund notes, observation for some time was, “an ad hoc response of a few outsiders to critically important elections in particular countries”.¹⁷ Earlier versions of this phase of observation include the Commonwealth's involvement in Guyana (1964) and the UN in Panama (1977). Rhodesia's transition to independence as Zimbabwe (1980) and the exposure of fraud in the Philippines (1986) and Panama (1989) are similar examples of this type of response. Of

these, the UN's involvement in Panama (1977) most closely resembles contemporary election observation. This was the first instance of observation in a sovereign state in response to the state's request.¹⁸ However, it does not receive widespread acknowledgement as a major milestone in the development of the practice, as the exercise was discreetly referred to as a "witnessing" of the election. Terminology aside, the 1977 Panamanian election holds an important place in the history of election observation.

Within the Caribbean, Guyana (1964) is the first state to have had international election observers. The Guyanese desire to have an external presence was the result of Jagan's concern about the destabilizing effects of US policies and actions. The invitation of Commonwealth observers was therefore an effort to counteract this interference. This is just one of the several cases that reflect the wider outplay of Cold War politics in the region and generally as evidenced in an overview of the timeline of US foreign policy strategies from as early as the 1950s.

These containment strategies evolved out of a desire to project and exert power by unsettling or overthrowing regimes that were seen as posing a threat to the USA.¹⁹ So, for example, the overthrowing of Mohammad Mosaddeq in Iran and Jacabo Arbenz in Guatemala in 1954, are well known to be early applications of this Cold War policy. Likewise, the 1961 Bay of Pigs invasion of Cuba, 1965 invasion of the Dominican Republic and 1983 invasion of Grenada are regional variants of these overt anti-Communism tactics. So although Guyana has never pursued Communist policies, as Sylvan and Majeski note, Jagan's insufficient hostility to Communism presented an element of insecurity to the USA.²⁰ This early observation of elections must therefore be placed in this wider framework of the geopolitics of global tensions.

Post-Cold War Observation in Sovereign States

The end of the Cold War facilitated the emergence of a second-generation consensus on democracy. The observation of elections in newly independent states in Eastern and Central Europe during this period created a momentum of the practice. The simultaneous agenda of the UN and the OAS in other regions further entrenched observation and subsequently led to its establishment in sovereign states. The promotion of liberal democracy during this phase became the perfect banner to control

and limit the manoeuvrability of states that were likely to oppose the new status quo of US dominance in world politics.

The first of these, and the milestone of election observation in sovereign states, was in Nicaragua (1989). The minister of foreign affairs of Nicaragua issued an invitation to the UN and OAS to observe upcoming elections in the country. This invitation was an explicit tactic used to legally reconcile the notions of sovereignty and non-interference in the affairs of states and was consolidated by the support of other Central American states.²¹ At the same time, the request for observers equally reflected the expressed commitment to the promotion and encouragement of democratic principles.²²

Thus, the first official team of international observers to a sovereign state was established in 1989 and endorsed by both the UN General Assembly and Security Council.²³ This UN Observer Mission to Nicaragua (ONUVEN) sets a precedent for the invitation of observers to an election as a respect for sovereignty. Subsequent missions to Haiti (1990) and Angola (1992) continued to regularize election observation as a trend, albeit with varying levels of involvement and success. As the following section shows, other local, regional and international actors have become active practitioners of this trend.

Actors Involved in the Observation of Caribbean Elections

This section introduces some of the actors involved in the international monitoring and observation of elections. The actors include international and regional intergovernmental organizations, international and foreign nongovernmental organizations, and local observers. The main international intergovernmental organizations that observe elections are the United Nations and the Commonwealth. On a regional level, the OAS has the longest history of observation in Member States. The EU and CARICOM have had a shorter history in the field, but have been prominent players in the Caribbean, and Guyana, in particular. The Carter Center is the most prominent nongovernmental organization that observes elections in foreign countries, while there are several local nongovernmental organizations that have taken on the practice in their own countries. This section provides an overview of how the full range of actors became involved in observing elections and lays the groundwork of how they operate in sovereign states.

THE UNITED NATIONS

As noted above, the UN's involvement in electoral assistance during the period following its inception was largely geared towards promoting the principle of self-determination of peoples.²⁴ In subsequent periods, this involvement has been motivated by additional concerns of promoting civil and political rights and human rights in general, as evidenced in the provisions of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Additionally, within the UN's series of declarations on *Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections*, Resolution 45/150 asserts the importance of the organization's role in electoral assistance. Hence, paragraph 2 states that:

... periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights.²⁵

Paragraph 3 establishes the environment that fosters an electoral process that is conducive to the determination of the will of the people. Most importantly, this Resolution tries to reconcile the duty of the international community to promote the principle of "periodic and genuine elections", with the duty of members to acknowledge and respect the sovereignty of States and their accompanying right to freely choose the political model they deem appropriate for their countries. Additionally, this Resolution sets the stage for the formalization of the organization's role in electoral assistance by asking States to consider the "ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures".

As a preliminary response to improve the organization's capacity to provide electoral assistance to Member States, the UN Secretary-General designated the Under-Secretary-General for Political Affairs as the Focal Point for Electoral Assistance Activities. As a further response to Article 10 of Resolution 45/150, the Electoral Assistance Division (EAD) was established in 1992, following the passing of Resolution 46/137.²⁶ These

provisions sought to formalize the UN's role in electoral assistance following its involvement in Nicaragua, Haiti and Angola. The main functions of the EAD range from conducting needs assessment missions, providing logistical support to observer groups and providing electoral assistance.

Because of the volume of requests it receives for various types of electoral assistance, the UN has established a "binding note of guidance" which clearly stipulates the requirements for the organization's involvement. The most basic of these is the need for a formal invitation or request from the relevant Member State before it will observe an election. This basic requirement maintains a respect for the principle of sovereignty and has set the pace for other organizations that observe elections. The comprehensive mandate of the EAD involves considerably more tasks than the monitoring and observation of elections.²⁷ It functions with a core complement of staff, along with "short-term electoral experts" and works in collaboration with other UN agencies, and with intergovernmental and non-governmental organizations.²⁸

As a specialist in the field of electoral assistance, the UN receives more requests per year for election observation than any other organization.²⁹ The magnitude of costs associated with deploying even short-term observer missions, places severe restraints on the UN in fulfilling these requests. In addition to resource constraints, the UN has been criticized for being too bureaucratic in the processing of observer requests and in the deployment of observer missions. This is a criticism that is not specific to its electoral assistance activities, but to the overall nature and procedure of the organization.³⁰ In recognition of its organizational shortcomings, the UN also administers electoral observation through the Office of the High Commissioner for Human Rights (OHCHR). Through these agencies, the UN delegates some of its observation activities to other external organizations and collaborates with them for establishing standards in the field. Other intergovernmental organizations such as the Commonwealth, the EU and the OAS therefore operate within a similar general framework as the UN. Despite this overarching framework, the UN has not directly operated in the Commonwealth Caribbean.

THE COMMONWEALTH

As a voluntary association of independent sovereign states, the Commonwealth has expressed its commitment to the principle of democratic governance. While there is no constitution or charter that explicitly

establishes the principles of the association, there are a few instruments that are indicative of these.³¹ The *Declaration of Commonwealth Principles*³² and the *Harare Declaration, of 1991*,³³ for example, both outline the association's commitment to "fundamental political values". Among these are democracy and good governance, respect for human rights and gender equality, the rule of law, and sustainable economic and social development. More specifically, Article 9 of the Harare Declaration pledges to concentrate on a number of areas including "democracy, democratic processes and institutions which reflect national circumstances, the rule of law and just and honest government".³⁴ Further, the Declaration reinforces the association's commitment to these principles by promising to "respond to requests from members for assistance in entrenching the practices of democracy, accountable administration, and the rule of law".³⁵

The Commonwealth's first informal observation mission was to Guyana in 1964 and its first in an independent nation was to Uganda in 1980. International election observation has therefore been part of the organization's activities for some time. However, it did not become an official part of the mandate until years after the first mission. More specifically, paragraph 2 of the *Millbrook Commonwealth Action Programme of 1995 on the Harare Declaration* declares that the Secretariat will provide advice, training and other forms of technical assistance including electoral assistance and electoral observation "at the request of the member governments concerned".³⁶ As of May 2008, the Commonwealth has organized approximately 52 observer missions in Member States since the first official mission to Uganda. The majority of missions have been to observe general elections, while a few have involved participation in Constitution Commissions, arrangements preceding general elections, provision of expert teams³⁷ and for negotiations on electoral matters.

Generally, the Commonwealth has followed established international requirements and basic codes of conduct for international election observation. As is standard, it requires an invitation from the electoral authority in the country that is holding the election before it will agree to observe an election. After this is done, the organization will dispatch a pre-election mission team usually a few days before the election. This team meets with the main stakeholders to gain a better idea of the main issues, concerns and controversies of the upcoming election. This preliminary assessment is an integral step as the Commonwealth will not accept an invitation unless there is broad support for its involvement. It is also important to assess whether the existing political climate and

electoral conditions can reasonably produce an election that meets minimum standards.

Commonwealth teams usually comprise former heads of government and heads of electoral authorities from various Member States. Their verdicts are normally issued and published in a formal report shortly after an election. They have generally been non-controversial and speak to how well an election has reflected the will of the people. The Commonwealth has preferred to assess elections in these general terms since its abandonment of the problematic “free and fair” after elections in Kenya (1992).³⁸ They have not been without problems, however, as the effort to publish timely results has sometimes been overtaken by complications in the post-election period as shown in Guyana (1992). Additionally, the recommendations in these reports have also been manipulated by disgruntled opposition parties.³⁹ Despite these challenges, however, the Commonwealth is generally regarded as efficient and impartial.

THE ORGANIZATION OF AMERICAN STATES

The OAS has had a fairly long history of involvement in the electoral activities of Member States. Almost from its inception, the organization’s Charter has valued the role of representative democracy in achieving peace and stability in the region. The first election observation undertaken by the OAS was in Costa Rica in 1962. Between 1962 and 1989, for example, the organization sent some 29 missions to 11 countries. Several of these earlier missions were more an extension of US policy of containment during a period of Cold War tensions. This context does not absolve the OAS of criticisms of political manipulation or lending legitimacy to fraudulent elections. However, these missions cannot reasonably be held under the same scrutiny as those that have begun to operate within the contemporary framework of internationally established guidelines and codes of conduct given the political realities of the era.

Since 1989, the OAS has consistently made signals that indicate its emphasis on the importance of democracy. These include the establishment of the Unit for the Promotion of Democracy (UPD) in 1990, which spearheaded at least 70 observer missions in almost 25 Member States over a ten-year period.⁴⁰ This unit has now been replaced by the Department of Electoral Cooperation (DECO).

The 1991 *Santiago Resolution* and the 1992 *Protocol of Washington* reinforced the organization’s mechanisms for reacting to regional

threats to democracy. By 2001, the *Third Summit of the Americas* consolidated OAS's commitment to democracy and resulted in the *Inter-American Democratic Charter* (IDC). This instrument offers a strong acknowledgement of the importance of elections and introduced the notion of democratic government as a right. Article 24 the IDC facilitates the role of election observers within the framework and norms of the OAS. Further, the *Declaration of Principles of International Election Observation* was spearheaded by the OAS in 2005. This instrument reflects the central role that election observation plays in the organization's democracy agenda.

The OAS has sent just under 180 observer missions to 26 countries since 1989. There has been a steady increase in the number of states requesting or hosting observer missions. Of the 35 Member States, eight have never had OAS observers: Argentina, Barbados, Brazil, Canada, Cuba, Trinidad & Tobago Uruguay and until November 2016, the USA.

Like the UN and Commonwealth, the OAS holds the basic requirements for an invitation from the government or electoral body in the country requesting observers. The organization also supports the notion of widespread support for its presence. Unlike the Commonwealth, the OAS does not publish a final report within weeks of an election. Instead it issues an interim statement on the election. This approach insulates the observer missions from accusations of making hasty or superficial verdicts. At the same time, however, the relatively late publication of OAS observation reports makes the organization vulnerable to another type of criticism. The wait for a comprehensive assessment of the election does not provide the quick response expected by the international community.

EUROPEAN UNION

The EU has observed forty-six elections in thirty-two non-Member States since 1993 when it observed its first election in Russia. The guiding principle of EU election observation is similar to that of other regional actors and reiterates the notion of the promotion of democracy and respect for human rights. The organization has been most involved in Africa and Asia with slightly fewer instances in the latter.⁴¹ The EU has observed ten elections in seven Latin American states in addition to Haiti and Guyana, in the Caribbean.

The EU operates in slightly different ways from other actors that observe elections. To begin with, the organization does not have a

specialized unit, department or officer that is expressly responsible for observation activities. The authority or decision to become involved in third-country elections is shared among three institutions: the European Commission (EC), the EU Parliament, and the Council of Ministers.⁴² The organization operates according to basic guidelines outlined in the Commission's Communication on Elections Observation and Assistance.⁴³

Another important departure in practice is the nature and autonomy of election observation. The EU regards observation as a "political complement to election assistance".⁴⁴ While this general philosophy is not peculiar to the organization, the election observation by the EU is usually more explicitly presented as just one component of a wider package of an assistance programme to a third country. In effect, commitments to grant financial, technical or other support are often tied to specific conditionalities including, but not limited to, the country agreeing to the presence of EU observers. Within this context, therefore, election observation does not stand on its own as a single policy, strategy or activity.

This approach has direct implications on another aspect of EU election observation that is radically different from a basic requirement of other organizations. The EU requires a request for involvement from the government of a host country. However, it states that it will also accept "a clear indication of the government's willingness to have EU observers, even when not formally expressed".⁴⁵ This provision facilitates external involvement by the EU without the formal invitation which other groups expressly state as a standard requirement. While the notion of what constitutes a "clear indication" is open for discussion, the EU's approach does not have to be read as a disdain or lack of respect for the sovereignty of other states. Rather, it acknowledges the strong likelihood that the EU will first negotiate assistance in primary areas related to governance and includes election observation as a secondary or peripheral component. The organization's practice on requiring minimum standards is consistent with other groups.

THE CARIBBEAN COMMUNITY

The Caribbean Community (CARICOM) was established to foster economic cooperation, coordination of foreign policy and functional cooperation in several areas. While these have been the priority areas of the organization, the Charter of Civil Society (1997) contains separate

provisions outlining CARICOM's stance on the promotion of democracy through the "existence of a fair and open democratic system".⁴⁶ Similarly, CARICOM states, through their overlapping membership in the OAS and the Commonwealth, have supported the relevant declarations, statements and resolutions on the importance and role of democracy.

With respect to the observation of elections, CARICOM's role has traditionally been to participate indirectly through having representatives from Member States serve on OAS missions. On its own, however, the organization is a newcomer to election observation. Its first observation was a joint OAS mission to Haiti in 2000, followed shortly after by a mission to Suriname in the same year. CARICOM has consistently observed an average of two elections per year since then. In all, it has mounted twenty missions in eleven countries between 2000 and 2010.

Its requirements regarding an invitation, general consent and the existence of minimum standards are consistent with other organizations. CARICOM statements have generally expressed satisfaction with the elections the organization has observed, although as in the case of Guyana (2001), they have also highlighted areas that require improvement. Generally, these statements describe elections as free, orderly, peaceful or reflecting the will of the people. CARICOM observer reports are not readily accessible for interested parties or the general public in any form. These run counter to best practices for observer groups.

NGOs

Non-governmental organizations (NGOs) include the Carter Center, The National Democratic Institute for International Affairs (NDI) and The International Foundation for Election Systems (IFES), all based in the USA.⁴⁷ These groups are privately funded but often operate in collaboration with the OAS. This organizational association and home base status contribute to the impression of these organizations as agents of the USA rather than as independent non-governmental organizations. Finally, there are several local groups that observe elections as domestic initiatives.⁴⁸

DOMESTIC VERSUS INTERNATIONAL

While the traditional agents of election observing have been international and interregional organizations, these and other domestic observation groups have become key players in observation efforts. The

increased and often combined presence of local and international observers has contributed to the debate concerning which group commands a greater role.⁴⁹ In general, international observer groups would seem to have a clear advantage because they usually have stronger reputations, greater financial resources (hence sustainability and continuity), more democracy expertise and experience, technical competence and logistical capacity. Internationally organized efforts have the resources to quickly establish and dispatch observer missions with the necessary training and experience in most relevant areas including election legislation, electoral audits, parallel vote counting and other technical areas that facilitate the smooth implementation of an observer mission.

In contrast, domestic observer missions tend to be lacking in most of these fundamental areas of financing, technical and logistical support.⁵⁰ Some citizens groups are inexperienced, have little or no technical expertise, and in some instances bureaucracies further hinder the implementation of their efforts. Added to these likely resource deficiencies, local observer groups have a difficult time convincing the public of their impartiality and neutrality. Confidence in international teams is normally a function of the groups' records of accomplishment, reputation and legitimacy and distance from day-to-day activities in the country.⁵¹

Domestic initiatives, on the other hand, are prone to a number of deficiencies. They are often criticized as being less objective and predisposed to be affected by their history and political processes. Citizens groups also confront the challenge of convincing their populations and the international community of the integrity of their intentions. Much scepticism is often directed to these groups because they are often motivated by the desire to change the status quo. They are therefore not always well received by governments and the relevant electoral agencies.⁵²

The debate does not close with the advantage skewed entirely towards international observation groups. These groups are often criticized because of their lack of roots or permanency in the countries in which they observe elections. Domestic observers have an advantage in this respect as they remain in the country following elections and may continue to observe the repercussions and implications of the entire political process regardless of the outcome of the elections. Their deeper knowledge of the political process and ability to employ larger numbers of observers also place them in a better position than international groups. International observer missions usually leave a number of days after

the election and from there on remain outside of the country's political milieu, a fact which makes their sustained contribution to a country's electoral system highly unlikely. Some international observer groups have acknowledged this limitation and now supplement short-term observation with long-term observer groups or by establishing offices in the host country for follow-up support and activities.

But this discussion concerning the relative advantages and disadvantages of international and domestic observing groups is not intended to suggest that the groups should operate in a mutually exclusive manner.⁵³ Chand posits that, in the end, the two are complementary forces that produce a synergistic outcome. Both non-partisan domestic groups and international observer groups contribute significantly to the institutionalization and consolidation of democracies.⁵⁴ The interaction between these diverse actors is essential because the activities of one will reinforce and supplement the shortcomings of the other actor.

This is particularly important when considering the coverage that both types of observer groups are able to provide. Generally, local groups have more observers than international observer teams. The number of observers fielded has often determined whether teams are stationary or roving. In this regard, since local groups are able to deploy more observers they usually remain in one polling station for the entire Election Day or at least a greater portion of the day. This approach provides more consistent presence than international observers who are usually in smaller numbers and move around from one polling area to next, staying for much shorter periods.

In several cases, there have been at least two election observer groups working together. In the 1990 Nicaraguan elections, there were missions from the UN, the OAS and the Council of Freely Elected Heads of Government⁵⁵ as well as a local observer group, *Etica y Transperencia*. Citizens Action for Free and Fair Elections (CAFFE) in Jamaica and the Electoral Assistance Bureau (EAB) in Guyana are the two important local non-governmental organizations that observed elections alongside, albeit independently of, international teams. This multiple involvement of actors has its advantages. Domestic groups are usually more capable of providing a larger number of observers than international missions. This is an important factor as it improves the level of coverage in a country on Election Day. Also, where both groups offer compatible conclusions on the outcome of an election, this may enhance the credibility of both actors and reduce the likelihood of conflict and chaos. Opposition parties

and the public are also likely to be more receptive to the conclusions of observer groups when they offer similar assessments of the electoral outcome. This credibility enhances and magnifies the role of domestic groups in election-related activities which may occur between general elections and assists in garnering long-term civic support for free and fair elections.

Finally, the attention given to the importance of domestic groups must be extended from merely acknowledging their importance as complementing the work of international observers. The debate concerning the link between civil society and democratization suggests that the co-ordination and support of local movements in electoral affairs play an important role in fostering democracy.⁵⁶ The participation of domestic observers may, in this vein, be seen as a necessary part of the political process if democracy is to be sustainable. Co-ordination between international and domestic observers is therefore crucial and not simply an option or preference. On a practical note, in the light of the increasing reality of limited funding for international observer missions, domestic initiatives may be forced to take more responsibility and greater initiative in observation activities. Moreover, donor agencies may find it more affordable to fund local initiatives and therefore channel more of their resources in this area.⁵⁷ It must be noted, however, that it is unlikely that international observers will be replaced by local observers until there is consensus that a country's elections have reached acceptable standards.

STATES

Many states have promoted democracy as part of their foreign policy agenda. The USA, UK, Sweden, France and other Western powers have espoused the view that democracies remain peaceful among themselves and generally do not go to war.⁵⁸ Increasing the number of countries that have democratic political systems is therefore in this view, the best strategy to achieve world peace and stability.⁵⁹ The USA has been one of the most assertive, albeit inconsistent promoters of democracy in varying degrees over the last 50 years.

At the international level, the USA has helped steer the policy of the United Nations, the OAS and other international organizations. In all these institutions, the USA has been instrumental in promoting the idea of support for democratic governance. The mandate of the US State Department's Bureau of Democracy, Human Rights, and Labour

includes the promotion of “democracy as a means to achieve security, stability, and prosperity for the entire world”.⁶⁰ In doing this, the Bureau is also committed to identifying and denouncing regimes “that deny their citizens the right to choose their leaders in elections that are free, fair and transparent”.⁶¹

One noticeable feature of the US policy of democracy assistance is inconsistency in application. Democracy promotion has often been abandoned where it is superseded by other foreign policy interests. So, for instance, while different administrations promoted the importance of democratic values, it has not been uncommon for the USA to support non-democratic or authoritarian regimes in some countries such as Pakistan, or to ignore them elsewhere—Saudi Arabia, China.⁶² This issue has raised questions concerning the philosophical thinking behind the democracy assistance programmes of the USA and other Western countries. It has also created substantial cynicism suggesting that such efforts are merely the reflection of *realpolitik*.

ASSESSING ELECTIONS

Elections as Central to Democracy

One of most obvious roles of the election observation agenda is to evaluate the election process. It is widely accepted that elections are but one of a number of components considered necessary for an effective democracy.⁶³ They are a pivotal part of the democratization process not only for transitional governments but also for those with more established democratic traditions. And although elections are arguably not always the most important element, they are the most obvious and frequently used gauges of a country’s political process.⁶⁴ The prominence given to elections, and the accompanying emphasis on their importance, may often create the impression that elections are the sole prerequisite of a democratic system. However, if one departs from the conventional goal-oriented definition of democracy and adopts an approach that pays greater attention to democracy as a process, this tendency may be reduced.⁶⁵

The process-oriented approach, which examines, among other things, the legislative, institutional, and procedural aspects of democracy, encourages an appropriate focus: in this approach, elections are viewed as one important component of plural democracy, but other factors are

also given due consideration.⁶⁶ Other important institutional prerequisites of democracy include representatives or elected officials; freedom of expression; freedom of access to alternative and independent sources of information; associational autonomy or the freedom to form independent associations or organizations; and inclusive citizenship or the right of access to all rights and freedoms subject to national laws. The debate surrounding excessive attention to the polls persists, but the consensus is that, at minimum, while democracy should be more than a free election, it cannot be less.⁶⁷

This acknowledgment of the centrality of elections is most significantly reflected in the Universal Declaration on Human Rights adopted by the United Nations General Assembly in 1948.⁶⁸ The Declaration states in part that:

... (t)he will of the people shall be the authority of a government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.⁶⁹

The Universal Declaration of Human Rights is a resolution of the General Assembly of the United Nations, and thus, it is not binding in itself. It is suggested, however, that some provisions of this resolution are binding, either as authoritative interpretations of the United Nations Charter⁷⁰ or as rules that provide evidence of customary international law.⁷¹ Thus, although the Declaration may not be binding per se, the pronouncement on the significance of periodic and genuine elections seems to have passed into the corpus of binding international law.

Moreover, the language of the Universal Declaration of Human Rights on this issue has unquestionably been given binding, legal form through Article 25 of the International Covenant on Civil and Political Rights (the ICCPR). Article 25(a) indicates that every citizen shall have the right and the opportunity to take part “in the conduct of public affairs, directly or through freely chosen representatives”. This provision is reinforced by Article 25(b) which affirms that everyone shall have the right:

(b) to vote and to be elected at genuine and periodic elections which shall be universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.

The precise elements of the right to participate in government and comprehensive electoral rights are fully and clearly defined. Governments of diverse political persuasions recognize the electoral process as a central facet of the process of democratization.⁷² This perspective is reflected in part in the numerous requests that the United Nations has received from Member States for electoral assistance. Since 1989, over 140 States, about three-quarters of the organization's membership, have solicited expertise in areas ranging from the drafting of constitutions, and the depoliticization of military establishments, to the encouragement and facilitation of the active participation of citizens in political processes.⁷³ This is in stark contrast to less than five requests per year before 1991.⁷⁴

The United Nations responded to this increased attention and emphasis in General Assembly Resolution 46/137(1991). This provision appropriately reiterates the importance of the poll by acknowledging elections as an integral component of the democratic process. It states:

... periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interest of the governed, and, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms.⁷⁵

The records of the UN and other regional and international inter-governmental organizations therefore underscore the importance of elections in the democratic process and the right of all people to participate in elections.⁷⁶

Within the Caribbean, individual state legislation is not necessarily consistent with these regional and international pronouncements. It might be generally accepted that elections are central to democracy. However, there is no constitutional right to vote in some Caribbean territories. Specifically, Barbados, The Bahamas and Jamaica do not include the right to vote in their constitutions. This lack of protection of the right to vote in these jurisdictions clearly undermines the notion that for these countries, elections are central.

On the other hand, in countries that do not enshrine the right to vote in constitutional form, this right is to be found in other state legislation. So, for example, in Jamaica, the Representation of the People's Act indicates the circumstances in which persons have the right to vote and

the preconditions for the exercise of this right. Further, the Charter of Rights currently under review in Jamaica suggests that the right to vote is to be given constitutional protection. In other words, Jamaica, by virtue of national legislation and constitutional proposals has clearly moved in the direction of giving legal significance to the right to vote as a part of the democratic process.

It must also be noted that the absence of constitutional provisions on the right to vote in some Caribbean countries is the minority position in the region. For instance, Guyana, the country at the Center of this research, is clear on its commitment to the right of citizens to participate in elections. Section 59 of the Constitution accords every person over the age of eighteen to vote at an election. Similarly, Trinidad and Tobago⁷⁷ and St. Lucia⁷⁸ exemplify countries that make provision for a constitutional right to vote. In addition, the CARICOM Civil Charter commits states to the holding of free elections.⁷⁹ It is therefore reasonable to conclude that despite a few theoretical exceptions, the Caribbean views on the significance of elections and the associated rights of citizens to participate are consistent with prevailing international approaches.

FREE AND FAIR

Until the early 1990s, no comprehensive discussion on any aspect of elections was complete without addressing the term “free and fair”. Voters, political parties, the media, academics and other stakeholders in an election would generally anticipate a verdict on whether an election was “free and fair”, “free but not fair”, or “neither free nor fair” even if not entirely clear on the meaning of these phrases. This discussion considers the notion of free and fair elections so frequently mentioned in the literature on democracy and elections. The sharpened focus on elections and the increased scrutiny of the efficiency of their processes has also resulted in a more critical focus on the statements made to assess them. Further, since the main task of election observers is to provide an assessment of the quality of elections, the discussion also examines the use, overuse and avoidance of the term in these assessments. This section traces the origins of the term “free and fair” in relation to elections and briefly critiques various approaches to deconstructing it into tangible, identifiable criteria. It also discusses the development of alternative phrases that provide more comprehensive and realistic assessments of elections.

The “free and fair” catch phrase for observers, journalists and academics is used especially in the context of an assessment of post-conflict and transitional elections. Some of the earliest references appear in comments from the USA regarding the situation in particular Latin American countries. In this context, Bjornlund records the US use of the phrase in projecting the future of Nicaragua in 1927.⁸⁰ Yet even earlier references exist. For example, the US Government offered guarantees in 1913, “of free and fair elections”⁸¹ in the Dominican Republic⁸²; this was not an isolated foreign policy strategy of the USA. A focus on elections was part of a wider US strategy to extend its influence and exert control in the Caribbean and Latin America. Various US representatives mentioned the need for “free and fair” elections in various countries in the region. With reference to Mexico (1920), for example, there is mention of the need for “free and fair elections” amidst an impending revolutionary movement.⁸³ Not long after, the view was expressed that “Haiti (1921) needs a chance of a free and fair election” with no interference by the military occupation.⁸⁴ Similarly, the issue was raised with respect to Honduras (1923) and Nicaragua (1925).⁸⁵

Outside of the context of US policy, the term has appeared, for instance, in the assessment of the United Nations observation of elections in Togoland in 1956 and later in Namibia in 1978.⁸⁶ Since then, it gained momentum as the phrase of choice for stating whether an electoral process has run smoothly or not. As a point of clarification, it must be noted that the USA was involved in these regional elections, and so the concept of “free and fair” elections in the United Nations context is, in some respects, a reflection of the US perspective on political outcomes in these cases. Sometimes this link is identified in order to criticize the USA for its activities in the national affairs of sovereign countries, and in this regard, Chomsky’s famous declaration that “only the most extreme hypocrite would speak of a free election” with reference to Nicaragua (1989) has been given wide publicity.⁸⁷

The “free and fair” assessment evolved as a generic default term commonly used by international observers who were expected to provide a fast and simple description of an election.⁸⁸ The continued tendency to focus on elections in the early 1990s and the subsequent efforts to evaluate if they were free and fair evolved into a sustained mission to formalize and explain this benchmark. A major milestone in this discourse is the *Declaration on Criteria for Free and Fair Elections* adopted by the

Inter-Parliamentary Council in March 1994. It states that “the authority of the government can only derive from the will of the people as expressed in genuine, free and fair elections held at regular intervals on the basis of universal, equal and secret suffrage”.⁸⁹ Although this declaration was preceded by the *Vienna Declaration of Programme and Action* (1993) which promotes assistance “for the conduct of free and fair elections”, it is the first to offer a consensus on a comprehensive set of conditions for and elements of free and fair elections.⁹⁰

At the international level, the UN continued the momentum to emphasize the importance of free and fair elections through a number of initiatives. The first recognizes “periodic, free and fair” elections as an integral facet of promoting and consolidating democracy.⁹¹ The *Warsaw Declaration* (2000) resonates with a similar stance on the significance of “holding regular, free and fair elections”.⁹² From a slightly different angle, a subsequent General Assembly resolution highlights the nexus between “periodic, free and fair elections” and human rights.⁹³ These initiatives consistently reflect the idea that a minimum electoral standard is required for effective and sustainable democracies.

OTHER INSTITUTIONAL PERSPECTIVES

Regionally, a simultaneous wave of declarations and agreements reinforced the focus on free and fair elections. It is interesting to note that the Caribbean has been a pioneer in this respect. The CARICOM Charter for Civil Society was first developed in 1992 and adopted by the Heads of Government in 1997. It indicates that:

States shall ensure the existence of a fair and democratic system through the holding of free elections at reasonable intervals, by secret ballot, underpinned by an electoral system in which all can have confidence and which will ensure the free expression of the will of the people in the choice of their representatives.⁹⁴

Despite criticisms that it “has no legal standing”⁹⁵ and “needs to be legally binding,”⁹⁶ the Charter has steered the region’s policy directives towards issues of improved governance. As Goldberg notes, “CARICOM has placed great emphasis on free and fair elections among its Member States”.⁹⁷

The commitment of the Charter to the development of electoral capacities was manifested in the strategies taken to restore confidence to the electoral process in Guyana. The St. Lucia Statement set out the agenda on how CARICOM planned to proceed to mediate the political conflict in Guyana and stabilize the protracted crisis in the aftermath of the 1997 elections. As this research shows, CARICOM's involvement during this period was instrumental in ameliorating social and political upheaval in the country, despite the previous heavy presence of international observers.

Another alleged weakness of the CARICOM Charter is that it provides no authority for CARICOM to expel from that organization a Member State "which repudiates the democratic process by violence and intimidation".⁹⁸ This is a reasonable criticism of the instrument, with the practical implication that CARICOM has no power to take disciplinary action against its members. On the other hand, the absence of such a provision reflects the conciliatory approach to regionalism which focuses on mediation rather than sanctions, as is evident in the case of Guyana in 1997.

Legler et al. also identify the absence of a mechanism to expel states that violate principles of democratic governance as an institutional shortcoming.⁹⁹ This implicitly makes CARICOM less effective than the OAS since the *Inter-American Democratic Charter* has such provisions. The latter has had the benefit of hindsight to offer more potent provisions. Additionally, the OAS and CARICOM differ considerably in the interplay of power dynamics based on the composition of their members. In other words, the OAS is much more likely to implement and enforce an expulsion clause because of the membership of the USA.

The OAS, the EU and the African Union all offer a strong acknowledgement of the place of free and fair elections. The OAS and CARICOM, in particular, overlap in their activities and policies that reflect "the intrinsic value placed on solid systems of democracy" in the region.¹⁰⁰ This is evident in the active participation of CARICOM members in the OAS and in practice, as several members of OAS observer missions are also CARICOM citizens.

Other regional organizations accord similar significance to elections. The EU, for example, states that elections are an essential part of democracy.¹⁰¹ The EU's current practice has extended beyond its regional policy and Member States to its foreign policy with states and other

regions. This is evident in the provisions of the Cotonou Agreement which links democratization, development and the protection of human rights as “interrelated and mutually reinforcing” elements.¹⁰² These set the stage for the EU policy that their “external relations will be guided by compliance with rights and principles contained in the EU Charter of Fundamental Rights”.¹⁰³ The idea behind these various provisions has not just been theoretical or legal debates as this interrelated agenda has been the foundation of ACP-EU partnerships. As the discussion on Guyana shows, the EU has demanded that the recipients of any developmental assistance commit to improving electoral standards.

The Commonwealth has been steadfast in its promotion of democracy through elections. Like the EU and OAS, this organization has a conditional democracy clause which links the provision and maintenance of technical support to a commitment to democracy. Similarly, the Commonwealth contemplates the expulsion of members that do not meet or respect democratic standards.¹⁰⁴ In accordance with these principles, the provisions of the *Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms* (2002) are painstakingly thorough.¹⁰⁵ This instrument outlines the standards of democratic elections; various aspects of voting rights; specifics of several dimensions of elections including freeness, fairness, openness, and conduct; election observation; documentation and obligations of members.

The AU presents the most recent regional recognition of the importance of elections in the *African Charter on Democracy, Elections and Governance* (2007).¹⁰⁶ This is a radical departure from the previous traditional approaches that focused on sovereignty. The state-centric focus of the Organization of African Unity (OAU) Charter did not contemplate a role for democracy.¹⁰⁷ Ngarhodjim purports that this new face of African policy is a response to both internal and external factors. Within the state, there have been greater demands from citizens and civil society for more accountability and representative government. This new focus has also been driven by a need to increasingly fulfil the development conditionalities and requirements from Western governments since the end of the Cold War.¹⁰⁸ The AU’s record in promoting its newly included agenda of governance has been mixed. One outcome of this Charter has been the increased involvement of Member States in the observation of regional elections. This engagement in regional self-governance is a positive development despite criticisms that some missions have hastily endorsed elections as “free and fair”.¹⁰⁹

MEASURING FREE AND FAIR

The meaning and measurement of “free and fair” have been a major source of debate. Goodwin-Gill notes that these key terms “possess no easily verifiable content” and are “used subjectively”.¹¹⁰ It is widely acknowledged that some set of less elusive criteria needs to be established in the determination of what constitutes “free and fair”. Hanf, for example, shares the view that the phrase is “rather nebulous”.¹¹¹ In response, various instruments have offered a standard for electoral standards and their evaluation. Some, such as the Helsinki Accord, outline a simple and basic list of indicators. Others, in their efforts to provide more comprehensive and detailed analyses include several requirements for fulfilling the criteria of “freeness” and “fairness”.

The Inter-Parliamentary Union comprehensively discusses and establishes guidelines for the standards for free and fair elections. These standards include *inter alia*, individual political rights to participate in government, rights of candidates to campaign and have access to the media, the right to vote in secret, the establishment of criteria for registration and the right of candidates and voters to equal security.¹¹² This instrument is helpful in identifying some of the more tangible elements of free and fair elections, or at the very least, in determining which elections are not.

Separately, freedom may relate to “the freedom of a voter to make a choice on a ballot without any undue pressure from any source”, while fairness entails the conditions under which the candidates and political parties can compete in an electoral campaign.¹¹³ Hanf explains fairness to mean that:

... all qualified citizens are entitled to vote and all groups can nominate candidates; that election law is based on the principle of one person, one vote; that all constituencies are equitably constructed; that voting is done secretly; and that assembly, association and campaigning are unrestricted.¹¹⁴

These explanations and disaggregated indicators are intended for practitioners in the field. Many observer groups list a set of indicators as guidelines for members of their teams to evaluate elections. The publication of handbooks for observers is intended to make this task less difficult.¹¹⁵ These publications also operationalize the definition of “free and fair” into several categories and stages of an election. This method is

useful in breaking down the various elements of an electoral process into smaller, practical and identifiable indices that are easier to assess. In an increasing bid to be more precise, and to explain the term “free and fair elections” thoroughly, the NDI has listed as many as twelve indicators of the concept.¹¹⁶

Despite these significant efforts to clarify the meaning of “free and fair”, the results have not fully simplified the task of observers. Most agree that it is difficult to translate even the best of these technical and theoretical explanations and clarifications to practical and logistical aspects of observing elections in the field. Some teams still use the term and some of the components and requirements are now clearer but, but application of the concept in practice is still challenging.

Bjornlund states that the “phrase has...tended to obscure rather than clarify”.¹¹⁷ He believes that assessing elections as “free and fair” implies that an electoral process can only pass or fail. Quite along the similar lines of the feminist critique of the opposing dualisms in traditional International Relations theories, Bjornlund rejects the suggested dichotomy in electoral standards. Instead, he suggests that elections are better “judged along a continuum and placed in context”.¹¹⁸ It is now a widely held view that “free and fair” represents a “black-and-white assessment” that is “insufficient to describe the complexity of an election process”.¹¹⁹ Such an evaluation may lessen the tendency to reduce an election to the overused and imprecise phrase “free and fair”; on the other hand, it does not facilitate the type of sharp, definitive conclusion that governments and opposition forces may wish to have made about their elections.

The problematic nature of the term has resulted in many teams quite aptly avoiding its use. As noted above, the Commonwealth has since 1992 opted instead to state whether an election expresses the will of the people. Other groups such as the EU and NDI have adopted a similar approach but this decision to avoid the term in assessing elections has met with mixed reviews.¹²⁰ Mair, for instance, does not agree with the use of alternative assessments.¹²¹ On the other hand, Clark¹²² believes that it is more appropriate to judge elections with reference to minimum standards and prefers a ranking on how acceptable they are. In the final analysis, most expectations are met if observers report on the basic issues of participation, access and standard. The various approaches to assessing Caribbean elections are considered in greater detail in the review of observation in the Commonwealth Caribbean in Chap. 5. More specifically, observers must say if citizens were able to express their choice

in an election that met minimum administrative standards in a peaceful and orderly atmosphere. Beyond these baseline indicators, observers are well guided if they outline the shortcomings of the process in relation to international best practice.

THE CONDITIONS FOR AND PURPOSES OF ELECTION OBSERVATION

Conditions

First Elections

The practice of international election observation emerged in a historical context of overseeing elections in non-independent States and in self-determination exercises.¹²³ The context of observation has expanded beyond this mandate and there are a number of views concerning which political scenarios are appropriate for the activity and which preconditions are necessary to make observation worthwhile. To begin with, most scholars agree that observation is meaningful, if not a condition, in three basic, but not mutually exclusive circumstances. There is consensus on the viability of observer missions in “first elections”. McCoy et al. state this as the “most visible and significant role for international actors”.¹²⁴ These elections may be the “first” in which opposition groups are competing or the first effort towards a democracy.¹²⁵ They may also be first elections as an independent State as in the case of some countries the Commonwealth of Independent States (CIS), after the collapse of the Soviet Union.¹²⁶ Election observers may also observe elections in States that have emerged as a result of decolonization, secession or from the dissolution of federations.¹²⁷

Post-conflict

The second area of wide agreement for the participation of international observers is in elections that are held after a prolonged period of conflict. Where there is likely to be civil violence in an election, the presence of observers is important to guarantee the security and safety of participants.¹²⁸ Elections are very likely to be tense when they occur in the “reconstitution of war torn societies” and after protracted internal conflict.¹²⁹ Observers are particularly significant, if the elections to be held are part of a peace initiative or package, as hostilities and deep-rooted

distrust are still likely to be present and conflict mediation and resolution will be critical components during this period.¹³⁰ Even where stability appears likely, elections in post-conflict situations will always have a risk of being volatile events.

Transitional Elections

Another scenario in which the presence of observers is practical is in transition elections from authoritarian rule to a democratic system of governance. The rationale for observers in transitional elections is quite straightforward. The presence of observers can legitimize the electoral process on two dimensions as discussed in the preceding section. Observers can also be part of a wider programme of logistical and technical support in these elections.¹³¹

Administrative Support

In addition to these main circumstances widely supported by electoral experts, election observation is practical in other cases. McCoy, Garber and Pastor suggest that observation is meaningful where a government lacks the capacity to administer the elections effectively.¹³² Again, election observation is part of a greater package of support, training and guidance.¹³³ Interestingly, though, a growing number of countries that have international observers do not fall into any of these categories—Jamaica, St. Kitts and Nevis, Suriname, St. Lucia, Trinidad and Tobago are neither war-torn, post-conflict, transitional societies or countries holding first elections.

These and other cases indicate a developing trend that is fast creating another set of circumstances that deem international election observation practical. These are countries that have held previous elections and have a relatively mature democratic tradition. The problem with these cases is that there are specific features of their political culture that threaten the political system. These elements may be racial divisions, political tribalism and patronage or where one political party has held on to power for a long period by questionable tactics. It must be acknowledged too, that with the growth of the industry of election observation, some countries will agree to the presence of outsiders simply to confirm to the international community that their political and electoral systems are viable.

Sovereignty and Power

Election observation in independent nations has not been fully embraced by all countries because it involves the often-resisted involvement of

external actors in the internal affairs of a country. In recent years, however, relatively stable countries such as Antigua and Barbuda have invited various groups to observe their elections. Some are quick to note that even the USA, regarded by some as a model for democratic governance, has had international observers.¹³⁴ One should hasten to note, however, the glaring difference in scale between the observation of US elections by a team of visitors invited as part of an educational programme, sponsored and financed by the US government on the one hand, and a team of observers from the USA, financed by its home government passing judgment on the “freeness and fairness” of elections in Jamaica or Guyana, for instance. This inclusion of the case of the USA cannot be taken seriously and is quite disingenuous as the country has never invited or had international observers in real definitional terms.

Generally, a state’s dominance in international relations might shield it from the application of sanctions by external actors. However, it does not absolve it from being accountable in its adherence to basic electoral standards and guidelines. This makes the observation of elections in countries such as the USA more than a theoretical exercise. This need to be mutually accountable was further reinforced in May 2010 by the observation of British Parliamentary elections. Elections in the UK and other developed countries including the USA have previously been observed by the Organization for Security and Co-operation in Europe (OSCE) through a standing institutional arrangement that allows for the participation of each of the more than fifty-five Member States in the observation of each other’s elections.¹³⁵ Although this observation is conducted by members of other states, the membership is primarily from Europe and North America with some states transitional states from Asia. The OSCE does not have full members from Africa, Latin America or the Caribbean.

The observation of the British elections by a team drawn from the Commonwealth was the first time that developing country observers were allowed to observe an electoral process in the UK.¹³⁶ This team included persons from Jamaica, Nigeria and other developing Commonwealth states, and although the terms of reference were slightly different from traditional missions, the notion of international scrutiny was sharply evident.¹³⁷ Overall, these elections ran smoothly. However, the observers commented that there were administrative problems that one would not expect “to see in one of the world’s oldest democracies”.¹³⁸ The observers concluded that they were impressed with the levels of trust and honesty in the electoral process, but were concerned

that the system was vulnerable to abuse and was “corruptible”.¹³⁹ These instances of observation reinforce the view that “no democracy, however old, is infallible”.¹⁴⁰

International election observation has been justified on a number of grounds. Countries are willing to accept this external presence in elections that traditionally have been viewed as a national activity which local election bodies should be able to administer efficiently. However, the reality is that where international observers are invited or suggested to go, the political processes usually require tangible assistance in their administration, or there is so much tension and distrust among the main contenders that the presence of an experienced third party is necessary.

In addition, several members of the voting population may be fearful to participate in the electoral process because of violence and or intimidation and may find comfort and gain confidence in the process with the knowledge that the election is under international scrutiny. Generally, then, there are a number of benefits that various actors or stakeholders in a country’s political system may derive or believe they will derive from the presence of international observers. Admittedly, these benefits, including the maintenance of aid packages or development assistance packages being under threat of suspension if observers are not “invited”, should reasonably exceed the disadvantage of having one’s national pride and sovereignty ignored.

Purposes

International and Local Legitimacy

The main role of observers is to legitimize an election or electoral process—both nationally and internationally.¹⁴¹ The decision to invite observers and their positive verdict on the conduct of the poll is a clear indication to the rest of the world that a party has won the election and is legitimately in power. In effect, when observers state that an election has been “free and fair” or has been run smoothly, their pronouncements provide an “insurance certificate” of the legitimacy of that process.¹⁴² Observers therefore lend credibility to the electoral process. Placing an election under the scrutiny of international observers often informs the international community of its fairness.¹⁴³ Observation also provides the opportunity to assess the legitimacy of the process and outcome of elections.¹⁴⁴

On the national plane, observers can legitimize an electoral process by keeping the opposition in the race.¹⁴⁵ In the pre-election phase and on polling day itself, the presence of observers can provide assurance to opposition parties that minimum standards will be achieved in the electoral process and that there will be a level playing field for themselves as well as the ruling party. Opposition parties may feel more confident that unfair practices on the part of the incumbents will be less likely to occur under the scrutiny of observers.

Observers may also play an integral role in legitimizing an electoral process in its aftermath. This role may be equally beneficial to the ruling party and the opposition. In an election where there is a ruling party victory that may be doubtful, observers may confirm the authenticity of the outcome and defray tensions and resistance from opposition parties.¹⁴⁶ The role of observers is particularly useful in this regard, as they can certify the results of an election where there is deep distrust of the ruling party by those in opposition.

This role is fully appreciated even by incumbents who are hostile to observers, as they believe that the presence of observers can guarantee their place in government. Such is the case when incumbents are particularly confident of winning, and the certifying of these election results by observers convinces the international community and opposition parties that the process was legitimate.¹⁴⁷ This position is potentially harmful and may yield undesirable results. In some cases the ruling party may be so sophisticated in their manipulation of an election that observers do not detect any fraud. In others, observers may be insufficiently trained or lack the necessary experience to be able to effectively assess the freeness and fairness of an election, therefore causing a number of irregularities to pass without notice.

On the other hand, observers may validate an electoral outcome by confirming an opposition victory and encouraging incumbents to accept defeat and the results of the election in general.¹⁴⁸ In cases where the government is reluctant to rescind power or does not acknowledge the election result, observers may declare fraud.¹⁴⁹ In general, therefore, the presence of observers may foster an electoral environment which will inspire confidence in political parties that they may participate on fair and equal terms. Their presence may also influence governments and opposition parties to act in accordance with the will of the electorate as reflected in the poll and therefore accept the results.

Psychological Support

The presence of observers in an election may also provide well-needed psychological support for various actors in the process.¹⁵⁰ The noticeable presence of international observers may be interpreted as the manifestation of the international community's support and solidarity for the elections.¹⁵¹ As a result, observers may reassure participants of the secrecy of the ballot and the efficacy of the entire process.¹⁵² This function is quite similar to providing legitimacy to an election and provides some assurance to opposition parties that their participation will not be in vain, and will proceed on fair grounds. Election observation may therefore facilitate confidence building for opposition parties.¹⁵³

But what good are elections if large pockets of the electorate are unwilling or refuse to vote for various reasons? In this respect, the presence of observers may inspire voter confidence. McCoy suggests that one of the positive effects of observers is a possible increase in voter turnout.¹⁵⁴ Members of the electorate who would like to vote, but are fearful of intimidation or violence, are more likely to turn out if they believe that their safety is not at risk. In addition, persons are more likely to vote if they can be reasonably confident in the validity of the election—that is, that their votes will be counted, that others have not voted for them and that there is generally no rigging of the election.¹⁵⁵ In another sense, observers can raise public confidence in the election process by fostering voter awareness, thus making individuals believe that their participation is important and thereby reducing voter apathy.¹⁵⁶

Deterrent

One of the main reasons for inviting international observers to watch an election process is that there have been problems with previous elections in that country. Among the most serious violations are acts of violence, voter intimidation and widespread fraud. Observers are often thought to be effective in preventing and discouraging many of these and other undesirable acts during a country's electoral process. Deterrence is therefore a critical function of election observation as the threat of exposure of abuses to the international community can reduce the probability of the occurrence of irregularities.¹⁵⁷ Likewise, the uncovering of electoral irregularities is likely to raise questions about the legitimacy of the winning party within the international community.¹⁵⁸

In addition to preventing violence and intimidation, the presence of observers may discourage acts of electoral fraud or plans to rig an

election.¹⁵⁹ Observation may be useful in uncovering rigging in the casting or counting of votes.¹⁶⁰ This role is generally crucial because voting irregularities may shape the overall results of the poll. It is especially important to detect and expose fraud in close elections or where the expected margin of victory for a particular constituency or polling division is quite narrow as this may affect the expression of the will of the people.¹⁶¹ Moreover, where there are long-term observers, they are often able to identify problems before-hand and add a preventative role to the process.

One should be cautious as to the value of observers in this area as although their presence may initially cause some of those willing to engage in fraud to reconsider their actions, such persons often find innovative methods of “circumventing the new constraints”.¹⁶² This tendency to rig elections despite the presence of observers may relate to individuals, groups of supporters and even governments. The case of Zimbabwe, for example, the 2008 elections clearly illustrate the limitations of observers as a deterrent of fraud. They have shown the international community how once a government decides that it will steal an election, international election observers can go so far and no further.

Mediation

Observers often perform a conciliatory role in cases where tensions exist between parties. This function in dispute mediation and conflict resolution is particularly beneficial in first elections and in societies recovering from civil war and violence such as Haiti and Angola.¹⁶³ There is usually little or no trust between political parties in post-conflict societies, and consequently, when elections are held, even as part of a peace initiative, the results may not be accepted by either party unless there is external validation of those results.¹⁶⁴ Observers are sometimes able to defuse potentially volatile disputes by offering advice and providing dispute mediation.¹⁶⁵

Dispute resolution is, however, a highly sensitive issue, for although observers are not expected to be passive spectators to conflicts, their intervention may be resented by local actors. Even in cases where they are invited to mediate, observers must be particularly careful that their approach does not jeopardize or violate the integrity and impartiality of their mission.¹⁶⁶ In fact, observers should refer conflicting parties to suitable dispute settlement mechanisms as their participation in any peace brokering or similar process will pull them out of their terms of

reference. Furthermore, the mediation by observers in this regard cannot reasonably ameliorate conflict in all cases and may in fact only deepen existing conflict in some.¹⁶⁷

There are some cases which are not as extreme as post-conflict societies but where there is sufficient political tension to cause concern. Mair offers four classical scenarios that may be appropriate for international observers. These include the creation of a new state, the end of a civil war, the transformation of a political system, and where there is internal tension.¹⁶⁸ The presence of observers may be helpful in such instances by defraying tensions between political parties. Their presence may also encourage participants to adhere to honest and legitimate electoral procedures and therefore reinforce democratic procedures in a fairly mature democracy that seems to be backsliding or in transitional countries experiencing problems.¹⁶⁹ This role departs from the traditional perception that or envisages a restricted role for observers. Arguably, this view is consistent with the stance that the presence of observers can improve the quality of any electoral process that falls short of being a substantive democracy.¹⁷⁰

The notion of a substantive democracy is of particular interest to Caribbean countries as many regard themselves as having a fairly stable democratic tradition. If one applies Haynes' reasoning, all Caribbean countries would, by default, qualify for international observers. He defines a substantive democracy as "one which extends beyond all formal mechanisms, in which there is a focus on individual freedoms and representation of interests, effective accountability for public officials, equity, justice civil liberties and human rights".¹⁷¹ There could be little debate that many Caribbean countries already fit these criteria, but according to Haynes, there are no "substantive democracies" in the Third World, there are merely façade and formal democracies. In this view, these countries merely possess a "veneer of democracy", but lack the substance and their governments only remain in power through manipulation.¹⁷²

While many developing countries have challenges in their political systems, it is an untenable position to suggest that they all lack a proper democratic foundation and would therefore automatically fall within any of the aforementioned categories that require international observers. At the same time, however, McCoy et al. agree that "even in countries that have held free elections, international observers can play an important role in reducing tensions and in ensuring that the rules of the game are respected by all sides".¹⁷³ These conditions create an opportunity for the

widening of the net of countries that may have international observers to include the relatively well-developed and stable democracies within the Commonwealth Caribbean.

Development of Democratic Principles

More generally, election observation may foster the development of democratic principles and values upheld and codified by several international and regional organizations. For one, the practice may assist in the creation of democratic institutions by the strengthening of the administration of elections according to the guidelines and codes of conduct established by various international and regional organizations.¹⁷⁴ Secondly, the appropriate emphasis on elections also promotes the principle of holding periodic and genuine elections enshrined in the Universal Declaration of Human Rights and in the ICCPR.¹⁷⁵ Elections, in this sense, are seen as the critical instrument of democracy and not simply as an emblematic gesture of reassurance.¹⁷⁶ As Powell suggests, “there is widespread consensus that the presence of competitive elections, more than any other feature, identifies a contemporary nation-state as a democratic political system”.¹⁷⁷ This is a reasonable stance to take, provided one acknowledges the coexistence of other instruments of democracy such as appropriate legal systems, institutions and procedures.¹⁷⁸

CONCLUSION

The decision to have international observers may provide a number of benefits to the country that is holding elections. Observation may legitimize an election process and results on both domestic and international levels; it may also provide psychological support to opposition parties; inspire voter confidence and awareness; deter instances of voter fraud and irregularities; prevent and discourage acts of intimidation and violence; mediate conflicts; foster democratic principles and encourage the respect and promotion of civil and political rights and human rights in general. Overall, international election observation can offer a neutral and impartial assessment of an election and where problems and loopholes are identified, observer teams and their affiliate organizations can offer solutions for improvements in the electoral system of a country.

In some cases, agencies will be prepared to give other forms of assistance as part of a bundle of electoral support, if the government accepts international observers. This is especially so where the final decision to

observe elections is made after a pre-election mission which confirms that there is a basic commitment to administering a clean election. Moreover, if an election is under international scrutiny, and there are no real instances of blatant fraud on the part of the government, donor agencies may be willing to offer technical and financial assistance in future elections and for general improvements in the political system.¹⁷⁹

In the process of executing their mission, observers fulfil roles that may be summarized on two levels—local and international. Observers perform an important domestic purpose within the country that is holding elections. Their observation of the electoral process “helps to build confidence in the validity of the institutions of elected government”.¹⁸⁰ This confidence building accrues benefits to the various stakeholders in the country—opposition groups, voters, NGOs and incumbents. On another level, observers perform “a legitimating function for the international community, enabling a sound basis for assessing the legitimacy and credibility” of governments.¹⁸¹ This research acknowledges the integral contribution of domestic election observation in consolidating electoral systems. However, it focuses on the dimension of international observation and the dynamics of external validation with which it is associated.

This chapter has examined the history and role of election observation. It has defined the central concepts and evaluated the role of some the main actors involved in the activity. Chapter 3 explores some of the challenges posed by the logistical elements of observing an election.

NOTES

1. International (IDEA), *Code of Conduct for the Ethical and Professional Observation of Elections* (Stockholm: International IDEA, 1997), 7.
2. Pastor, “Monitoring Elections”, 407.
3. *Ibid.*, 7.
4. The UN lists eight possible types of electoral assistance, namely the organization and conduct of an electoral process; the supervision of an election process; the verification of an election process; the coordination of international observers; support for national observers; observation; technical assistance and post-election assistance. See United Nations, General Assembly, *Resolutions on Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections* (New York: United Nations, 1991); United Nations, General Assembly, *Guidelines for Member States Considering the Formulation of Requests for Electoral Assistance* (New York: United Nations, 1992).

5. Pastor, "Monitoring Elections", 7.
6. Ibid.
7. Ibid., 9.
8. George Smith, "Electoral Management: Facilitating Observer Activities", Administration and Cost of Elections (ACE) Project, Accessed 23 June 2006. <http://aceproject.dd.ifes.org/main/english/em/emd01.htm>.
9. For example, the USA, the OAS and the UN observed and supervised referenda in trust and dependent territories as trusteeships between 1945 and 1989, but not in any independent countries.
10. Beigbeder, *International Monitoring of Plebiscites*, 78–79. For further reading on this election and the political history of Romania during this period, see e.g. Ilie Ceausescu, ed., *War, Revolution and Society in Romania: The Road to Independence* (Boulder, CO: Columbia University Press, 1983); Keith Hitchins, *The Romanians: 1774–1866* (Oxford: Clarendon Press, 1996); and Frederick Kellog, *The Road to Romanian Independence* (West Lafayette, IN: Purdue University Press, 1995).
11. Beigbeder, *International Monitoring of Plebiscites*.
12. Ibid., 85. For details on this plebiscite, see Sarah Wambaugh, *The Saar Plebiscite* (Boston: Harvard University Press, 1940). For brief reference, see also C.W. Mowat, ed., *The New Cambridge Modern History. Vol. XII: The Shifting Balance of World Forces 1898–1945* (New York: Cambridge University Press, 1965), 694.
13. Wambaugh, *The Saar Plebiscite*, 89. The monitors of this plebiscite were neutral countries, without a vested interest in the outcome, and offered a guarantee that they would be impartial in their observations.
14. Beigbeder, *International Monitoring of Plebiscites*, 124.
15. Examples include Kashmir, Cameroon, Nauru, Togoland and Western Samoa; see Beigbeder, *International Monitoring of Plebiscites*.
16. The UN has monitored elections in various trust and non-self governing countries such as Namibia, 1989 and Palau, 1990.
17. Bjornlund, *Beyond Free and Fair*, 38.
18. Beigbeder, *International Monitoring of Plebiscites*, 151.
19. David Sylvan and Stephen Majeski, *US Foreign Policy in Perspective: Clients, Enemies and Empire* (New York: Routledge, 2009).
20. Ibid., 70.
21. This was part of a wider US-/UN-led movement in the region which had the support of Colombia, Mexico, Panama and Venezuela.
22. Beigbeder, *International Monitoring of Plebiscites*, 149.
23. Respectively through Resolutions 44/10 and 637.
24. Article 1(2) of the United Nations Charter states one of the purposes of the organization as: "To develop friendly relations among nations based

- on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace". United Nations, *Charter of the United Nations*, 26 June 1945. There have also been a number of General Assembly Resolutions on the question of self-determination. See, e.g., United Nations, General Assembly, 15th Session, *Declaration on the Granting of Independence to Colonial Countries and Peoples*, UN Doc 1514(XV), 14 December 1960; United Nations, General Assembly, 49th Session, *The Importance of the Universal Realization of the Rights of Peoples to Self-determination and the Speedy Granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights*, UN Doc A/RES/35/35, 14 November 1980.
25. United Nations, General Assembly, 45th Session, *Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections*, UN Doc A/RES/45/150, 18 December 1990.
 26. "Requests the Secretary-General to seek the views of Member States, specialized agencies, other competent bodies of the United Nations system and those with specific expertise in this area concerning suitable approaches that will permit the organization to respond to the requests of Member States for electoral assistance". *Ibid.*, Article 10.
 27. Along with the observation and monitoring of elections, the UN provides electoral support for process assistance, capacity building, institution building and system architecture. Report of the Secretary General, *Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections* (2001), para. 30 cited in Bjornlund, *Beyond Free and Fair*.
 28. Other UN agencies involved in the field of electoral assistance include the United Nations Development Programme (UNDP) and the Office of the High Commissioner for Human Rights (OHCHR). Outside of the organization, the UN works with the Commonwealth, the European Union, the Inter-Parliamentary Union, and the OAS, amongst others. "United Nations Electoral Assistance: A System-Wide Endeavor", United Nations Electoral Assistance Division, Accessed 1 July 2004, http://www.un.org/Depts/dpa/french/electoral_assistance/ea_content/ea_un_system.htm.
 29. The United Nations received 363 official requests for electoral assistance between 1989 and 2005, delivering these services in 96 countries. "Overview Information", United Nations Electoral Assistance Division, Accessed 24 May 2006, <http://www.un.org/Depts/dpa/cad/overview.html>.
 30. See, e.g., Peter R. Baehr and Leon Gordenker, *The United Nations: Reality and Ideal* (New York: Praeger, 1984); Brian Urquhart, *The United Nations: Forward or Backward* (Croydon, London: Wyndham

- Place Trust, 1994); and Maurice Bertrand, *The United Nations: Past Present and Future* (London: Kluwer Law International, 1997). See also South Center, *For a Strong and Democratic United Nations: A South Perspective on UN Reform* (London: Zed Books, 1997).
31. “Overview of The Commonwealth”, Commonwealth Secretariat, Accessed 24 May 2006, <http://www.thecommonwealth.org>.
 32. “Singapore Declaration of Commonwealth Principles 1971 (issued at the Heads of Government Meeting in Singapore, 22 January 1971)”, Commonwealth Secretariat, Accessed 4 July 2000, http://www.thecommonwealth.org/Internal/20723/32987/singapore_declaration_of_commonwealth_principles/.
 33. Commonwealth Secretariat, *Harare Declaration Adopted by the Heads of Government in Harare, Zimbabwe, 20 October 1991* (London: Commonwealth Secretariat Library, 1991).
 34. *Ibid.*, Article 9.
 35. *Ibid.*
 36. Commonwealth Secretariat, *Millbrook Commonwealth Action Programme on the Harare Declaration* (issued by Heads of Government at Millbrook, New Zealand, 1995).
 37. For example in St. Vincent and the Grenadines in 2001.
 38. Dundas, *Observing Elections*, 47.
 39. For example in Zambia (1991), Kenya (1992), Guyana (1997) *Ibid.*, 59.
 40. See, for example, “OAS Electoral Missions, 1962–1989”; “OAS Electoral Observation Missions, 1990–2000”; and “OAS: Current Missions”, Unit for the Promotion of Democracy, www.upd.oas.org/EOM.
 41. The EU has observed 17 elections in 11 African states and 12 elections in 19 Asian states.
 42. European Commission, *Communication for the Commission on EU Election Assistance and Observation* (Brussels: European Commission, 2000), 8.
 43. *Ibid.*
 44. *Ibid.*, 4.
 45. *Ibid.*, 5.
 46. Sharon Lean, “External Validation and Democratic Accountability”, in *Promoting Democracy in the Americas*, ed. Thomas F. Legler, Sharon Frances Lean, Dexter S. Boniface (Baltimore: Johns Hopkins University Press, 2007), 152–174.
 47. For further information on these and other organizations, see Beigbeder, *International Monitoring of Plebiscites*.
 48. National Citizen’s Movement for Free Elections (NAMFREL) in the Philippines, Citizens’ Action for Free and Fair Elections (CAFFE) in Jamaica and the Electoral Assistance Bureau (EAB) of Guyana.

49. For an analysis of international versus domestic observation efforts, see Neil Nevitte and Santiago A. Canton, "The Role of Domestic Observers", *Journal of Democracy* 8, no. 3 (1997): 47–61.
50. National Democratic Institute for International Affairs, *NDI Handbook: How Domestic Organizations Monitor Elections: An A-Z Guide* (Washington, DC: National Democratic Institute for International Affairs, 1995).
51. See, Nevitte and Canton, "The Role of Domestic Observers".
52. Carothers, *Assessing Democracy Assistance*.
53. Nevitte and Canton, "The Role of Domestic Observers".
54. Vikram K. Chand, "Democratisation from the Outside in: NGO and International Efforts to Promote Open Elections", *Third World Quarterly* 18, no. 3 (1997): 543–562.
55. See, Carter Center, *Observing Nicaragua's Elections, 1989–1990* (Atlanta: Carter Center, 1990).
56. Olle Törnquist, "Making Democratization Work: From Civil Society and Social Capital to Political Inclusion and Politicization: Theoretical Reflections on Concrete Cases in Indonesia, Kerala and the Philippines", in *Democratization in Third World: Concrete Cases in Comparative and Theoretical Perspective*, ed. Lars Rudebeck, Olle Törnquist and Virgilio Rojas (New York: St. Martin's Press, 1998), 138.
57. See, for example, Marina Ottaway and Theresa Chung, "Toward a New Paradigm", Elizabeth Spiro Clark, "A Tune-Up, Not an Overhaul", E. Gyimah-Boadi, "The Cost of Doing Nothing", and Irena Lasota, "Sometimes Less is More", *Journal of Democracy* 10, no. 4 (1999).
58. See, for example, "Statement to the International Democrat Union, by Prime Minister Margaret Thatcher, June 24, 1983", Margaret Thatcher, Accessed 6 May 2008, <http://www.margaretthatcher.org/speeches/displaydocument.asp?docid=105407>. "*The free nations are peaceful nations. Democracies have had to defend themselves several times in this century. But they have never fought one another. Do not let the enemies of freedom cause us to forget that simple but most invigorating fact of recent history*"; "Bush: Iran Threatens World Security", Cable News Network (CNN), Accessed 6 May 2008, <http://www.cnn.com/2008/POLITICS/01/13/bush.mideast.speech/>: "*We know from experience that democracy is the only system of government that yields lasting peace and stability*".
59. For more on this, see Thomas Carothers, *Aiding Democracy Abroad: The Learning Curve*, (Washington, DC.: Carnegie Endowment for International Peace, 1999); Cox, Ikenberry and Inoguchi, eds., *American Democracy Promotion*.
60. "Democracy", US Department of State, Accessed 24 April 2008, <http://www.State.gov/g/drl/democ/>. See also Paula J. Dobriansky, "Democracy Promotion: Explaining the Bush Administration's Position—The Core of US Foreign Policy", *Foreign Affairs* 82, no. 3 (May/June 2003): 141.

61. "Democracy".
62. For comment, see, e.g. John W. Dietrich, "US Human Rights Policy in the Post Cold War Era", *Political Science Quarterly* 121, no. 2 (2006): 269–294.
63. See, e.g., David Beetham, *Democracy and Human Rights* (Cambridge: Polity Press, 1999); Martin Harrop and William Miller, *Elections and Voters: A Comparative Introduction* (London: Macmillan, 1987); Richard S. Katz, *Democracy and Elections* (New York: Oxford University Press, 1997); Lawrence LeDuc, "Elections and Democratic Governance," in *Comparing Democracies: Elections and Voting Global Perspective*, ed. Lawrence LeDuc, Richard G. Niemi and Pippa Norris (Thousand Oaks: SAGE, 1996), 343–363; and G. Bingham Powell, *Elections as Instruments of Democracy: Majoritarian and Proportional Visions* (New Haven: Yale University Press, 2000).
64. Generally see, e.g. Fareed Zakaria, *The Future of Freedom: Illegal Democracy at Home and Abroad* (New York: W.W. Norton, 2003); John B. Judis, "Putting Liberty First: The Case against Democracy", *Foreign Affairs* 82, no. 3 (2003): 128.
65. There have been extensive debates about, inter alia, the definition, nature and elements of democracy. In this context, Lipset's definition "as a political system which supplies regular constitutional opportunities for changing the government officials, and a social mechanism which permits the largest possible part of the population to influence major decisions by choosing among contenders for political office", would seem to cover all grounds. See Seymour Martin Lipset, *Political Man: The Social Bases of Politics* (London: Heinemann, 1960). See also Robert Dahl, *On Democracy* (New Haven, Yale University Press, 1998).
66. Robert Pastor, "The Centrality of Elections: A Global Review", *New Perspectives Quarterly* 13, no. 4 (1996): 4–11.
67. *Ibid.*, 6. For a more detailed discussion of these required political institutions, see Dahl, *On Democracy*.
68. United Nations, General Assembly, *Universal Declaration on Human Rights*, 217A (III) (10 December 1948), Article 21(3).
69. *Ibid.*
70. Ian Brownlie, *Principles of Public International Law*, 5th ed. (Oxford: Oxford University Press, 1998), 14–15.
71. See, e.g., Blaine Sloan, *United Nations General Assembly Resolutions in Our Changing World* (New York: Transnational, 1991), 71–77.
72. In addition to elections, other important elements of democracy include accountability, pluralism, the respect for rule of law, protection of minorities, majority rule, respect for fundamental rights and freedoms, and separation of State powers. See Arne Tostensen, Doeke Faber and Karijn de Jong, *Towards an Integrated Approach to Election Observation?*

- Professionalising European Long-Term Election Observation Missions* (Maastricht: European Center for Development Policy Management, 1997); Hildegard Lingnau, *Democratization Processes in Developing Countries and Options for Democratization Assistance by Political Foundations* (Maastricht: European Center for Development Policy Management, 1997); and José Antonio Cheibub and Adam Przeworski, "Democracy, Elections Accountability for Economic Outcomes," in *Democracy, Accountability, and Representation*, ed. Adam Przeworski, Susan Carol Stokes, and Bernard Manin (Cambridge: Cambridge University Press, 1999), 222–250.
73. "Context and Objectives of UN Electoral Assistance", United Nations Electoral Assistance Division, Accessed 24 July 2000, www.un.org.Depts/dpa/ead/website5.htm.
 74. Daniel Prins and Hanno Würzner, "Transition or Tradition? The United Nations, the OSCE and Electoral Assistance", *Helsinki Monitor* 7, no. 4 (1996): 19–31.
 75. United Nations, General Assembly, 46th Session, *and Resolutions on Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections*, UN Doc A/RES/46/137, 17 December 1991, paragraph 3.
 76. These other instruments include, for example, The American Declaration of the Rights and Duties of Man, approved by the Ninth International Conference of American States, 1948, Bogotá, Colombia, Article 20; The 1950 European Convention on Human Rights, Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocol No. 11 Rome, 4.XI.1950, entered into force, 1 November 1988, Protocol I (Article 3); The 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 1965, United Nations, Treaty Series, Vol. 660, 195, Article 5; The American Convention on Human Rights, adopted at the Inter-American Specialized Conference on Human Rights, San José, Costa Rica, 22 November 1969. Article 23; The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, United Nations General Assembly, Article 7. More recent instruments include The Organization of American States, Protocol of Amendment to the Charter of the Organization of American States Protocol of Cartagena de Indias, adopted 5 December 1985, entered into force, 16 November 1988; and Commonwealth Secretariat, *The Harare Declaration*, art. IV. See also, UN GA A/RES/56/154 on *The Respect for the Principles of Sovereignty and Non-Interference in the Internal Affairs of States*.
 77. Republic of Trinidad and Tobago Const. of 1976, art. IV, §51.
 78. Saint Lucia Const. of 1979, art. IIa, §33.
 79. CARICOM Charter of Civil Society, art. VI.
 80. Bjornlund, *Beyond Free and Fair*, 97.

81. US Department of State, *Foreign Relations of the United States 1961–1963, Volume XII, American Republics* (Washington, DC: United States Government Printing Office, 1966).
82. For further reading on this period of US relations with the Dominican Republic, see Bruce J. Calder, *The Impact of Intervention: The Dominican Republic During the US Occupation of 1916–1924* (Austin: University of Austin Press, 1984).
83. “Caranza in Flight, Pursued by Rebels”, *The New York Times*, 10 May 1920, 1.
84. “Needs of Marines in Haiti Denied”, *Christian Science Monitor*, 4 March 1921, 6.
85. “Nicaragua seems to have had a free and fair election”, *The New York Times*, 15 January 1925.
86. Guy S. Goodwin-Gill, *Free and Fair Elections: International Law and Practice* (Geneva: Inter-Parliamentary Union, 1994).
87. Noam Chomsky, *The Boston Globe*, 4 March 1990.
88. OSCE/ODHR, *Election Observation* (Warsaw, 2005), 5.
89. Inter-Parliamentary Union, *Declaration on the Criteria for Free and Fair Elections* (Paris: Inter-Parliamentary Union, 1994).
90. Bjornlund, *Beyond Free and Fair*, 98.
91. UN Resolution GA A/RES/55/96, 2001 on *Promoting and Consolidating Democracy*.
92. UN doc. A/55/328, August 2000, Annex I.
93. GA A/RES/56/154, 2002 on *The Respect for Principles of Sovereignty and Non-Interference in the Internal Affairs of States in Electoral Processes as an Important Element for the Promotion and Protection of Human Rights*.
94. Caribbean Community (CARICOM), *Charter of Civil Society for the Caribbean Community*, Port of Spain, Trinidad, October 1992, art. VI.
95. Miranda La Rose, “CARICOM Civil Charter ‘still not legal,’” *Trinidad Express*, 23 July 2010.
96. Norman Girvan, “CARICOM-Need for a Single Development Vision”, *The Guardian*, 20 August 2006, 3.
97. David M Goldberg, “Haiti 2004: CARICOM’s Democracy Promotion Efforts”, in *Promoting Democracy in the Americas*, ed. Thomas F. Legler et al. (Baltimore: Johns Hopkins University Press, 2007), 180.
98. Caribbean Community, *CARICOM Press Release, St. Lucia PM Urges Colleagues to Amend Charter of Civil Society*, CARICOM, 33/2006.
99. Ibid.
100. Odeen Ishmael, “Significance, Applicability and Potential” (statement of the CARICOM representative to the OAS on the first anniversary of the Inter-American Democratic Charter, September, 2002).

101. See, for instance, European Commission, *Communication for the Commission*, and The Charter of Fundamental Rights of the European Union of 2000, art. XXXIX, §1.
102. European Commission, *Cotonou Agreement: Essential Elements and Fundamental Elements* (Brussels: European Commission, 2002), art. IX, §2.
103. “The EU’s Role in Promoting Human Rights and Democratization in Third Countries.” (2001) cited in *Compendium of International Standards for Elections* (Brussels: European Commission, 2007), 148.
104. Goodwin-Gill, *Free and Fair Elections*, 41.
105. European Commission, *Compendium of International Standards for Elections*, 2nd ed. (Brussels, 2008), 122.
106. European Commission, *Compendium of International*, 70.
107. Samuel M. Makinda and F. Wafula Okuma, *The African Union: Challenges of Globalization, Security and Governance* (New York: Routledge, 2008), 22.
108. Nadjita F. Ngarhodjim, *African Charter on Democracy, Elections, and Governance: A Critical Analysis* (New York: Open Society Institute, 2007), 1.
109. Makinda and Okuma, *African Union*, 36.
110. Goodwin-Gill, *Free and Fair Elections*, 4.
111. Theodor Hanf et al., *Observing Democratic Elections: A European Approach* (Freiburg: Arnold-Bergstraesser-Institut, 1995).
112. Inter-Parliamentary Union, *Declaration on the Criteria for Free and Fair Elections*.
113. Sarah Martin, “What Makes ‘Free and Fair Elections?’”, *Asia Times Online*, 1 March 2000, accessed 6 March 2000, <http://www.atimes.com/c-asia/BCO1AgoZ.htm/>.
114. Hanf et al., *Observing Democratic Elections*.
115. Examples of such handbooks include Council of Europe, *Handbook for Observers of Elections* (Europe: Council of Europe, 1998); International Foundation for Election Systems, *International Observer Manual* (Washington, DC: IFES, 1996); Ron Gould and Christine Jackson, *A Guide for Election Observers* (Aldershot: Dartmouth, 1995); and National Democratic Institute for International Affairs (NDI), *NDI Handbook*.
116. National Democratic Institute for International Affairs, *NDI Handbook*.
117. Bjornlund, *Beyond Free and Fair*, 96.
118. Ibid.
119. OSCE/ODIHR, *Election Observation*, 5.
120. Bjornlund, *Beyond Free and Fair*, 118.
121. See Stefan Mair, “Election Observation: Roles and Responsibilities of Long Term Election Observers” (working paper, no 22, European Center for Development Policy Management, Maastricht, 1997).
122. Clark, “A Tune Up”.

123. See Mair, "Election Observation". The UN/ Electoral Assistance Division lists the following eight goals for international election observation:
1. to serve as a neutral witness in expressing the international community's interest and support for the democratic process;
 2. to raise public confidence in the election process;
 3. to detect and expose fraud and irregularities when they occur;
 4. to assess the relative legitimacy of an electoral process and outcome in accordance with internationally accepted rules;
 5. to enhance the meaningful nature of the electoral process itself;
 6. to enhance the respect for political, civil and other fundamental human rights in accordance with the principles and obligations set forth in international law;
 7. to make an official public assessment of the election and offer suggestions for improving the electoral process in the future; and
 8. to encourage political contestants to accept the results of a legitimate electoral process.

Most authors agree on these objectives, but discuss them in different terms and categories. For example, Mair summarizes the above list to three general functions: conflict resolution, assisting in creating democratic institutions and legitimizing the electoral process. Although this concise categorization may incorporate other elements included in the UN's list and discussed by others, the better approach is not to discuss the role of observation in such a general manner, as this may inadvertently omit some of the more subtle benefits. In the light of this, the various roles of election observation will be discussed in the following areas: legitimisation, providing psychological support, inspiring voter confidence and awareness, deterring violence and intimidation, mediating conflicts, fostering democratic principles and promoting human rights.

124. Jennifer McCoy, Larry Garber and Robert Pastor, "Poll Watching and Peacemaking", *Journal of Democracy* 2, no. 4 (1991): 104.
125. *Ibid.*
126. International IDEA, *Lessons Learnt*.
127. Tostensen, Arne et al., *Towards an Integrated Approach to Election Observation?*
128. McCoy, Garber and Pastor, "Poll Watching and Peacemaking", 104.
129. International IDEA, *Lessons Learnt*.
130. Mozambique and Cambodia are typical of this.
131. Observers have been instrumental in Nicaragua, South Africa and Russia.
132. McCoy, Garber and Pastor, "Poll Watching and Peacemaking".
133. Lithuania, 1996 is a typical example of this.
134. See, for example, Carter Center, *The International Observation of the US Elections* (Atlanta: Carter Center, 1992).

135. OSCE/ODIHR, *Election Observation*, 9.
136. This was not a team from the Commonwealth Organization, per se, but a joint effort from the Commonwealth, the Commonwealth Parliamentary Association and the Royal Commonwealth Society.
137. The terms of reference highlighted provide insight into the electoral processes of the UK, rather than an explicit assessment of the election.
138. Ross Velton, "African Observers Assess UK Election", *British Broadcasting Corporation*, 7 May 2010, www.bbc.co.uk.
139. *Report of the Commonwealth Team of Observers* (June 2010), 8.
140. Christopher Hope, "General Election 2010", *Telegraph*, 7 May 2010.
141. Larry Garber, *Guidelines for International Election Observation* (Washington, DC: International Human Rights Law Group, 1990).
142. Anglin, "International Election Monitoring: The African Experience", 471–495.
143. Jennifer McCoy, "Monitoring and Mediating Elections during Latin American Democratization", in *Electoral Observation and Democratic Transitions in Latin America*, ed. Kevin Middlebrook (La Jolla, CA: Center for US-Mexican Studies, 1998).
144. Mair, "Election Observation".
145. McCoy, "Monitoring and Mediating Elections".
146. This is demonstrated in the cases of Korea, 1987; Bulgaria 1990; Dominican Republic, 1990, Jamaica, 1997, Kenya 2007, Zimbabwe 2008.
147. Jennifer McCoy, Larry Garber and Robert Pastor, "Pollwatching and Peacemaking", *Journal of Democracy* 2, no. 4 (1991): 105.
148. Mair, "Election Observation". Nicaragua and Chile are typical examples of this.
149. This occurred in Panama and Chile.
150. McCoy, Garber and Pastor, "Pollwatching and Peacemaking".
151. Mair, "Election Observation".
152. McCoy, Garber and Pastor, "Pollwatching and Peacemaking".
153. Anglin, "International Election Monitoring".
154. McCoy, "Monitoring and Mediating Elections".
155. Anglin, "International Election Monitoring."
156. Mair, "Election Observation".
157. Anglin, "International Election Monitoring".
158. Mair, "Election Observation".
159. Carothers, "Assessing Democracy Assistance".
160. McCoy, Garber, and Pastor, "Pollwatching and Peacemaking".
161. The Philippines and Panama in 1986 and 1989 is an example of this. Mair, "Election Observation".

162. Ibid.
163. McCoy, Garber and Pastor, "Poll Watching and Peacemaking", 104.
164. See Mair, "Election Observation", and Garber, *Guidelines for International*.
165. Anglin, "International Election Monitoring".
166. Ibid.
167. Mair, "Election Observation". Mair posits that observation is not useful in mediating conflict in the following situations: where the election is not preceded by a peacemaking agreement or the disengagement of warring groups; if political parties reject the election from the beginning; if the election gives exclusive access to political power to one religious or ethnic group over another; and if there are no enforceable sanctions in place to ensure that the results of a free and fair election are accepted by all, or that a fraudulent election is annulled. See also Krishna Kumar, ed., *Post Conflict Elections, Democratization and International Assistance* (London: Lynne Reiner, 1998).
168. Mair, "Election Observation", 23.
169. Carothers, "Assessing Democracy Assistance".
170. See, Daniel Hellinger and Dennis R. Judd, *The Democratic Façade*, 2nd ed. (Orlando: Harcourt Brace, 1994).
171. See, Jeffrey Haynes, *Democracy and Civil Society in the Third World: Politics and New Political Movements* (Cambridge: Polity Press, 1997), 85.
172. Ibid., 86.
173. McCoy, Garber and Pastor, "Poll Watching and Peacemaking", 105. Observers from the Carter Center were able to defuse tensions in elections in the Dominican Republic in 1990, and an OAS observer team played a similar role in Suriname in May 1991.
174. See Mair, "Election Observation".
175. Carothers, "Assessing Democracy Assistance".
176. Powell, *Elections as Instruments of Democracy*, 3.
177. Ibid., 4.
178. Free and fair elections are but one component of a democracy. See, Beetham, *Democracy and Human Rights*, 151–152. Consider, e.g., David Beetham, "Key Principles and Indices for a Democratic Audit", in *Defining and Measuring Democracy*, ed., David Beetham, (London: Sage, 1994), 25–43. David Beetham, "Democratic Pyramid" comprises (a) an open and accountable government, (b) a democratic society, (c) civil and political liberties, and (d) free and fair elections.
179. Mair, "Election Observation".
180. International IDEA, *Lessons Learned Observing Russian Elections 1996*, 3.
181. Ibid.

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The Challenges of Observation: Procedural, Legal and Logistical Issues

INTRODUCTION

Chapter 2 has explored the rationale behind the practice of international observation of elections and has introduced some of the main actors involved in these exercises. States agree to have international observers because they perceive that there are benefits to be derived or because they have little choice in the matter. Observer organizations and countries inviting observers share the responsibility for producing optimal results. The degree of willingness of the government to invite international observers and the receptiveness of the opposition parties, electorate and other groups to have observers will affect the extent to which they may have a positive influence. International observers are more directly accountable in this process because although they are assessing elections they observe, their methods and procedures are also under scrutiny from various critics and stakeholders. They do their part by being professional and being knowledgeable about the electoral process and the political background of the country in which elections will be observed. Overall, the operational and logistical plans and performance of observer teams will strongly influence their contribution to the process particularly since resistance to their presence and apprehension of their role are not only argued from the platform of sovereignty, but on the basis of how observers operate.

This chapter addresses some of the main concerns about the procedural and performance-related activities of international observers.

The shortcomings and problems associated with international election observation are organized around eight main areas. These are largely, but not exclusively, categorized according to the chronological order of various activities and stages involved in an election observation programme—pre-election period, the observation period and the post-election period.

The first area pertains to the legality of the practice of international election observation. Considerations of sovereignty and whether the inclusion of foreign observers in an election are a breach of international law have been widely debated; such considerations also form the basis of the most vociferously and frequently expressed reservations on the use of international observers in particular contexts. The second section is concerned with the prerequisites that have to be met before observers are invited or agree to participate in an election. Arising from the prerequisites is the third issue, which examines the prescribed or suggested ideal scenario for international election observation. This section probes whether there are special cultural and political conditions that make election observation more suited for some countries than for others.

It is the actual procedure of observing elections that prompts the most substantial criticism. Hence, the fourth area concentrates on operational and logistical issues such as the coverage, duration, coordination, level of intervention and size of missions. Fifth, questions concerning the extent to which observers are effectively and reasonably able to detect irregularities or can have a meaningful effect on an electoral process are addressed. The sixth area evaluates the general conduct of international observers and their levels of professionalism and training. The final two areas include the post-election period and weaknesses in the reporting methods, quality and timing of observers. The discussion also inquires if international election observation produces sustainable improvements in a country's political process. The present examination of these areas for consideration provides the context within which to assess the international observation exercises in the Commonwealth Caribbean, and in particular, Guyana.

SOVEREIGNTY AND RELATED ISSUES

In the Westphalian system, sovereignty has traditionally been used as a means of asserting that what transpires within a country is the responsibility of the government of that country. With occasional exceptions,

this meant that there was no foreign intervention in the domestic affairs of States. During the colonial period, imperial powers were always free to intervene in the affairs of their colonies, but there would be resistance if, for example, the French Government sought to interfere in the affairs of a British colony. By the pre-World War II period, some approaches seemed to contradict the idea that non-interference was a corollary of the Westphalian concept of sovereignty. So, for example, Wilson's Fourteen Points included the idea that the nationalities question, primarily in Europe, should be resolved by reference to the will of the people in particular territories. If people in a particular area were not allowed to exercise their self-determination, then the Wilsonian approach would suggest a willingness to intervene.

Following World War II, the UN Charter affirmed the significance of sovereignty, by virtue of Article 2(7). Thus, the UN Charter indicated that in certain circumstances States could intervene in the affairs of others—for self-defence and to ensure international peace and security. But, nothing in the Charter would allow States to interfere with Sovereignty when the issues were purely internal to a State. Matters internal to the State were part of the “reserved domain”, and interference was not allowed for issues pertaining to internal peace and security. The UN Charter also affirmed the sovereign equality of States, an idea which is still somewhat vague, but it clearly implies that sovereignty is important. The respect for sovereignty that is upheld in the Charter has been given support by newly independent States, which are often said to jealously guard sovereignty. There are, too, several declarations by States individually, and in General Assembly resolutions, that support the idea of non-intervention in the internal affairs of States, on the basis of sovereignty.

The most frequently cited reason by governments for opposing the presence of international observers is that the presence of any foreign actors in a country's national elections constitutes a violation of the principle of non-interference in the internal affairs of a State as established by the United Nations. Article 2(7), of the UN Charter, states that intervention is not allowed “in matters which are essentially within the domestic jurisdiction of any State”.¹ Little by little, however, the sovereignty approach in the UN Charter has been breaking down and reconfigured. There has been resistance coming mainly from China, Russia and some developing countries, but this approach suggests that sovereignty should not be used as a shield to support human rights abuses and corruption. Thus, sovereignty has become a matter of serious

contention. In the case of election observation, in particular, the notion that foreigners should be allowed to oversee domestic elections has also posed a challenge. All the main actors involved in election observation have had to contemplate this issue in various ways.

Institutions that observe elections will generally state that observers will only participate if they receive a formal request for assistance or invitation from the host State. The first guideline for international election observers is that they respect the sovereignty of the host country. Hence, “Ethical Principle Number One” of the International Institute for Democracy and Electoral Assistance (IDEA) states that “observers should undertake activities in a country only after they have reached an agreement with the relevant authorities in that country, because acting outside an agreement would imply inherent disrespect for a country’s sovereignty”.² The UN, OAS, Commonwealth, Carter Center and other organizations involved in the field have generally adhered to this first fundamental principle although in some contentious cases there have been debates on the issue.³ In this way, sovereignty is not violated, given that a request implies that the host State has provided its consent.

In practice, though, the sequence of events is often not as simple as outlined. In many instances, host states are pressured into making requests. If, for example, the Commonwealth or Carter Center gives support to the idea that election observation may be helpful in a particular case, this can place pressure on the host state to make a request. Technically then, sovereignty is not violated, but the election observation will proceed as the host state will know that it will not receive international recognition or approval, through aid for example, if it does not allow observers. The host State is often overtly or subtly presented with the argument that it would only want to prevent access to election observers if it has something to hide. When confronted with this argument, most countries will find it awkward to rely on the case of sovereignty as a defence and will therefore eventually succumb to the pressure to invite international observers.⁴ These approaches of receiving, soliciting or even coercing an invitation, seem to circumvent the issue of sovereignty by ensuring that the host State makes an invitation to the election observers. An invitation to observe an election provides these institutions with the supporting evidence that their presence in the host State does not amount to a breach of sovereignty.⁵

The view that an invitation, however obtained, allows the State to retain its sovereignty is not entirely convincing. As Krasner suggests,

“invitations can ... infringe domestic autonomy”⁶ as they indicate that the State does not have the resources to carry out all its domestic arrangements. With specific reference to election observation, the invitation presupposes that the State does not have effective control over its electoral affairs. This approach is not entirely supportable in the context of election observation because in most cases governments may have motives other than poverty or structural weaknesses to invite observers. As noted above, governments may wish to invite observers to lend credibility to their election efforts, or to show that they have nothing to hide, or to get aid from the international community. Krasner’s reasoning is therefore applicable in a limited number of cases but does not provide a helpful position for the broad generality of cases of election observation.

There might, however, be a middle ground between the two positions that an invitation maintains a state’s sovereignty, on the one hand, or that it erodes it. Biersteker et al. propose that sovereignty is a social construct with normative meaning that may change from time to time depending on the interactions of states with each other and with other actors.⁷ In the contemporary context, this construct has certain features that are accepted by States including control over territory, decision-making power, and the power to seek and accept assistance from foreign States or entities. In keeping with this approach, an invitation to foreign entities for election observation assistance is consistent with sovereignty unless the host State did not freely issue an invitation for assistance. If the invitation is not freely given, and the observers come as an imposition, then their presence may constitute a breach of sovereignty in its absolute sense.

There are instances, too, in which a government may initially refuse to invite observers, but subsequently succumbs to pressure from opposition parties, other local actors, other countries, and the international community in general. In rare cases, a country that has refused to invite observers receives sanctions or threats of sanctions from the international community. This has occurred in extreme cases where the country in question has a record of holding fraudulent or violent elections in the past and there are serious concerns about the validity of upcoming elections. The EU announced on January 29, 2002 that it would be freezing assets of President Mugabe and other top ministers in the Zimbabwean government if that government did not, *inter alia*, allow EU officials to observe the next elections. This was the first time that a country had received harsh publicly targeted threats because they had refused to have observers.⁸

Acquiescence to the presence of international observers within the context of so-called developed norms and international pressure is a strong indicator that the issue of sovereignty has been reconciled for the host state. Some constructivists propose that international society is defined by norms and values which in turn constrain actors and their related roles, capacities and authorities.⁹ Along this vein, then, the main actors-states and observer organizations have reformulated the dynamics of their international relations beyond the confines of concerns with sovereignty.¹⁰ This argument implies that states would negotiate the participation of international observers in their elections with limited or no reference to national pride or related issues of sovereignty. In practice, this constructivist analysis has been increasingly applicable as states no longer routinely object to observation as an infringement of sovereignty as they commonly did in the earlier period of observation.

Contending approaches offer alternative explanations of the trend for developing states to increasingly accept international observers. Donnelly, for instance, contemplates whether, in the context of US and Western European influence, the acceptance of human rights norms by developing states is voluntary or coerced.¹¹ It is similarly arguable that the final act of inviting international observers acknowledges the “pressure from materially or culturally dominant powers” and is therefore at the very least, a subtle form of coerced consensus by developing states.¹² This argument is consistent with Krasner’s view that states will compromise their autonomy and accept structures that they otherwise would have rejected.¹³

Developing states will therefore invite international observers even if they would rather not. Some perceive observers as irritants, but necessary ones.¹⁴ So it is not the case that they have begun to operate outside the sphere of contemplating sovereignty. States that accept observers take the strategic decision to pursue the policies and course of action that they rationally conclude to be optimal for them.¹⁵ Thus, the relevance of sovereignty has not been displaced, but remains a central consideration in the theoretical discussion on the role of international actors in domestic politics.¹⁶ What has changed, however, is the rigid configuration of what states previously viewed as infringements of sovereignty. In the final analysis, therefore, “sovereignty...is whatever the relevant actors say it is”.¹⁷ The conclusion that “the international environment is too complex for any set of rules to be applied rigidly across all states” explains why developing states invite observers.¹⁸ In supporting this more fluid conception of sovereignty, Krasner has come full circle and settled in a stance that is unexpectedly more in alignment with a constructivist approach.

Sometimes, even when countries yield to pressure to invite observers, the terms of reference and legislation determining observer activities and functions can prove to be so restrictive that they ostensibly defeat the purpose of the observation mission. Although the Zimbabwean government assured the EU observer team there would be no restrictions on size or duration of their mission for the 2000 election, these and other restrictions were imposed shortly before the elections. So, for example, members of political parties were banned from observer teams, only one member of a team would be allowed at each polling station at any given time,¹⁹ and observers would not be allowed to accompany ballot boxes after polling was completed. Many of these restrictions were lifted at the last minute, but observers from the NDI were not given accreditation, and the UN did not observe the election. The combination of these factors effectively reduced the number of persons observing the election and consequently the coverage of the country.²⁰ The EU reports that these restrictions were imposed because the presence of observers in previous elections constrained the extent of malpractice that was intended.²¹ Subsequently, the 2008 elections in Zimbabwe were run on a similar script with outright hostility from the Mugabe administration towards the very notion of international observers.

This is not to suggest that all States that resist inviting international observers to their elections do so in an attempt to prevent the detection of fraud. Many countries resist international observation on the basis of what they consider to be the upholding of the principle of sovereignty and non-intervention. Furthermore, some persons argue that election observation is the manifestation of an elitist power quest and a perversion of democracy by Western industrialized States even within the scope of constructivist debates on cultural relativism or relevance of sovereignty. They suggest that the practice is a misguided imposition of liberalism's agenda and is an inappropriate model of Western democracy on developing societies.²²

Proponents of observation and democracy assistance programmes, in general, respond that the international community has a responsibility to ensure that the individual rights and freedoms of the citizens of countries are being granted, and that election observation is an appropriate component of such a strategy. Moreover, complaints of cultural imperialism are rebutted with the rhetoric that cultural relativism cannot be a shield behind which to hide human rights abuses in the civil and political sphere.²³ On this count, one cannot miss the opportunity to reiterate the hypocrisy of the asymmetrical application of this approach in the post-Cold War era.

From another dimension of this discussion, the increased intensification in the momentum of election observation has resulted in States becoming less likely to resist the practice on the basis of sovereignty or on any other grounds. The increased number of requests received by the UN, OAS, Commonwealth, Carter Center and other organizations, suggests that States are eager to demonstrate their adherence to democratic norms. Even before the prevalence of election observation, the numerous UN resolutions affirming the right to periodic and genuine elections, created a focus on elections as an important aspect of democracy. This early focus has arguably been part of the process of the formation of an international norm of free and fair elections, though the precise limits of this norm may be open to debate. Moreover, as Cerna and others note, many regional organizations have made “free and fair elections” a precondition for membership.²⁴ Despite the growing shift in the attitudes of countries to have international observers in their elections and the increased willingness of governments to invite observers, the basic rule that observers must receive an invitation is generally respected.²⁵

IDEAL CONDITIONS: ASSESSMENT OF EXISTING ELECTORAL CONDITIONS

Transportation, accommodation, training, *per diem* allowances, technical and logistical support are just some of the expenses accrued in dispatching and maintaining an observation mission. International election observation is obviously a costly affair. Sometimes international organizations are unable to fulfil all the requests they receive to observe elections because of cost and other restraining factors such as limited personnel and technical resources. Occasionally for reasons not only related to cost, organizations refuse to observe elections. This section briefly addresses some of the factors that determine if an organization considers observation to be a worthwhile exercise in a particular election.

INVITATION

The formal invitation to observe an election normally includes details of the elections, the period in which it will take place, accommodation and other domestic arrangements. Most importantly, the invitation will give an indication of the range of authority that observers will have as well as

the accreditation process.²⁶ If the organization is satisfied with these preliminary plans, the invitation is usually followed by an assessment mission to the country. The purpose of the initial visit is to meet with the major political parties, non-governmental organizations, the electoral body, local observer groups and other political actors.

During the assessment mission, the organization will usually examine the general environment of the country such as physical size, terrain, infrastructure, literacy, level of development and other demographic factors. These will help determine the size, duration, composition and specially required skills of the observation team. Other external factors such as the type of election and the legal and constitutional framework of the country will also shape the type of observation mission. For example, an organization is more likely to send a long-term observer team in post-conflict circumstances, than in a more mature democracy with fewer structural problems. The organization will also assess the administrative capacity of the government to have elections, and the role and freedom of the media and other actors in electoral matters.²⁷

A prospective observer team is then likely to measure the features and specific constraints of the local environment against their organizational capacity. Factors such as the need for permanent or specialist observer staff members, necessary professional knowledge and experience, and the number of observers available for the mission will be assessed. In the final analysis, the organization will only deploy an observer mission if it is able to match its capacity and resources with the requirements of the country where elections will be held. This means that one of the main preconditions for observer missions is that the invitation to observe elections must be received in good time. The dispatching organization will require ample notice before the election date in order to carry out an assessment mission and make other proper arrangements.²⁸ Sometimes, observer groups will know that an election is due by a particular time, and inquire beforehand if observers might be requested.²⁹ This proactive approach reduces the likelihood of receiving invitations at too short notice, but may also be perceived in a negative way. The unsolicited proposal for an organization to observe a country's election may be taken at face value but may also be interpreted as subtle diplomatic pressure to have observers. The discussion below considers pre-election issues such as the compilation of voters' lists, minimum standards for observation, logistical issues and the efficiency and professionalism of observers.

MINIMUM STANDARDS

Apart from assessing the above general external factors, an observer team must have the basic assurance that minimum standards exist that will ensure the holding of an election. First, there must be a reasonable probability that the elections will be held under peaceful circumstances.³⁰ This is not to say that observers must be guaranteed that there will be no violence at all, for this would eliminate one of the core reasons for their presence in the first place. However, the main political actors—the opposition and other political parties, electoral administrative body—must have consensus about the holding of elections and give their word that they will refrain from acts or statements that may jeopardize or sabotage the credibility of the electoral process.

The second important precondition is that the existing electoral legislation and regulations meet democratic standards, and if not, that necessary laws will be implemented in time for the election.³¹ If the existing legal framework does not at minimum, facilitate the holding of free and fair elections, it would not be the optimal use of time and resources to have international observers until some of these can reasonably be implemented. Generally, then, there must be some indication that the basic framework for holding elections exists; otherwise, it would be unrealistic to expect there to be free and fair elections, and for observers to declare them as such.

LOGISTICS

It is often assumed that international observers will automatically improve the quality of an electoral process, because they bring with them levels of knowledge, professionalism, and expertise that will make even the worst elections run smoothly. This is not always the case as there are several factors that can adversely affect the methodology and logistics of observer missions.

SIZE AND COVERAGE

In the first place, the size of an observer team is crucial as it will directly determine the level of coverage of an election. Hence, it would seem quite obvious that the more persons there are available to participate in the observation of an election, the better the process will be. To a large

extent, this is true, because the larger the team, the more technical and logistical support will be available and, most important, the more polling stations will be observed. Observers will strive for a minimum level of coverage³² however the more intensive their coverage, the more they will be able to observe in the electoral process. Furthermore, the greater presence will inspire voter confidence and deter intimidation, fraud and violence and generally have a positive effect on the overall proceedings. On the other hand, an influx of teams to observe an election in a small country can also be cause confusion and a duplication of efforts.

TRAINING AND PROFESSIONALISM

Sometimes, however, more is not necessarily better, and a large observation team does not guarantee more effective observation.³³ This is especially so if observers are not adequately trained or professional in their conduct. If this is the case, what results is an infiltration of the process by individuals who are not certain of what processes to watch, where to go, and are generally lacking a clear mandate of their tasks. Hence, too many untrained observers can create more chaos rather than improving the quality of an electoral process. The potential problem of too many observers is exacerbated when there are several observer teams at the same election. Without proper organization, the presence of two or more observer missions in an election can cause the most inefficient use of resources and result in more confusion on polling day. For example, there may be some polling stations that are visited by several teams and others that are not observed at all. This duplication of activities can be avoided if there is some coordination of observer groups to prevent the overlapping of functions.³⁴

DURATION

Another logistical matter that can determine the effectiveness of election observation is the duration of the observer mission. In several instances, observers arrive a day or two before an election and depart the day after. This practice has been severely criticized because it highlights the superficiality of election observation by placing excessive attention on polling day activities. In that way, observers will be able to detect polling day irregularities, but would not have been able to adequately assess the entire process. Carothers notes that this disproportionate emphasis on

Election Day in many instances causes observers to make “overly favourable assessments of the electoral process”.³⁵ This short-term approach fails to account for factors in the pre- and post-election period that can influence the efficacy of the process. So, for instance, short-term observers cannot assess issues of fairness in campaigning such as unequal access to State funds; access to the media; or irregularities in nomination day proceedings, voter registration and other administrative problems that may put one party at an unfair advantage over another.

One does not suggest that every observer mission needs to be long term as this is a very costly approach and should be reserved for the more sensitive cases that may require observer presence for a longer duration, such as, post-war/conflict situations. However, short-term missions may overcome the problem of too much attention on polling day by sending smaller pre-assessment missions and arriving a few days before Election Day. Greater attention must also be given to the pre-election phase in the final reports that observers issue, as many experienced incumbents use this period to try to manipulate the results of the election.

SCOPE OF ACTIVITIES

A final point in the logistics of observer missions is determining the range or scope of the activities they will perform. It would seem straightforward that observers merely sit and watch what happens during the electoral process, but there are some circumstances that may require them to make a greater input. The nature of election observation and the terms of reference under which observers operate dictate that there is to be no intervention in an election process.³⁶ One question that arises is whether observers should allow procedural mistakes to pass uncorrected when a simple statement to an electoral officer about those errors, could rectify the problem and improve the overall quality of the election. Another issue to consider is what course of action an observer should take if she is asked for advice or guidance by an election officer, voter or other individual involved in the election.

Although the principle of non-interference is clear and a central guiding factor of observation, one view is that adherence to this standard should not cause observers to be so detached from the process that they become redundant. Mair cites the example of an international observer in an election allegedly responding to a question with, “We are not here

to think but to observe”, as an unacceptable solution.³⁷ Some situations may require a departure from a strict legalistic interpretation of this basic principle.³⁸ Observers may refer such questions to the relevant authorities, if present, or tactfully point out an error in procedure to an electoral officer or some other person in charge. In doing so, the observer should make her intentions clear and underscore the fact that the final decision rests with the national officer.³⁹ In this regard, the principle of non-intervention “does not prohibit an observer from conveying information that is clearly and unambiguously known to the observer, and that should be generally known to any person concerned in or with the election process”.⁴⁰ In light of the possible practical scenarios that make it difficult and even inappropriate to fully abide by the theoretical rule of non-intervention; observers sometimes exercise discretion during the course of their activities.

PROFESSIONALISM

One of the most frequently cited criticisms of international observers is their inability to identify irregularities and detect voter fraud. Observation is sometimes chided for being superficial window dressing that does not tackle any serious problems and is therefore not an efficient practice. One reason for this criticism is that the practice has attracted many amateurs who do not understand the political system of the countries in which they observe elections, and they do not clearly understand their mandate, and in effect what features and actions to look for.⁴¹ Observation of this type or “electoral tourism”⁴² is often done by high profile groups comprising some individuals who are inadequately prepared or trained for the task. Observers on these missions are hardly interested in the electoral proceedings and appear to be motivated by political curiosity or the wish to show solidarity with their allies or with the political incumbents. This frivolous attitude to observing foreign elections by some, has served to undermine the efforts of other competent, trained and professional observers who are dedicated to the task.

INABILITY TO DETECT FRAUD

Professionalism and adherence to codes of conduct, do not always, however, insulate observers from making similar oversights as those who may lack the necessary seriousness of purpose. Sometimes, the most prepared

observers are not able to detect some instances of fraud and other electoral irregularities.⁴³ This may be due to the fact that some governments and violators of these are so experienced that they find very subtle methods that are very difficult to notice.⁴⁴ In other cases, the electoral process may become so infiltrated with dishonesty and irregularities that even the electoral officials act in collusion with the main perpetrators of fraud. These circumstances make it extremely difficult if not impossible for the most experienced observer to distinguish wrongdoings.

COVERAGE

Other factors such as coverage and lack of consensus on standards may also affect the efficiency of observers in detecting irregularities. There is an obvious link between the coverage and mode of operation of observer missions and their ability to observe the proceedings effectively. It is evident that the greater the number of observers, the greater the coverage of an election. But in countries with large populations and difficult terrain, it is more difficult to attain full coverage, and consequently a large percentage of polling stations remain unobserved. This problem may be lessened by the fact that the population does not know beforehand which areas will be observed, so individuals will be very likely on their guard. One approach that maximizes coverage with smaller numbers is to deploy roaming observer teams, rather than fixed teams that remain in one station for the entire day.⁴⁵ Roaming or mobile observer teams are able to achieve greater coverage by visiting several polling stations in one day. The shortcoming in this method is that there is little to guarantee that offences will not occur after a team has departed from a particular polling station, so the possibility of noticing irregularities decreases.

TRAINING

Arising from the criticism of lack of efficiency of observer teams is the related concern of lack of professionalism and training. If individuals on observer teams do not take the exercise seriously, observation will be performed with even less efficiency.⁴⁶ Many international organizations have tried to ensure that their missions, and others, comprise suitable persons, who have received the requisite training for electoral observation. It is hoped that with proper training and guidelines observers will apply themselves more seriously to the task and be more competent in

their evaluation of an electoral process.⁴⁷ The UN, for instance, provides training and briefing courses for all observers that fall under its mandate in Joint International Observer Groups (JIOGs).⁴⁸ Other organizations such as the Carter Center and NDI provide similar courses for observers on their teams, usually shortly before the observation of a particular election.

OBSERVER GUIDELINES AND BEST PRACTICES

In addition to the support given by the UN, other organizations periodically conduct formal training courses for international observers.⁴⁹ These courses often provide information on the background of international election observation, the importance of democracy and elections and how to conduct observation in a neutral and professional manner. An important supplement to these and other courses⁵⁰ is the growing number of guidelines and manuals geared towards professionalizing observation missions.⁵¹ An examination of these manuals reveals an emphasis on four main principles that are central to competent election observation: neutrality, comprehensiveness, transparency and accuracy.⁵²

NEUTRALITY

The first principle that cannot be overstated is the respect for the sovereignty of the country holding elections. Associated with this fundamental standard is the rule that observers should not interfere with the election process and direct questions and suggestions to election officials and others in position of authority. Observers should be careful to display neutrality and non-bias in their activities and statements; actions such as accepting gifts from political parties, wearing party colours or attending party functions may be interpreted as support for one side and therefore undermine and compromise the impartiality of observers as neutral witnesses of an electoral process.

COMPREHENSIVE REPORTING

The final verdict of observers concerning their assessment of the legitimacy of an election will most likely determine the opposition and international community's acceptance of the winning party. Although a favourable evaluation, *per se*, will not necessarily guarantee an uneventful

post-election period, one that is favourable and more importantly, credibly so, is more likely to receive widespread acceptance and encourage political stability in the aftermath of an election. It is therefore crucial that observers consider all the possible elements and aspects of an electoral process and not make the common shortcut of focusing only on polling day activities.⁵³ While resource constraints may often prevent observers from making an ideally thorough evaluation of the entire electoral process, these and other limitations should be appropriately acknowledged in election reports.

TRANSPARENCY

Transparency in observer intentions and activities and accuracy in the compilation and presentation of data and reports are two ethical principles that must also form the basis of any observation mission.⁵⁴ It is important that observers clearly state their objectives, methods, assumptions and findings of their mission. Political parties, the electoral administration, voters and the public in general, must “know what the observers were trying to achieve in order to evaluate the results of the observation process on its merits, and to determine whether the process was effective”.⁵⁵ Even the slightest misperception, doubt or suspicion of an observation delegation and the nature and methods of its activities and reporting can jeopardize the integrity of the mission. Since persons are generally quite apprehensive of international observers, honesty and openness in the communication of their objectives are therefore fundamental.

ACCURACY

The main implications of failing to achieve accuracy in collection, compilation and reporting of information are quite clear. If any information collected and published by observers is unverifiable or incorrect, the reliability of their conclusions about the electoral process can be substantially undermined. Ambiguous and unsystematically collected data by even a few observers can throw off and discredit the findings of a mission and affect the accuracy and certainty with which an objective assessment of an election can be made. It is therefore important that observers are proficient in the relevant language, understand what features to focus on, and that data collection sheets are simple and straightforward for use and analysis.

In addition to these four core principles of observation, there are other general practical guidelines and basic expectations of election observers. Among these, are the ability to exercise personal discretion and sound judgement, especially in unexpected and sensitive situations. Observers must also abide by the laws of the country at all times and refrain from any personal or unprofessional involvement that may distract from or undermine the purpose of the mission. Finally, observers should desist from making any unauthorized or premature statements on the nature of the politics or electoral process in the host country, as again, these may undermine the credibility of the mission, especially if such statements are in contradiction to the overall findings of the delegation. This is not to suggest that all observers should strive to arrive at similar conclusions, but that any divergent views may and should be incorporated appropriately in formal statements and reports.

REPORTING AND EVALUATION

Perhaps the most tangible and lasting part of international election observation can be seen as the written statements that are published after an election. These include press releases, statements made at press conferences, preliminary reports and the final reports published by the headquarters of the organization. Some of these reports have been criticized on numerous grounds. One common shortcoming that is identified in observer reports is their superficiality. Some reports are so vaguely written, that one is left to guess whether the election met democratic standards. As is shown in the discussion on Guyana, observer reports often analyze several aspects of an election without making a definitive final statement on the entire procedure.

One reason for this ambiguity is that observers often make value judgements and offer very subjective statements on the nature of an electoral process. Although the terms of reference and mandate of the delegation are usually to assess the freeness and fairness of an election, and many expect a definitive statement in this regard, many observer reports are quite inconclusive on the subject. It is therefore not rare to see statements that elections “were a step in the right direction” or that “the spirit...augurs well for the future peace and stability”.⁵⁶ The problems associated with overusing the term “free and fair” have been addressed, but subjective statements of this nature are equally overused and do not provide an objective evaluation of electoral process.

Similarly, vagueness in reporting also leaves room for the reports and statements of observers to be misconstrued. In particular, imprecise observer reports do not serve the interests of a ruling party if there is any doubt concerning the legitimacy of its victory and can produce further tension in the aftermath of an election. Here, opposition parties that wish to dispute the election results can take certain statements in reports and use them out of their context, manipulating them to strengthen their case against the victors. Not only does this untenable scenario precipitate political conflict and tension, but it can also weaken the credibility of the organization that published the report, thus marring its reputation and future prospects for conducting reliable and convincing election observation.⁵⁷

The underlying motives for publishing vague observation reports may sometimes be more tactical than attempting to avoid the catch phrase “free and fair”. The pervasiveness of elements of *realpolitik* cannot be ignored in this area. Some critics⁵⁸ question the political intentions of some observation groups and suggest that they are merely the vehicle of foreign policy strategies of some governments or international organizations. In order to justify aid packages and subsequent support for a particular political regime, verdicts in some observer reports are twisted to suit the objectives of donor agencies. This accusation is difficult to prove, but is not farfetched in the contemporary political milieu.⁵⁹

Sometimes, too, observer delegations make value judgements by not declaring an election fraudulent even if there are substantial irregularities. They will usually avoid stating the obvious problems with the expectation that continued assistance and support will create the necessary improvements. Highlighting the problems, on the other hand, may just perpetuate them. This tendency acknowledges the difficulty and inappropriateness of applying strict Western-style democratic standards to all countries, and therefore makes supportive statements about a regime or political system that seems to be making progress.⁶⁰ Making subjective statements about an electoral process for the “good of the country” departs from the core purpose of election observation to serve as neutral witnesses. However, these assessments are not done in a clinical environment and must therefore sometimes facilitate room for discretion and political sensitivity.

One final concern with election observation has to do with the aftermath of an election. In most instances, observers depart the day after polling following a preliminary Statement on the nature of that election.

The question of the sustainability of election observation arises when there are problems in the post-election period, after these preliminary verdicts are made, which often legitimize a ruling party victory.⁶¹ Post-election tensions can threaten the viability of a democracy as much as a flawed election can, so observers should refrain from making hasty conclusions in a volatile political environment.

This chapter has examined some of the challenges of international election observation. To that end, it has explored a number of special concerns including sovereignty, the invitation of observers, logistical issues, training, professionalism, and the final reports of observer delegations. While there are challenges in logistical aspects of election observation, the development of codes of conduct, best practices and observer guidelines have helped to standardize the process and improve the professionalism and efficiency of observer teams.

CONCLUSION

At the same time, this review has shown that observation does not occur in a uniform cultural, development or social context. Observers enter the field with personal, ideological and other biases and preconceived notions that do not disappear upon reading an observer manual or undergoing a briefing or training. Additionally, the assessment of elections is not a neutral, apolitical process. This is manifested in the subjectivity and diplomatic language applied to the evaluation of many elections. Likewise, the discussion has highlighted how observer reports are susceptible to interpretation and manipulation to suit one agenda or another. It is clear how these elements of subjectivity, partiality and misconstruction threaten the credibility of election observation. However, they force us to acknowledge the reality that election observation is not a sterile activity occurring in an abstract theoretical realm. Moreover, recognizing these challenges helps one to approach the assessment of election observation with a reconciliation of a benchmark of best practices and realistic expectations.

This review is necessary to provide an analytical framework for the assessment of the role and performance of international observers in the Caribbean cases, and Guyana in particular. This chapter has shown that there have been systems of codification and standardization of the procedures of international observation. It has also explored the main issues and difficulties in adherence to some of these in their application in the field. Chapter 4 examines how election observation has developed in the Commonwealth Caribbean.

NOTES

1. United Nations, *Charter of the United Nations*, June 26, 1945.
2. International (IDEA), *Code of Conduct*, 1.
3. See, for example, the 1992 Carter Center observation of the Guyanese Elections as discussed in Chap. 8.
4. This was the case of Jamaica in 1997. See, for example, “PNP Invites Observers: But Not Quite the Kind JLP, NDM Envisioned,” *Gleaner* (Kingston), August 26, 1997. See also “NDM, JLP Flay Observers Decision,” *Gleaner* (Kingston), August 9, 1997; and “No International Observers for Elections,” *Gleaner* (Kingston), August 8, 1997.
5. See, in particular, The *Austro-German Customs Union Case* where Judge Anzilotti’s judgement establishes that a State may delegate some of its authority without losing its sovereignty.
6. Stephen D. Krasner, *Sovereignty: Organized Hypocrisy* (New Jersey: Princeton University Press, 1999), 22.
7. Biersteker, ed., *State Sovereignty as a Social Construct*, 14.
8. See for example, Muleya Dumisani, “EU Gives Mugabe a Week to Reform or Face Sanctions,” *Business Day*, January 29, 2002. Accessed February 1, 2002. <http://www.allafrica.com>.
9. Stephen D. Krasner, *Power, the State and Sovereignty: Essays on International Relations* (London: Routledge, 2009), 11.
10. See, for example, David Jason Karp. “The Utopia and Reality of Sovereignty: Social Reality, Normative IR and ‘Organized Hypocrisy,’” *Review of International Studies* 34 (2008): 313–335.
11. Jack Donnelly. “The Relative Universality of Human Rights,” *Human Rights Quarterly* 29, no. 2 (2007): 281–306.
12. Ibid.
13. Krasner, *Power, the State and Sovereignty*, 18.
14. This was a common sentiment expressed by many of the interviewees in the key informants’ survey.
15. Krasner, *Power, the State and Sovereignty*, 179–180.
16. Stephen D. Krasner. “The Relative Rules of Sovereignty,” *Foreign Affairs*, March 30, 2009.
17. Ibid.
18. Ibid.
19. The European Union had planned for approximately four or five election monitors.
20. See “Elections in Zimbabwe 24–25 June 2000: Report of the EU Election Observation Mission on the Parliamentary,” European Commission, accessed July 1, 2000, http://ec.europa.eu/comm/external_relations/human_rights/report_zimbabwe/index.htm.

21. Ibid.
22. Anglin, "International Election Monitoring."
23. Jack Donnelly, "Cultural Relativism and Universal Human Rights," *Human Rights Quarterly* 6, no. 4 (1984): 400–419.
24. See, Christina M. Cerna, "Universal Democracy: An International Legal Right or the Pipe Dream of the West," *New York University Journal of International Law and Politics* 27, no. 28 (1995): 289–329. Examples include the EU, Council of Europe, NATO, OCED, OAS.
25. See for example, Hanf et al., *Observing Democratic Elections*, 9. 'The government concerned must invite the observer mission in good time, i.e., as a rule, at least four months before the election date.' The UN's position is that, 'assistance activities are carried out only where requested by national authorities of Member States and broadly supported by the people of the country concerned.' See "Context and Objectives of UN Electoral Assistance," United Nations Electoral Assistance Division 2000, accessed December 13, 2000, <http://un.org.Depts/dpa/ead/web-site5.htm>. The OAS holds a similar position and states that 'the kinds of services to be rendered to any member State shall be determined by the requesting Government in consultation with the Secretary General, and with due respect for the principle of non-intervention.' For further discussion, see Organization of American States General Assembly, AG/RES.1063 (XX-0/90) Unit for the Promotion of Democracy, (Resolution adopted at the eighth plenary session, held on June 8, 1990).
26. International IDEA, *The Future of International Electoral Observation: Lessons Learned and Recommendations*.
27. George Smith, "Electoral Management."
28. Some suggest a minimum of four months as reasonable notice. See, e.g. Hanf et al., *Observing Democratic Elections*, 9. The UN stipulates that 'the Government must send an official written request for assistance...at least three months before the scheduled election to allow for meaningful involvement.' See "United Nations Electoral Assistance: Preconditions for Election Assistance," United Nations, accessed December 31, 2004, http://www.un.org/Depts/dpa/french/electoral_assistance/ea_content/ea_preconditions.htm.
29. Hanf et al., *Observing Democratic Elections*, 9.
30. Ibid.
31. Ibid.
32. This minimum level of coverage is approximately 15–20%.
33. The 1996 Nicaraguan elections had more than 80 observer groups. Many of the observers were amateurs. Carothers, "Assessing Democracy Assistance," 22.

34. The UN EAD is valuable in this area as it often coordinates Joint International Observer Missions (JIOGs). The UN works as an umbrella organization providing technical and logistical support to individual observer missions. Each mission maintains a large degree of autonomy in the scope of its observation activities and issues separate statements and reports and the end of its stay. The main benefits of JIOGs are the reduction in the overlapping of tasks and the reduction in overhead costs.
35. Carothers, "Assessing Democracy Assistance," 22.
36. See for example, "Observers should...not disrupt or interfere in the election process or at the polls." Gould and Jackson, *A Guide for Election Observers*, 4; and "Observers will undertake their duties in an unobtrusive manner, and will not interfere with the election process, polling day procedures, or the vote count." Organization for Security and Co-operation in Europe (OSCE), *The ODIHR Election Observation Handbook*, 4th ed. (Warsaw: Office for Democratic Institutions and Human Rights (ODIHR), 1999), 8; and Observers should "avoid interfering in the normal course of the electoral process, or impeding that process in any way." Observers should also "avoid giving unauthorized information or guidance to persons involved in the electoral process, and avoid interpretations of applicable laws." International IDEA, *Code of Conduct*, 3.
37. Mair, "Election Observation," 18.
38. Hanf et al., *Observing Democratic Elections*, 14.
39. *ODIHR Election Observation Handbook*, reaffirms the principle that, "Observers may wish to bring irregularities to the attention of the local election officials, but they must never give instructions or countermand decisions of the election officials." Organization for Security and Co-operation in Europe (OSCE), *The ODIHR Election Observation Handbook*, 8.
40. Ethical Principle 1(xi). International IDEA, *Code of Conduct*, 3.
41. Carothers, "Assessing Democracy Assistance," 21.
42. Various terms have been coined to describe unprofessional observation and observers. Carothers calls the practice 'electoral tourism' and the observers 'dabblers'. Carothers, "Assessing Democracy Assistance," 22; Geisler refers to observation as 'political tourism': Geisler, "Fair? What has Fairness," 621.
43. See Anglin, "International Election Monitoring."
44. For instance, if electoral officials are involved in fraud, it would be difficult to discern whether their activities are illegal or not.
45. Gould and Jackson, *A Guide for Election Observers*, 19.
46. For an account of some instances of unprofessional conduct, see, e.g. Geisler, "Fair? What has Fairness," 615–622.
47. Anglin, "International Election Monitoring."

48. This is the primary role of the UN in the Coordination and Support of International Observers, under its 'Standard Electoral Assistance Activities'. United Nations, "Main Types of Election Assistance," Examples of this type of support include Ethiopia and Kenya, 1992; Niger, Lesotho and Malawi, 1994; Armenia, Azerbaijan, 1995; Mali 1996; and Algeria in 1997.
49. For example, the UN held the 'Training Work Shop on Electoral Assistance' in New York in June 2001. Modules in the courses included: International Actors; Main Types of Assistance; Electoral Observation; Tasks of Observation; Implementation and Coordination of Observer Delegations; and Electoral Systems. See, "Electoral Assistance," United Nations Department of Political Affairs, accessed December 21, 2006, <http://www.un.org/Depts/dpa/cad>. The International IDEA and the EU have also conducted similar courses. See, e.g. Tostensen et al., *Towards an Integrated Approach*.
50. Election observation has been integrated into the curriculum of teaching programmes in some universities. For instance, the University of Bergen in Norway offers a postgraduate course to its students, journalists, professionals, civil servants, and other persons interested or involved in election observation. See, "Election and Human Rights Observation—Courses Offered," University of Bergen in Norway, accessed May 25, 2005, <http://www.ehro.org/Valobs>.
51. Examples of these manuals include, International IDEA, *Code of Conduct*; National Democratic Institute for International Affairs (NDI), *NDI Handbook*; Gould and Jackson, *A Guide for Election Observers*; and the Organization for Security and Co-operation in Europe (OSCE), *The ODIHR Election Observation Handbook*.
52. Gould and Jackson, *A Guide for Election Observers*.
53. Comprehensive observation would look at the extent of impartiality shown by the election administrative body, freedom of political parties, access to the media, voter registration, women's rights, general human rights, and the conduct of the poll. See, International IDEA, *Code of Conduct*, 5. Comprehensive observation will also entail attaining optimal coverage of polling stations, examining shortcomings in the electoral process, observing political rallies and meetings, assessing whether there is adherence to the laws governing the electoral process, and making a record of complaints about the process.
54. *Ibid.*; Organization for Security and Co-operation in Europe (OSCE), *The ODIHR Election Observation Handbook*; and Garber, *Guidelines for International Election*.
55. *Ibid.* 7; International IDEA, *Code of Conduct*, 4.

56. Commonwealth Secretariat, *General Elections in Lesotho: Report of the Commonwealth Observer Group* (London: Commonwealth Secretariat Library, 1993), 9–57.
57. This was the case in the 1992 Guyanese elections. In its defence, the opposition party published extracts of the Commonwealth Observer Group’s report on its website, although the report was largely supportive of the efficacy of the electoral process.
58. See for example Anglin, “International Election Monitoring,” Geisler, “Fair? What Has Fairness,” and Carothers, *Assessing Democracy Assistance*.
59. For example, the observer reports on Guyana and Jamaica have made statements on the commitment of governments to improving an electoral system, even if there were irregularities.
60. Anglin, “International Election Monitoring.”
61. So, for instance, in the Guyana 1997 elections, Commonwealth observers declared the elections as acceptable. However, there was much confusion and tension after the election including incidents of violence and intimidation, and months after the results of the election were overturned. This scenario has been repeated in other cases. The OAS preliminary statement on Dominica (2009), for example, has fuelled controversy in the country among those who suggest that there were several weaknesses and breaches in the election.

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Election Observation in the Caribbean

INTRODUCTION

An understanding of the philosophy behind the decision to have some elections observed helps to explain why most Caribbean countries have fallen within the fold of countries that have had observers. This is so as the willingness to host observers is often a necessary foreign policy-signalling statement for developing countries that wish to be favourably viewed by the international community. This indication of conformity with democratic standards is also undertaken in anticipation of the receipt of tangible rewards either through the continuation or increase of various forms of assistance and positive ratings in various international indicators.

This chapter provides an overview of election observation in the Commonwealth Caribbean (hereafter called Caribbean unless otherwise indicated). First, it provides an overview of some of the main features of politics in the region. It then traces the origins of regional election observation providing an answer to the main research question: “How observers came”? It also provides a chronology of the countries that have had elections observed and a discussion on the types of groups that have become involved in elections in the region. At the same time, the discussion also gives some attention to the countries that have *not* had international observers. In presenting this survey of observation in the Caribbean, the research develops a case for the various scenarios in the region that have resulted in observed elections. This chapter, therefore,

sets out to create a framework of flexible models or typologies of cases for election observation in the Caribbean and shows how Guyana exemplifies most.

Since the primary focus of this study is the Commonwealth Caribbean, only passing mention is made of regional states that do not fall within this specific grouping. It is important to note, however, that countries such as Haiti, the Dominican Republic and Suriname have all had international observers. In all cases, the OAS has been involved most consistently while Haiti has had observers from a wide range of organizations including the OAS, EU, Carter Center and CARICOM through joint and long-term observer missions.

POLITICS IN THE COMMONWEALTH CARIBBEAN

The core indicators of a stable and sustainable democratic system remain a highly controversial theme in political theory.¹ One indicator which has received widespread support in practice and in the literature is a country's electoral system. On this approach, the centrepiece of any democracy is the country's voting system.² In this regard, Caribbean countries have generally been regarded favourably when compared to other groups of countries. As shown in Table 4.1, Caribbean countries have held elections at regular intervals since independence. In the vast majority of cases, the general outcomes of these elections have been accepted, and governments which have been defeated have handed over power to their opponents without protest.

Duncan and Woods identify the Caribbean as the "home to the largest cluster of democracies" in the developing world.³ They state that the region has the "longest-lasting set of sustained democracies" with interruptions only in Guyana and Grenada. Payne, too, notes that the Commonwealth Caribbean countries boast the record of having the most durable and effective democratic political system in any sub-region in the developing world.⁴ These countries have been generally regarded as having relatively stable democratic politics. Most of them have held elections that have been relatively free of major problems. They have had a long experience of open competition for the election of representatives to their parliaments.⁵ They have also ranked fairly well on the various indicators of civil and political liberties.

Notably, the majority of Caribbean countries have been ranked by the Freedom House Index as "free" for most years since adult suffrage.

Table 4.1 Post-independence Commonwealth Caribbean general elections by country, share observed and date held

<i>Country</i>	<i>Share</i>	<i>Years (*observed elections)</i>
Antigua & Barbuda	4/7	1984, 1989, 1994, 1999*, 2004*, 2009*, 2014*
Bahamas	1/8	1977, 1982, 1987, 1992, 1997, 2002, 2007, 2012*
Barbados	0/10	1971, 1976, 1981, 1986, 1991, 1994, 1999, 2003, 2008, 2012
Belize	2/6	1993, 1997(*registration), 1998, 2003 2008*, 2012*
Dominica	2/8	1980, 1985, 1990, 1995, 2000, 2005, 2009*, 2014*
Grenada	5/8	1976, 1984*, 1990, 1995, 1999*, 2003*, 2008*, 2013*
Guyana	7/10	1968, 1973, 1980*, 1985, 1992*, 1997*, 2001*, 2006*, 2011*, 2015*
Jamaica	5/13	1967, 1972, 1972, 1976, 1980, 1983, 1989, 1993, 1997*, 2002*, 2007*, 2011*, 2016*
St. Lucia	3/9	1979, 1982, 1987, 1992, 1997, 2001, 2006*, 2011*, 2016*
St. Kitts & Nevis	4/9	1984, 1989, 1993, 1995*, 1998, 2000, 2004*, 2010*, 2015*
St. Vincent & the Grenadines	4/8	1984, 1989, 1994, 1998, 2001*, 2005*, 2010*, 2015*
Trinidad & Tobago	2/14	1966, 1971, 1976, 1981, 1986, 1991, 1995, 2000*, 2001, 2002, 2007*, 2008, 2010*, 2015*

Source Created by the author

Additionally, from as early as 1980, these rankings have rated Caribbean countries as more democratic than other developing countries. Interestingly, despite various challenges confronting developing countries, including the debt crisis, structural adjustment policies, Cold War politics and other political and economic crises, on average, Caribbean countries were even more democratic in 2000 than in 1980. They have therefore maintained their democratic status despite the lack of sustainable economic development.⁶

The view that the region has a sustained “record of commitment to democracy, free and fair elections and open party electoral competition” is common, and has endured to the present.⁷ This generally positive assessment of the politics of Commonwealth Caribbean countries does not ignore the various challenges that have existed on an individual

or systemic level. Given the focus of this research, it is not possible to give a full catalogue of the challenges faced by each and every country within the region. Despite this, a number of significant cases are mentioned with a view to providing an indication of the kinds of problems which emerged. In general, these problems have attracted the attention of international actors while at the same time, they have created the circumstances whereby local actors have sought the involvement of international observers.

The socio-economic situation faced by many Caribbean countries has provided a challenging context for democratic development. This has been exacerbated by what has been described in the post-Cold War period as the elements of “an unforgiving global economy”.⁸ Economic difficulties have been compounded by the external relations of some Caribbean countries with the USA and UK. The interference of the political administrations of these countries in some Caribbean elections, and subsequently in ignoring problems concerning these elections, must be acknowledged.

The end of Cold War politics undoubtedly created the political space for the USA and other Western governments to formulate foreign policies that focused on democratization and the rhetoric of holding “free and fair” elections even if they had previously blatantly supported undemocratic regimes or ignored unambiguously flawed electoral systems. The well-documented role of the CIA in destabilizing the political system in Guyana, for instance, is duly noted.

It is also true that the early twenty-first century has heralded a host of intensified challenges for small Caribbean economies. One cannot ignore the fact that many of the issues that are now being identified as blemishes on the democratic character of the countries, and therefore as preconditions for the presence of international observers, have always existed. To suggest, therefore, that problems of stealing ballots, rigging elections, manipulating votes or voter intimidation are emerging features of Caribbean electoral systems is disingenuous. Despite these infringements, the region has maintained its record of stability.⁹

EXCEPTIONS

A few Caribbean states have represented exceptions to this picture of democratic stability within and outside the context of Cold War politics, and there have also been periods in which specific countries have faced

problems and moments of crisis in some. There have also been problematic areas within the political and electoral systems of some countries which, while not amounting to an internal crisis or threatening instability, represented deviations from best practices. Payne discusses the cases of Grenada, Guyana, and Antigua and Barbuda as clear anomalies in this regard: Grenada, for its Cold War flirtation with Marxist politics until 1983; Guyana, for its protracted period of Cold War-influenced rigged elections; and Antigua and Barbuda for the politics of the Bird dynasty.¹⁰ In addition, it should be noted that prior to the Grenadian Revolution in 1979, the political practices of the Eric Gairy regime had become problematic as they related to issues such as press freedom and the use of violence against political opponents. Based on such deviations, there have been a few Caribbean countries that have ever been ranked as “partly free” or “not free” for more than a year since independence/during the period under review.¹¹

Schraufnagel and Sgnouraki reiterate the position of the Caribbean “as exceptional” among developing countries for sustaining “so many liberal democratic polities” since independence.¹² They caution, however, that the democratic experience for these countries has not been uniform or perfect. Some countries have had longer periods of stability; some have experienced specific entrenched problems; and some have endured crises and attempted coups as well as military interventions.

It has been suggested that Guyana has witnessed a “failure of democratic rule”; the Bahamas, Barbados and Jamaica have been considered “relatively stable”; Antigua and Barbuda, Dominica, Trinidad and Tobago, and Grenada are those which have been styled with the so-called crises and interruptions.¹³ These classifications are subjective, however, as Jamaica that has been placed with those at the apex of democratic stability may be considered to have experienced more pockets of sustained problems including socially embedded violence based on the garrison phenomenon and the associated intimidation and bogus voting, thereby perhaps experiencing more sustained problems than countries such as Trinidad and Tobago and Grenada that have been regarded as having simple “interruptions”. Jamaica may, therefore, be included as a less obvious case for the inconsistency of democratic stability in the region. In this particular case, Sutton notes the social divisions that have formed the basis of “occasional outbursts of political violence”.¹⁴ That being said, however, all challenges to the democratic systems and variations in the commitment or ability to nurture these considered; there is a

consensus that overall, Commonwealth Caribbean countries have held a respectable record in maintaining democratic standards.

This assessment cannot, however, be applied consistently to the entire post-colonial period. Barrow-Giles and Joseph identify two fairly distinct periods of democratic development.¹⁵ The first is from the 1950s to the 1980s followed by the 1990s to present. From most accounts, many of the problems or departures from democratic practice occurred during the former period. Jamaica, Guyana and Grenada feature in these cases. Guyana's complex history of electoral manipulation was started by the UK and US governments and continued to be perpetrated by local political parties. The invasion of Grenada in 1983, and the People's National Party (PNP) boycotting of general elections and the circumstances which led up to it in Jamaica the same year,¹⁶ may have contributed to the exaggerated and unsubstantiated view that "elections in the Caribbean, like in many other parts of the third world, are never free and fair, rigging and official manipulation and stealing of ballots are the norm, rather than the exception".¹⁷

The records of the mid-1990s onwards show that unlike the previous period, elections held in the region were more consistent with positive democratic indicators. Even if one takes a sceptical view and explores the cases that have had breaches since the 1990s, there has not been a worsening of these standards. Jamaica (1993) had increased problems of violence and irregularities, while Guyana (1992) received a positive assessment of an election that was partially flawed. Despite these two examples, subsequent elections in the Caribbean have generally been considered as falling within the range of normal.

It is interesting to note that the stated period of consolidation or greater stability coincides with the genesis of the pressure to have observers. Guyana represents the clear case for the justification of observers given the protracted history of electoral problems and also given the persistent requests for these by several internal actors. The country is a model for Caribbean observation as it had been exposed to the practice of from as early as 1964. The 1992 observation may, therefore, be regarded as a culmination of efforts to establish a stable political system. Subsequent observations in 1997 and 2001 are also justifiable and reasonable from the perspective that the country experienced further electoral problems. Guyana has continued inviting international observers, and they have been present in all elections up to 2015.

OBSERVATION IN THE CARIBBEAN

The majority of Commonwealth Caribbean countries have had international observers. At the end of 2009, only two countries: The Bahamas and Barbados did not have observers. The Bahamas eventually invited observers in 2102. One of the aims of this discussion is to offer reasons for the exclusion of this group from the regional trend. One suggestion that readily comes to mind is that these countries have had relatively stable political systems. However, a similar assessment may be made of many of the other Commonwealth Caribbean states despite some deviations and interruptions during some points of their political history. Despite this durable democratic fabric, most of these countries have had international observers. As Table 4.1 shows, of the over 100 post-independence elections held in the region, approximately one-third have been observed. The following section discusses some of the reasons observers have come to the region.

COLD WAR POLITICS

Observers have become involved in Caribbean countries because of a range of geopolitical factors. Guyana (1964), as the region's earliest instance of the involvement of international observers, presents a clear example of how foreign policy initiatives may be largely driven by the strategic need to control political outcomes. The presence of a Commonwealth team of observers in this election related to the international relations of the period and the manner in which East–West tensions led to reduced trust and hence the call of international observation. It is likely, though, that Guyana would have experienced similar, if less intense, electoral problems even in the absence of any external manipulation or geostrategic concerns, given the underlying divided politics in the country.

Cold War politics also played a major role in the observation of elections in Grenada (1984) by the OAS. There were problems relating elections prior to the Grenadian Revolution, alluded to above, and hence it could be suggested that there was an internal case for observation. In addition, Grenada falls somewhat within the concept of a post-conflict situation but the main driving force appears to have been the desire of the USA to ensure that its intervention was seen in a democratic light.

In this context, OAS observation can be seen as representing the interests of the USA following the invasion of the country. This and subsequent cases of observation highlight the point that external involvement in elections in Grenada has best been justified by the provision of technical and administrative assistance. As this is not the primary purpose of observers, and the first instance of observation occurred long before the trend gained momentum, it is fair to explain the 1984 case as being dictated by the politics of the era. The dynamics of regional and international relations during the peak of the Cold War must therefore be integrated into the rationale for the presence of international observers in the region.

NATIONAL DYNAMICS

Within the various Caribbean states, there have been significant internal factors which have prepared the way for the invitation of international observers. This includes countries that have experienced considerable election-related problems such as fraud and violence. This has been particularly so in countries with deep distrust and divisions in the political environment such as in Guyana and Jamaica. Antigua and Barbuda may also be included in this group due to the widespread electoral malpractice of the various administrations under the Bird dynasty.¹⁸ Dominica has also experienced irregularities with successive voters' lists having more names than the entire population.¹⁹ A recurring electoral challenge concerns various problems with the registration process in a number of countries. These range from unclear procedures to padding lists with names of deceased persons, overseas voters or non-eligible migrants. Where trust is low, this has heightened the probability that opposition and civic groups would call for the presence of international observers. This was the case for Guyana (1992), Jamaica (1997) and Antigua (2004).

OBSERVERS AS A NORM

A number of the Caribbean countries which have had observers have been low on the scale of electoral problems, and their acceptance of observers must be seen within the context where it had become part of the package of holding elections. Many of these did not have international observers for the first time until fairly long after the practice became a regular feature of international relations. By the late 1990s

and early 2000s, Caribbean countries with widely varying political situations were on the election observation roster for the different international observer groups. For example, of the 37 elections held in the Caribbean from 1998 to 2010, 21 or more than 50% had observers. Some of these cases can be explained by the aforementioned factors related to Cold War politics and electoral problems. Others are more problematic to justify as these countries neither featured prominently in East–West tensions nor presented any major electoral problems. This trend strongly suggests a third and significant reason for the development of international observation in the Caribbean. This argument does not imply that these countries have had an entirely clean electoral or political slate. Rather, it proposes that the main factor for the development of election observation in the region must be explained by reference to the growing acceptance of observers as a norm which in combination with local factors led to their acceptance. This is especially evident when one looks at the trend between 2011 and 2015. Thirteen of the fourteen (92%) elections held had international observers. Only the Barbados did not.

International election observation has become a norm, of international relations, albeit selectively applied. Caribbean countries that have invited or been prompted to invite international observers have been eager to show the international community that they are in conformance with the developed norm of holding free and fair elections.²⁰ Acquiescing to international observers has, therefore, become a signalling statement that these countries are holding reputable elections or, at the very least, are making maximum efforts to do so. This is especially the case for this final category of countries that do not have any other substantive reason to have international observers.

MULTIPLE FACTORS

It is evident that these reasons are not at all mutually exclusive. So, for example, countries with features of electoral systems that have been more problematic have been more likely to display their compliance with this norm. This argument is even more compelling within the context of the dominant research of an enduring Caribbean democratic stability. Jamaica in 1997 would have been on much stronger grounds and even much more inclined to reject the notion that international observers were necessary, were they not so dependent on US assistance.

The converse is also applicable for Caribbean countries which have been better placed economically and which have been regarded as mature and stable democracies. These have been under less pressure to make any signalling statements regarding this norm.

In the case of Barbados, there have been no significant internal failures of the political or electoral system which would have attracted the attention of the international community or other compelling foreign policy issues. In addition, the level of trust between political actors has meant that up to the time of writing, there have been no internal demands for international observers which could have emerged in other countries with comparable electoral records. In addition, the national pride of the country is entangled with its self-perception as a stable democracy. Barbados has avoided inviting international observers, a fate which other fiercely nationalist nations have had to endure.

In the case of some countries that have had observers because of factors relating to geopolitics, there have also been more serious electoral problems. Guyana's early electoral history is marked by intense involvement and manipulation by US and UK governments. Many of the malpractices there were either intentionally instigated or supported by these administrations. Other problems resulted from playing on the weaknesses and divisions in Guyanese politics and society. Guyana would, therefore, need more attention from international observers because of the deeply entrenched political problems that may not have been entirely externally created, but were certainly exacerbated by external forces, including noteworthy interventions by the governments of the USA and UK. To a significant extent, the observation of elections in Guyana represents a complex and ironic reality as a form of political reparation and compensation for the history of manipulation. This is particularly the case in 1992 when the Carter Center played a central role in the PPP's return to power.

Grenada, on the other hand, has had a more blatantly intrusive relationship with the USA manifested in the 1983 invasion. The significant difference is that the external involvement was not as protracted as in Guyana. At the same time, the negative implications of USA–Grenada relations did not involve a manipulation of the electoral system. So while the initial observation of elections in Grenada was Cold War related, there have been no further or extreme electoral problems which have led to the need for observers in subsequent elections. These latter observations, which may be more aptly described as technical assistance, may be

explained by a combination of Grenada's expressed democratic commitment and the USA's stamp of political approval through the OAS.

CHRONOLOGY OF OBSERVATION IN THE CARIBBEAN

Even globally, election observation did not become a clear trend until the 1990s (see Table 4.2, which provides a chronology of observers in the Commonwealth Caribbean). However, the earliest instance of international election observation in the region was over forty years ago in 1964.

Table 4.2 Observed elections in the Commonwealth Caribbean 1964–2016

<i>Year</i>	<i>Country</i>	<i>International observer group(s)</i>
1964	Guyana	Commonwealth
1980	Guyana	International Team of Observers
1984	Grenada	OAS
1992	Guyana	Carter, Commonwealth
1995	St. Kitts & Nevis	Commonwealth
1997	Belize	OAS (registration)
	Guyana	CARICOM (Audit 1997/1998), Commonwealth, OAS
	Jamaica	Carter
1999	Antigua & Barbuda	Commonwealth
	Grenada	OAS
2000	Trinidad & Tobago	CARICOM, Commonwealth
2001	Guyana	CARICOM, Carter, Commonwealth, EU, GLTOG, OAS
	St. Vincent and the Grenadines	CARICOM, OAS
2002	Jamaica	CARICOM, Carter
2003	Grenada	OAS
2004	Antigua & Barbuda	CARICOM, Commonwealth
	St. Kitts & Nevis	CARICOM, Commonwealth
2005	St. Vincent & the Grenadines	CARICOM, OAS
2006	Guyana	Carter, Commonwealth, EU, OAS
	St. Lucia	CARICOM, OAS
2007	Jamaica	CARICOM, OAS
	Trinidad & Tobago	CARICOM
2008	Belize	Commonwealth
	Grenada	OAS
2009	Antigua & Barbuda	CARICOM
	Dominica	CARICOM, OAS
2010	St. Kitts & Nevis	CARICOM, OAS
	St Vincent & the Grenadines	OAS

(continued)

Table 4.2 (continued)

<i>Year</i>	<i>Country</i>	<i>International observer group(s)</i>
2011	Trinidad & Tobago	CARICOM
	Jamaica	OAS
	St. Lucia	OAS, CARICOM
	St. Kitts & Nevis	OAS, CARICOM
	Guyana	OAS, Commonwealth, CARICOM
2012	Belize	OAS
	Bahamas	OAS, CARICOM
	Turks & Caicos	Commonwealth
	Dominica Republic	OAS
2013	Cayman Islands	Commonwealth
	Grenada	OAS, CARICOM
	Nevis Island Assembly Election	CARICOM
2014	Antigua & Barbuda	OAS
	Dominica	OAS, CARICOM
	Montserrat	Commonwealth
2015	Anguilla	Commonwealth
	British Virgin Islands	Commonwealth
	Guyana	Carter, CARICOM, OAS
	Haiti	CARICOM
	St. Kitts & Nevis	CARICOM, OAS
	Suriname	CARICOM
2016	Trinidad & Tobago	CARICOM, Commonwealth
	Jamaica	CARICOM, OAS

Source Created by the author

A Commonwealth team concluded that these Guyanese elections were “fair and proper”, although a dissenting member of the group, a Member of Parliament from India, chronicled independent concerns about the process that in his estimation did not make the elections free or fair.²¹ There was a twenty-year hiatus from observers until the 1980s when the International Team of Observers led by Lord Avebury observed elections in Guyana (1980) and the OAS observed elections in Grenada (1984).

Observation became a more regular feature between 1990 and 1999 with seven observed elections in six countries.²² The momentum of the trend has clearly built as there have already been 19 observed elections in ten countries²³ between 2000 and December 2010. The most recent instance of a country having had observers for the first time was Dominica in 2009. Although there has subsequently been controversy regarding the latter elections, the OAS described them as positive and as

“a true reflection of the will of the people”.²⁴ There were twenty-nine observed elections in the Caribbean between 1964 and 2010 and over fifty by the end of 2015. The majority of these twenty-nine have been assessed positively by various teams of international observers.

OBSERVER GROUPS

Three main actors have observed elections in the Caribbean: the Commonwealth, the OAS and the Carter Center, and one the EU (in addition to the special case of the International Team of Observers for the 1980 Guyana elections). Their roles are not surprising given their various historical and political linkages to the region. The Commonwealth has observed eleven elections in five countries,²⁵ while the OAS observed fifteen elections in eight countries including Belize (1997 registration).²⁶

The majority of countries under review have had observers from one main extra-regional group. So, for instance, Grenada (1984, 1999, 2003 and 2008), St. Vincent and the Grenadines (2001, 2005 and 2010), St. Lucia (2006) and Dominica (2009) had OAS observers. Similarly, Antigua and Barbuda (1999, 2004), and Trinidad and Tobago (2000) had Commonwealth observers. In some cases, CARICOM also observed the above or subsequent elections but no other extra-regional group was involved. None of these countries has ever presented a case of serious breaches of procedures or practices during an election observed, and the respective observer teams have reported positively on these elections.

Three countries, Belize, St. Kitts and Nevis, and Jamaica, have had two different groups observe their elections. The registration procedure in Belize in 1997 was overseen by the OAS, while the 2008 election was observed by the Commonwealth. There is no stated reason for the difference in teams on each occasion. However, the initial observation could be better described as the verification of the registration process rather than the actual observation of an election. In the case of St. Kitts, the 1999 and 2004 elections were observed by the Commonwealth, and the 2010 by the OAS with CARICOM being involved in the latter two elections.

Jamaica has also had observer teams from two, the Carter Center and the OAS. CARICOM has also observed elections in Jamaica. The Carter Center played a pivotal role in mediating tensions between political stakeholders in the pre-election period of 1997 and ultimately observed these elections. Their involvement in 2002 was ostensibly an attempt to

solidify the positive elements from 1997. By 2007, although the country had invited five observer teams, only the OAS and CARICOM observed the elections.²⁷ In this case, the Carter Center expressed the view that due to the “tremendous progress” that Jamaica had made in improving the various elements of the electoral system it “did not deem” their participation necessary.²⁸

The OAS and CARICOM observed the 2016 General Elections.²⁹ The OAS commended the Electoral Commission of Jamaica (ECJ) for implementing many of the recommendations made in 2007 as these contributed to improvements in the process. The OAS highlighted other campaign financing, gender inclusion and low voter turnout as areas that could be improved. The overall assessment was positive and reaffirmed the CARICOM report that “voters were able to cast their ballots without intimidation or harassment, and ... (the results) reflected the will of the people of Jamaica and reinforced their commitment to the democratic process”. Jamaica can, therefore, be viewed as transitioning to having observers more for acquiescing to an international norm than for great expectations of observers influencing the conduct of the elections.

Only two countries, Belize and Guyana, have had observers from both the Commonwealth and the OAS for the same election. In the case of Belize, this was on two separate occasions as noted above. Guyana, however, presents an extreme case for the number of observer organizations to have been involved in their elections. Guyana has had observers from most notable groups since the very first observation. These groups represent the different international stakeholders, donors and providers of technical assistance in the country. It is therefore not surprising for the Commonwealth and the OAS to be jointly involved in the observation of elections in Guyana since 1997.

THE ORGANIZATION OF AMERICAN STATES

The OAS has observed more elections in the region than any other group. Since 1999, it has observed more than 20 elections in 11 Caribbean states.³⁰ This organization is more involved in Latin America and the non-English speaking Caribbean than in the Commonwealth territories. The OAS has observed four elections in Grenada and three in Guyana, but has only had monopoly over the process in the former. It has observed one election in Belize (1997, registration), St. Vincent and the Grenadines (2005), St. Lucia (2006) and Dominica (2009).

Table 4.3 OAS
observer missions to
the Commonwealth
Caribbean

1984	Grenada
1997	Belize (registration), Guyana,
1999	Grenada
2001	Guyana, St. Vincent & the Grenadines
2003	Grenada
2005	St. Vincent & the Grenadines
2006	Guyana, St. Lucia
2007	Jamaica
2008	Grenada
2009	Dominica
2010	St. Kitts & Nevis, St. Vincent & the Grenadines
2011	Jamaica, St. Lucia, St. Kitts & Nevis, Guyana
2012	Belize, Bahamas, Dominican Rep
2013	Grenada
2014	Antigua & Barbuda, Dominica
2015	Guyana, St. Kitts & Nevis
2016	Jamaica

Source Created by the author

With the exception of Belize, it is the only organization to have observed the poll in these countries. The OAS has never observed elections in Trinidad and Tobago (Table 4.3).

THE COMMONWEALTH

The Commonwealth rivals the OAS with the number of elections it has observed in the Caribbean. Within the region, it has observed more elections in Guyana than in any other country, Caribbean or otherwise. In fact, it has observed every election in Guyana except those in the 1980s. As shown in Table 4.4, the Commonwealth has never observed elections in Jamaica or Grenada.

THE CARTER CENTER

Quantitatively, while the Carter Center has not had the most observation in the region, it has had intense involvement in Guyana. Although it has observed fewer elections in Guyana than the Commonwealth and only as many as the OAS, the Center was the main mediating agency in this country particularly in the 1992 transitional elections. In fact, it is fair to say that their role in these elections exceeded the mandate of simple

Table 4.4 Commonwealth observer missions to the Caribbean

1964	Guyana
1992	Guyana
1995	St. Kitts and Nevis
1997	Guyana
1999	Antigua & Barbuda
2000	Trinidad & Tobago
2001	Guyana
2004	Antigua & Barbuda, St. Kitts & Nevis
2006	Guyana
2008	Belize
2011	Guyana
2012	Turks & Caicos
2013	Cayman Islands
2014	Montserrat
2015	Anguilla, British Virgin Islands

Source Created by the author

Table 4.5 Carter center missions to the Commonwealth Caribbean

1992	Guyana
1997	Jamaica
2001	Guyana
2002	Jamaica
2006	Guyana
2015	Guyana

Source Created by the author

observers. As is discussed in the subsequent chapters, the officials from the Carter Center, Jimmy Carter, specifically took control of nearly every aspect and phase of the elections in several ways. The group's involvement in Jamaica was less pervasive, and Carter himself did not visit or personally take part in any phase of the observation. Jamaica did not present as much of a high-stakes case as Guyana and therefore created far less controversy. As shown in Table 4.5, the Carter Center has not observed any Caribbean elections since 2006, outside of its protracted involvement in Haiti.

THE EUROPEAN UNION

The EU's record of observing elections has been mainly focused on Eastern Europe and some African states. The pervasive electoral problems in Guyana prompted the involvement of every major observer team

and electoral organization in the 2001 election. In this particular case, the EU's involvement was not exclusively election observation, but primarily focused on technical and financial assistance. It has not been unusual for its observation to be included in a bundle of other such activities and has been the *modus operandi* in Guyana, given the range of problems. The EU became involved from as early as October 2000 through the establishment of a field office that was mounted in conjunction with the Guyana Long-Term Observation Group (GLTOG): a composite of UK, United Nations Development Programme (UNDP) and EU interests. Within the wider Caribbean, the EU has only observed elections in Haiti.

CARICOM

CARICOM observer missions are shown in Table 4.6.

CARICOM first became involved in election observation through a request for the audit of the 1997 elections in Guyana. Although this first instance was not observation *per se*, CARICOM assumed a post-election mediatory role that is not usually within the mandate of the typical international observation mission. Since then, the organization has partnered with the OAS and has participated in joint observer missions

Table 4.6 CARICOM election missions: 1997–2016

1997/1998	Guyana (Audit 1997/1998)
2000	Haiti, Suriname, Trinidad & Tobago
2001	Guyana, St. Vincent & the Grenadines
2002	Jamaica
2004	Antigua & Barbuda, St. Kitts & Nevis
2005	St. Vincent & the Grenadines
2006	Haiti, St. Lucia
2007	Jamaica, Trinidad & Tobago
2009	Antigua & Barbuda, Dominica
2010	St. Kitts & Nevis, Suriname, Trinidad & Tobago
2011	Haiti
2012	Bahamas
2013	Grenada, Nevis Island Assembly Election
2014	Dominica
2015	Guyana, Haiti, St. Kitts & Nevis, Suriname, Trinidad & Tobago
2016	Jamaica

Source Created by the author

throughout the Caribbean. At the inception of its role as regional election observer, it was difficult to assess CARICOM's role or evaluation as the final reports were not readily accessible. More recently, however, the organization has made been more systematic and consistent with reports on observer missions.

TRENDS AND THEMES

Caribbean countries have become prime candidates for election observation. The Commonwealth and the OAS have been the most active in this field. While the Carter Center and the EU have mounted fewer observation teams, this lower profile does not reflect a similar level of interest in the region. In the case of the OAS and the Carter Center, their involvement has been closely related to US foreign policy objectives within the region; one of promoting liberal democracy as a banner for maintaining a sphere of influence. The Commonwealth's activities represent an effort to show commitment and support to foster democracy within the group of countries. The decision of the EU to participate as a predominant actor demonstrates the evolving strengthened links between displaying a commitment to democracy and good governance and developmental assistance.

The dominant pattern for election observation in the Caribbean has been the absence of overlapping groups in any one country. The countries that have had one group or the other have not been regarded as posing serious threats to democracy. These countries generally fit the typology of those that have acquiesced to having international observers because the practice has become an international norm and/or have had more than average noticeable electoral problems (Jamaica, Antigua and Barbuda). This trend of some countries having the same observer group at subsequent elections or only one organization represented at the same election (even if not the same as in previous elections) strengthens the argument that Caribbean countries have enjoyed a respectable level of democratic stability. At the same time, this trend also highlights the reality that there are limited resources among organizations, so that without severe cases of breaches, the developed practice or norm has been for the participation of one main group in any given election.

The stark exception in all these possible permutations is Guyana. It is the only country to have consistently had more than one observer group

in various elections. More so, it is the only country to have had multiple teams observing the same election. This is not unusual given the extent and range of complex electoral and political challenges faced by the country.

Caribbean countries have not had uniform experiences with international observers. The patterns and outcomes of observation have presented a broad spectrum of cases in the region. The models of cases that have emerged have been largely dependent on the socio-political conditions, geopolitical factors and the status of foreign relations between the individual Caribbean host states and the home states of the observer organizations. The less contentious cases at one end of this range of typologies include the countries that have had extra-regional international observers only once, by one organization, with the general acceptance of observer presence and verdicts. Within the middle ground are those that have had more electoral problems and have had observers at least twice. At the more contentious end of this still subjective continuum are the cases that have had multiple observations, multiple observer groups and varying degrees of controversy surrounding observer presence and/or verdicts.

Within the first set are the cases of Trinidad and Tobago, St. Lucia and Dominica. Each has had observers two or three times from only one extra-regional group: Trinidad and Tobago (2007, 2010 and 2015) by the Commonwealth; St. Lucia (2006 and 2011) and Dominica (2009 and 2014) by the OAS. In addition to this, each of these countries had elections observed by CARICOM. In the case of Trinidad and Tobago, this included subsequent elections in 2007 and 2010, which may represent a trend for the future as discussed in the concluding chapter to this research. It would also be quite appropriate to include Belize at this end of the spectrum despite its recorded (registration) observation by the OAS in 1997. This first instance was part of a wider programme of observation and technical assistance aimed at improving the country's electoral code. So while it may have been referred to as an observation exercise, it was limited to the registration process. The first elections to have been observed in Belize, in the traditional sense, were not until 2008 by the Commonwealth.³¹

The discussion of these countries as milder cases does not ignore the shortcomings or problems in any of their political systems. So, for instance, the racial divisions in Trinidad and Tobago and, to a lesser extent, Belize have only weakened the possibility of fortifying

the democratic fabric in these countries. St. Lucia, too, has not been untouched by allegations of corruption or misappropriation of donor agency funds.³² Moreover, the quality of elections has been adversely affected by the common charge of voters' lists inflated with duplications and names of non-existent and deceased persons. This irregularity has been a common feature of all three countries and has, especially in the case of Belize, been attributed to demographic and geopolitical factors of ethnicity and porosity of borders.³³

Acquiescence to the presence of observers in all of these cases was fairly straightforward. However, all were instigated by accusations from opposition parties of various forms of impropriety by the incumbents. Allegations of corruption and intentions to rig upcoming elections were a common chord. In Trinidad and Tobago, for example, unprecedented complaints concerning registration irregularities emerged for the first time in 2000. The issue of voter-padding, which had never arisen in previous elections, superseded even the underlying muted racial tensions. While there were no similar problems concerning the voters' list in St. Lucia and Belize, the accusations from opposition parties in both countries formed sufficient grounds for the incumbents to issue invitations to international observers.

The assessment of the elections in all three countries was unambiguously positive despite the various complaints and challenges. The Commonwealth evaluated the elections in Trinidad and Tobago in very clear terms as facilitating "the free expression of will" and for producing results "that reflected the will of the people" and that "clearly demonstrate[d] the depth of the country's democratic culture".³⁴ The organization's tone in its verdict on Belize was still positive if more cautious. The team noted that the "elections were credible" and the country's democracy "mature". The hesitance to make reference to the expression of the "will of the people" might have more to do with more recent conservative approaches to making observer verdicts than with the relative quality of elections in Belize.³⁵ The OAS commented that the St. Lucian elections were extremely "peaceful and without incident", reflecting a "very solid democracy in the Caribbean".³⁶ The verdicts reinforce the status of these countries as having stable democratic conditions in spite of the challenges of their electoral systems.

Progressing towards to the middle tier of cases are the countries that do not necessarily have glaring breaches of democratic standards, but have attracted more attention than the previous set. Within the

specific Caribbean context, however, these states, Antigua and Barbuda, St. Kitts and Nevis and St. Vincent and the Grenadines, have presented more deviant cases of political challenges. All three have had observers four times, mainly under pressure from opposition parties. St Kitts and Nevis first had international observers in 1995 against an electoral background of political violence and antagonism in the aftermath of the previous 1993 elections. There were no observers for the next elections in 2000, but there was a Commonwealth team present in 2004 along with CARICOM, and then the OAS and CARICOM in 2010 and 2015. Antigua and Barbuda first had Commonwealth observers in 1999 under clouds and allegations of corruption. Calls for observers from the opposition intensified in 2004 with its expressed refusal to accept “another election hijacking” or to be fooled by another “typical Lester Bird trick”.³⁷ The Commonwealth and CARICOM observed in 2004 but only CARICOM in 2009. The OAS observed the last elections in 2014 visiting 100% of the polling. They noted high campaign spending as a concern but commented positively on most other aspects of the poll.

Following the highly controversial minority victory of the New Democratic Party (NDP) in 1998, the OAS observed elections in St. Vincent and the Grenadines, first in 2001, again in 2005 and subsequently in 2010 and 2015. Following the 1998 elections, the Unity Labour Party (ULP) accused the NDP of “glaring electoral irregularities, fraud, bribery and intimidation” and although they did not legally challenge the election results, the ULP conducted protests which, along with deteriorating economic and social conditions, heightened tensions in the country. There were also mild allegations of problems relating to the voters’ list. These conditions provided strong grounds for the invitation of an OAS team to observe the 2001 elections. The political conditions prior to the 2005 elections were not as tense, but allegations of irregularities with the process of voter registration intensified. These concerned similar demographically founded fears as in Belize and some OECS states that the presence of migrant populations provided loopholes in the system for the manipulation of the voters’ list which could ultimately affect the results of the election.

With respect to the evaluation of the elections, Antigua and Barbuda rated most favourably among this group. The verdicts of the Commonwealth that the 1999 polls reflected a “well rooted and vigorous”³⁸ democratic culture did not necessarily reflect the apparent angst of the people or alleged levels of corruption. However, the eventual change

of administration in 2004 arguably vindicated the quality of the electoral system and influenced the conclusion that “despite shortcomings”, and the need for some “adjustments ... the election was credible and reflected the will of the people”.³⁹ The observer team’s assessment of successive elections in St. Kitts-Nevis was similarly uncontroversial and stated that the elections were “credible and reflected the will of the people”.⁴⁰

The OAS assessed the 2001 elections in St. Vincent and the Grenadines as “having accurately reflected the will of the ... people”,⁴¹ but was less approving of the 2005 process which the team described as having “permitted the electorate to exercise its choices through the polls”.⁴² Overall, they expressed a mere “satisfaction with the conduct of the elections”.⁴³ In 2015, the OAS team chronicled a number of weaknesses in the election and did not definitively assess the freeness and fairness of the process. However, it noted “OAS Observers did not discern any fraudulent activities and the ... issues would not have materially affected the outcome of the vote”.⁴⁴ Overall, despite the concerns with various issues affecting the quality of elections in these countries, the positive verdicts given by observer delegations continue to reinforce the view of the Caribbean as a democratically stable region.

Grenada has been a special case that has been more difficult to place along a continuum. On the one hand, the country has a notably disturbing political and electoral history. These included problems under the Gairy regime as well as matters concerning the revolution and related events. On the other hand, since the 1980s, Grenada has not had any serious electoral problems, but has continued to have international observers ostensibly because of its political background. The first elections after the US invasion were described by Reagan as a positive “democratic exercise of popular sovereignty”.⁴⁵ The country has since had OAS observers in 1999, 2003 and 2008. These elections were uncontroversial despite a few problems related to the counting and tabulation of votes. There were no detailed or noteworthy comments regarding the quality of the elections outside the scope of “orderly queues” and “respectful and courteous people”.⁴⁶

In 2003 in particular, the problems that arose had more to do with the timeliness and effectiveness of international observers, than with the quality of the Grenadian elections. For this election, the deployment and choice of an observer team were delayed because of uncertainty about the source of funding for the delegation. Related to this was the observer team’s declaration that it was not familiar with the particular challenges

of the Carriacou division. These problems highlight some of the practical hurdles that must be overcome by election observation.

The cases of Jamaica and Guyana especially present a more complex set of issues. These countries have had the most controversy surrounding observation; both for the political circumstances under which observers became involved and by extension, for the receptiveness of the incumbents to the notion of inviting observers. Guyana's protracted electoral problems, which were largely ignored and precipitated during the Cold War, were not appropriately acknowledged until the early 1990s. Jamaica's electoral landscape experienced a different set of problems that were also not deemed to warrant the presence of international observers during the Cold War. The suggestions, and later demands, that observers should be invited were perceived as an insult to the democratic standards and prestigious international profile of the country, and initially were strongly resisted by the incumbent PNP.

Jamaica departs from Guyana, however, in the difference in the nature, intensity and duration of problems. There have been three observed elections in Jamaica: 1997, 2002 and 2007; the first two by the Carter Center and the last by the OAS and CARICOM. The main problems in Jamaica have been garrison politics, electoral violence, intimidation and electoral fraud.⁴⁷

In assessing the 1997 elections, the Carter Center noted that there were "signs of a good election". They aptly described this election as "a curious juxtaposition of the most sophisticated democratic politics with the most primitive form of coercive and violent politics".⁴⁸ By 2002, there was a consensus that overall, the elections were much better run than previous cases. Despite some difficulties concerning intimidation, violence and poor administration that have not been uncommon to Jamaican elections, international observers arrived at a more positive conclusion than in 1997. So, for instance, the Carter Center moved beyond merely stating that there "were signs of a good election" to acknowledging several commendable elements of the 2002 process.⁴⁹

On the 2007 elections, the OAS report makes a number of recommendations and observations, but does not provide any concise conclusions. This approach is arguably in keeping with the complexities and paradoxes of Jamaican politics: simultaneously reflecting positive and negative features. Overall, the team noted that there were relatively few areas that needed improvement in an election that was conducted in a "peaceful, orderly and courteous" manner.⁵⁰

These general assessments by observers on these different Caribbean elections reflect the growing tendency to avoid the term “free and fair”. This term has been criticized as oversimplifying the complexity of election processes.⁵¹ The overall language reflected in the observer verdicts on Caribbean elections is consistent with the general hesitance to declare an election as “free and fair” and provide more comprehensive evaluations of elections. International observers have consistently commented on the quality of the democratic exercise, the credibility of the conduct of the poll, the peacefulness and orderliness of the process, and on whether the elections reflected the will of the people. Altogether these alternative phrases reflect the conscious effort by observer groups give clear evaluations.

Guyana has had more observed elections, more observer groups and more involvement than many other Caribbean countries. International observers became involved in Guyanese elections for a combination of the reasons of all Caribbean countries: It is notable with respect to the international relations factors related to Cold War politics, geopolitics and the conformity to an international norm. It has also embodied nearly the entire range of problems relating to political and electoral practice in the Caribbean, and contains the underlying social cleavages which have or potentially might lead to such problems in other countries. Among these are racial divisions, high levels of mistrust and the abuse of state power for political or corrupt ends. At the electoral levels, problems starting with enumeration and ending with the rare questioning of the final result, followed by street demonstrations and or violence which have been experienced in the Caribbean have all been experienced in Guyana. Included among these have been flawed registrations lists, administrative problems on the day of the poll, interference by the security forces, biased and unprofessional electoral officials, ballot stuffing and related abuses, violence and intimidation sometimes involving armed gangs, as well as questionable tallying and after poll procedures. Similarly, the demands for reforms and the formation of local observer groups, and the demands for international observers, which have occurred elsewhere in the Caribbean have also been present in Guyana

There is no other country in the Caribbean which has manifest this full range of issues or which has received the attention of the range of observer groups. For these reasons, the case of Guyana merits a more detailed discussion that represents all of the issues present in other Caribbean states. In short, however, it can be noted initially that despite

these numerous, detailed and often intrusive involvements in the country, improvements in the electoral problems in Guyana and in the general perception of the country by various international actors have been extremely tedious and painstaking achievements.

CONCLUSION

There is a broad spectrum of cases involving election observation in the Caribbean. At the one end are those countries ascribing to the norm by inviting observers for the main purpose of validation, in keeping with acceptable international standards. In the middle ground are countries with more electoral issues and geopolitical considerations that have made them have more instances of observation than the previous set. Towards the other end are countries such as Jamaica and Guyana, which have had observers on at least five occasions because of more substantive political conflicts and irregularities.

Election observation has not been a panacea for all the political problems in the region. The countries that have made substantial improvements are those that have instigated reforms from within, even with suggestions from observation groups. Overall, Caribbean countries are more likely to accept and endure the participation of international election observers as a useful indicator of their acquiescence to international norms. A few countries, such as Trinidad and Tobago and, to a lesser degree, Jamaica, have been able to demonstrate their conformity with the practice and therefore progress to reducing the need for repeat observations. Guyana has had a similar but longer history of election observation. The following chapter explores in detail the very complex and interesting case of Guyana and the related aspects of election observation in a Caribbean context.

NOTES

1. Rosario Espinal, "Dominican Republic: Electoralism, Pacts, and Clientelism in the Making of a Democratic Regime," in *Democracy in the Caribbean: Myths and Realities*, ed. Carlene J. Edie (Westport, CT: Praeger, 1994), 147.
2. Ryan George Saunders Peralto, *A Fair Electoral System; Insure Your Democracy, One man, One Vote—Same Man, Same Vote* (Kingston: LMN, 2006).

3. Natasha T. Duncan and Dwayne Woods, "What About Us? The Anglo-Caribbean Democratic Experience," *Commonwealth & Comparative Politics* 45, no. 2 (2007): 202.
4. Douglas Payne, *Democracy in the Caribbean: A Cause for Concern* (Washington, DC: Center for Strategic and International Studies, 1995). Furthermore, for the period since the introduction of universal suffrage, the Caribbean countries have had a more solid record of democratic success than a number of European countries notably Spain, Portugal and Greece.
5. Patrick Emmanuel, "Parties and Electoral Competition in the Anglophone Caribbean, 1944–1991: Challenges to Democratic Theory," in *Democracy in the Caribbean: Myths and Realities*, ed. by Carlene Edie (Westport, CT: Praeger, 1994).
6. Payne, *Democracy in the Caribbean*, 3.
7. Barrow-Giles and Joseph, *General Elections and Voting in the English Speaking Caribbean*.
8. *Ibid.*, 12.
9. *Ibid.*, 1.
10. Payne, *Democracy in the Caribbean*, 2.
11. Adrian Karatnycky, ed., *Freedom in the World 2001–2002* (Washington, DC: Freedom House, 2002).
12. Scott D. Schraufnagel and Barbara Sgnouraki, "Voter Turnout in Caribbean Democracies," *Journal of Eastern Caribbean Studies* 31, no. 4 (2006): 2.
13. *Ibid.*
14. Paul Sutton, "Caribbean Politics: A Matter of Diversity," *Social Education* 64 no. 2 (2000): 1–78.
15. Barrow-Giles and Joseph. *General Elections and Voting*, 1.
16. Schraufnagel and Sgnouraki, "Voter Turnout in Caribbean Democracies," 1–29.
17. Carlene Edie, ed., *Democracy in the Caribbean: Myths and Realities* (Westport, CT: Praeger, 1994), 3.
18. Payne, *Democracy in the Caribbean*, 2
19. Barrow-Giles and Joseph. *General Elections and Voting*.
20. For further discussion on norms in international relations, see, for example, Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization* 52 (1998): 887–917 and specifically election observation as an international norm, see Kelley, "Assessing the Complex Evolution of Norms."
21. "Memorandum of Bakar Ali Mirza," in *British Guiana: Report by the Commonwealth Team of Observers on the Election in December 1964* (Colon. No. 359, London: HMSO, 1965), 14.

22. Haiti, Suriname, Guyana, St. Kitts & Nevis, Belize, Antigua & Barbuda and Grenada.
23. Suriname, Trinidad & Tobago, Haiti, Guyana, Jamaica, Grenada, Antigua & Barbuda, St. Kitts & Nevis, St. Vincent & the Grenadines, St. Lucia and Belize.
24. “Thumbs up from Independent Observers,” *Dominica News Online*, 21 December 2009, Accessed 19 February 2010, <http://dominicanewsonline.com/news/homepage/news/politics/thumbs-up-from-independent-observers-but-recommendations-made-to-improve-democratic-process/>.
25. Grenada, Belize, Guyana, St. Vincent and the Grenadines and Jamaica.
26. The OAS has observed elections in Grenada, Belize, Dominica, Guyana (twice), St. Vincent and the Grenadines, St. Lucia and Jamaica.
27. The Electoral Office of Jamaica (EOJ), invited the OAS, the Commonwealth, IFES, Caricom and the Carter Center. “Carter Center Gives Jamaica Thumbs Up,” *Jamaica Observer*, August 16, 2007.
28. *Ibid.*
29. OAS, *Report of the Electoral Observation Mission in Jamaica, February 2016*. (Washington, DC: OAS Secretariat, 2016). CARICOM, Preliminary Statement February 2016 Election Observation Mission, 2016.
30. This figure includes Haiti, Suriname and the Dominican Republic, which are not direct subjects of review in this study.
31. This exercise in Belize was the first observation exercise that the OAS had conducted that was so strictly restricted to registration.
32. Barrow-Giles and Joseph, *General Elections and Voting*, 26.
33. *Ibid.*, 38.
34. Commonwealth Secretariat, *The Trinidad and Tobago General Election, 11 December 2000: The Report of the Commonwealth Observer Group* (Commonwealth Secretariat, 2000).
35. Commonwealth Secretariat, *Belize General Election 7 February 2008: The Report of the Commonwealth Expert Team* (Commonwealth Secretariat, 2008).
36. OAS, *Report of the Electoral Observation Mission in St. Lucia, December 2006* (Washington, DC: OAS Secretariat, 2008), 18.
37. Commonwealth Secretariat, *Antigua and Barbuda General Election 23 March 2004: The Report of the Commonwealth Expert Team* (Commonwealth Secretariat, 2004).
38. Commonwealth Secretariat, *The General Election in Antigua and Barbuda 9 March 1999: The Report of the Commonwealth Observer Group* (Commonwealth Secretariat, 1999).
39. Commonwealth Secretariat, *Antigua and Barbuda General Election 2004*.

40. Commonwealth Secretariat, *St. Kitts and Nevis General Election, 25 October 2004: The Report of the Commonwealth Expert Team* (Commonwealth Secretariat, 2004).
41. OAS, *Report on the Electoral Mission in St. Vincent and the Grenadines General Elections 2001* (Washington, DC: OAS Secretariat, 2001).
42. OAS, *Report on the Electoral Mission in St. Vincent and the Grenadines General Elections 2005* (Washington, DC: OAS Secretariat, 2005).
43. Ibid.
44. OAS, *Report of the OAS Electoral Observation Mission to the General Elections Held in St. Vincent and the Grenadines, 2015* (Washington, DC: OAS Secretariat, 2015).
45. Steven Griner. "Freedom Reaffirmed in Grenada," *Americas* 51, no. 3 (1999): 54.
46. OAS, *Report of the OAS Electoral Observation Mission to the General Elections Held in Grenada, 2003* (Washington, DC: OAS Secretariat, 2003).
47. See, for example, Anthony Payne, *Politics in Jamaica* (Kingston: Ian Randle, 1994).
48. Carter Center, *The Observation of the 1997 Jamaican Elections: A Report of the Council of Freely Elected Heads of Government* (Atlanta: Carter Center, 1998).
49. Carter Center, *Observing the 2002 Jamaica Parliamentary Elections* (Atlanta: Carter Center, 2003).
50. Ibid.
51. See p. 61, note 108, Bjornlund, *Beyond Free and Fair*, 97.

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Electoral Politics in Guyana

INTRODUCTION

This chapter assesses the political conditions in Guyana that formed the basis for the presence of international observers. These conditions include the more obvious ones of fraud, racial conflict and the existence of deep political tensions, but also consider other reasons such as the need for technical and administrative support and the indication to the international community of the country's commitment to improving the electoral process.

In most ways, Guyana is a typical Caribbean country. It faces the usual challenges of small economies in the current international political economy; it faces the increasing problems of crime and violence; it has battled with International Monetary Fund (IMF) structural adjustment programmes; it has to deal with the effects of a US security-driven foreign policy; and it is increasingly penetrated by narco-trafficking.¹ Like Trinidad and Tobago it has experienced problems of ethnic division. Like Jamaica, Grenada, Antigua and Barbuda and many others, it has had pockets of political instability and turbulent elections. Like Grenada in particular, Guyana's political landscape has been manipulated by local and external actors.

Guyana has ranked relatively low on several widely accepted international indicators of civil and political freedoms and human development. The Freedom House surveys have ranked Guyana as partly free from 1974 to 1993, except for 1975 when it was classified as "not free". The country

was only regarded as “free” in 1994 following extensive electoral reform and external assistance. Guyana’s woes did not end with the infusion of internationally accepted elections in 1992. Although the country has been consistently ranked as free since 1994, the demotion to “partly free” in 2005 is a stark reflection of persisting political conflict and upheaval despite considerable technical and financial assistance. Antigua and Barbuda, Jamaica and Grenada have also at various intervals received low ratings for their human rights record in civil and political rights.²

Guyana has faced compelling difficulties in its economic, social and political development. So, for instance, although the country has received debt relief, it continues to grapple with problems of unemployment, inflation, disparity in distribution of wealth, social unrest and poverty. The country has also persistently endured political tensions between government and the main opposition party and has tackled undercurrent crises of governance. Within the post-Cold War geopolitical environment, Guyana has faced more complex problems of crime, security and narco-trafficking. Although the “one-size-fits-all” model has been justifiably rejected in making generalized comparison, this description fits many of the challenges facing Caribbean countries.

It is against a background of political tensions, external involvement, social unrest and a fraudulent electoral system that this section briefly examines some of the main issues and challenges that have dominated Guyanese politics. This discussion therefore highlights the main features and elements of politics and elections in Guyana that set the stage for the invitation or participation of election observers in the political process.

SPECIAL FEATURES OF GUYANA’S POLITICAL HISTORY

Race

There is consensus that the race is a defining feature of Guyanese politics.³ The inextricable link between race and politics is a highly sensitive issue and is the source of many electoral problems in the country. The issue of race is dominant in the context of elections and more specifically, their observation.

In an analysis of politics in Guyana, Premdas attributes human rights abuses to the lack of an endogenously formed democratic system. One major reason for this superficial construct was that the ethnic fragmentation of the post-independence society undermined any cooperative

efforts at social cohesion.⁴ Historical accounts trace the origin of this multi-ethnic society to the post-1838 emancipation period, during which manpower had to be found from sources other than slave labour. The system of indenture provided the labour on the plantations.⁵ The plantations operated in a manner similar to the townships in South Africa—each with its own system of law and order with the East Indians living and working with few civil and political rights during their seven year tenure.

The post-emancipation period also marked the mass departure of African labourers to villages and later to urban centres where they established themselves in the civil service. This social mobility was due to the attainment of skills and training through education and meant that the plantation populations comprised mainly East Indians and the civil service, mainly Africans. The end of the indenture system in 1917 led to the migration of Indians from the sugar estates to villages, but further entrenched the fragmentation of Guyanese society on ethnic grounds. In this regard, the composition and organization of the population were along the following general lines: Africans—urban centres, civil service; Indians—rural dwellers, farmers or plantation workers; Amerindians—reservations; Chinese—urban centres, service industries⁶; and Portuguese—urban centres, professions and businesses. This non-integrated, multi-ethnic, stratified, communal society intensified in the twentieth century and beyond.

The conditions of the international political economy of the post-World War II era adversely affected economic conditions in Guyana. The injustices of the stratified plantation economy were magnified and highlighted the country's external dependence on the international market for economic viability. As a survival tool, workers organized themselves into trade unions and instigated strike action. This industrial unrest along with a poor forecast for the world economy caused dramatic falls in the price of sugar and in employment rates and wages. Dissatisfaction with these general conditions and the slow pace of reforms for improvement generated the first anti-colonial movement of the Political Affairs Committee (PAC).

The PAC (1946) espoused non-racial values and fostered unity among the various ethnic groups of the colony. It garnered support from many Guyanese academics and later launched the PPP—People's Progressive Party—in 1950. The main aim of the PPP was to foster racial unity which it seemed to have done in the outset—with support from up to

82% of the population of Africans and Indians. The PPP won the 1953 elections with Jagan as leader and Burnham as president of party. This arrangement was short lived as the British suspended the constitution within six months of the election.

The political status of Guyana was particularly chaotic between 1953 and 1966. The British government suspended the constitution because of concerns with the “left-wing sympathies” of some PPP members whose actions they felt were “perverting the Constitution” for extremist ends. The 1953 constitution was not re-instituted until 1957, after which the PPP was returned to power in 1957. The alleged pro-communist association of the PPP was also a source of conflict within the party, leading to an eventual split along racial and ideological lines.

This continued racial division has dominated the modern political history of Guyana.⁷ In January 1957, the Indo-Guyanese section led by Jagan remained in the PPP, while the Afro-Guyanese group led by Forbes Burnham renamed itself the People’s National Congress (PNC). This division of the party would soon intensify the polarization of Guyanese politics in which the membership of the two major political parties was essentially determined by ethnic cleavages.⁸ So, for instance, the period from 1961 to 1964 witnessed severe rioting along ethnic lines, while the election campaign of 1961 featured race and ideology as bargaining chips for votes. Within the context of racially motivated voting, the PPP won the elections with Jagan as Prime Minister.⁹

The PNC offered little support for independence under a Jagan-led government. The immediate post-election period in 1965 was marred by demonstrations, violence, external interference and general political mayhem. Independence efforts were subsequently postponed amidst strikes led primarily by Indo-Guyanese. These disturbances culminated in great tensions between Indians and Africans.¹⁰

Inter-ethnic conflicts were sporadic and rare before 1947. By 1953, violence among ethnic groups became a national problem with each group struggling for political dominance over the other.¹¹ The political fragmentation of the PPP hinged on ethnic identity, therefore fortified ethnic conflict and polarization, particularly in the political sphere. This environment of political tension is captured in the following:

An independent Guyana under Jagan, Creoles feared, “would be a country with Africans as slaves to East Indians,” whereas an Indian political leader charges that “the Negroes have drunk the goblet of power and now see no necessity to share anything with the East Indians.”¹²

The following years saw a continuation along the path of a politics of racial division. Based on a constitutional change which introduced proportional representation, Burnham was able to come to power in 1964, at the head of a coalition government supported by the British and the USA.¹³ He used this position to change the electoral system to ensure for himself a two-thirds majority in the Legislature following the 1968 elections. This was followed by the introduction of the philosophy of the paramouncy of the ruling party formulated in 1974, and constitutional reform in 1980 to secure him further power.

Most attempts to analyze politics in Guyana start with a discussion of racial division as the main problem or at the very least, as a catalyst for existing tensions. In everyday life relations between the two major races are generally cordial. This is supported by intermarriage and a society that is not racially segregated. When it comes to political life, however, it is clear that both groups crave leadership and it is generally accepted that the political parties have an overall lock on the majority races.¹⁴

Carroll and Pastor¹⁵ juxtapose the Guyanese situation with the explosion of ethnic tensions in some Eastern European countries in the post-Cold War period. They posit that elections are an important mediatory tool for the peaceful resolution of racial conflict. Hence, the role of international observers in this context is to facilitate the mediation of the conflict through the holding of elections.¹⁶ While ethnic tension is also a factor in Guyana, the country presents a slightly different and more complex case than this comparison. Elections in Guyana are one of the primary sources of racial conflict and not the avenue towards the conciliation of such tension. As Carroll and Pastor suggest, Guyana has “two mutually suspicious ethnic groups”¹⁷ competing for political domination. Election observation has a different role in Guyana than in post-Cold War Europe where elections served as an important tool to reconcile tensions. One of the roles that observers have played in Guyana is to diffuse the inflammation of existing racial conflicts that escalate during elections.

ACCUSATIONS AND COUNTER ALLEGATIONS

Premdas suggests that the main impetus for electoral fraud was the fear that one ethnic group would win the election and subsequently neglect the needs of the remainder of the population comprising mainly the rival ethnic group.¹⁸ This is confirmed by the attitudes of the major political parties to each other in their various tactics to garner the support of the

major racial groups, the PPP largely supported by East Indians and the PNC and Afro-Guyanese. As one commentator questions:

Which Guyanese doesn't know about the role of the PNC and its African base and the PPP and its Indian base? Which Guyanese doesn't know about the competition for power by these two leviathans that are hopelessly trapped in the politics of ethnic insecurity? The sociologist calls it Guyana's ethnic problematic ...¹⁹.

This is demonstrated in accusations of racial impropriety made by the PPP against the PNC. In its 28 years as opposition, the PPP made several charges of racial discrimination against Indians by the Afro-based PNC. One mode of this inequity was in the area of jobs. Charges were that the PNC ensured its supporters were employed in key areas of the civil service, armed forces and in the medical profession. Singh describes this as an "injury to human rights in the field of equal opportunities".²⁰ During the 1970s, the government was accused of maintaining support by employing "blatant discriminatory practices, nepotism and favouritism based on race, and political and special consideration".²¹

Discrimination in employment evidently took place in the form of fewer opportunities for Indians, little prospect for promotion and the domination of jobs by "persons of African descent...irrespective of qualifications, merit or efficiency".²² This policy extended to frustrating qualified Indians by demoting them with an overall result of a brain drain of many highly qualified doctors, lecturers, civil servants and police officers.²³ The high migration rates of Indo-Guyanese under PNC rule is not definitively linked to this discrimination but provides some evidence of their dissatisfaction with conditions in Guyana.

These allegations are not one sided, as recent PPP administration has been similarly accused by PNC supporters of unfairness in its dismissal and employment practices.²⁴ In 2001, claims were also made by the PNC that the Guyana Elections Commission did not exercise "ethnic sensitivity" in the employment of staff working on the voters' list. The further allegation is that racial bias would have permeated the verification of the voters list. An audit found that "no prejudice was shown directly and they did not seem important enough to make a material difference even if prejudice was shown".²⁵ Again, although claims against the PPP were not as many or vociferously made as those made by the PPP against the PNC in previous elections, the allegations prove that distrust between the races affects the political conditions.

In addition to an extensive account of cases of discrimination in employment of PPP supporters, and in effect Indians,²⁶ are allegations of prejudice in the system of land allocation and the provision of social services. It has even been asserted that the controls placed on food imports during PNC rule intentionally affected Indo-Guyanese more.²⁷ Proving the validity of these allegations and counter allegations of inequity in the employment practices of the PPP and to a lesser extent the PNC is not the principal domain of this study. Several possibilities exist for the basis of the claims: either they are entirely true, partially true and exaggerated by an active PPP propaganda programme, or totally false. In each scenario, the result is the same: one racial group is discredited and the racial divide is perpetuated through the politics of the country.

CAMPAIGN PRACTICES

Some of the campaign practices of the major political parties in Guyana have been riddled with appeals to race. Some cases make overt appeals to race in public advertisements while others are more subtle. In the first instance, allegations have been made under both administrations that during elections the party in power has more airtime than its contenders. Second, some advertisements make outright reference to race or religion. In one case, the United Force²⁸ questions were simply posed concerning policies towards race: "Tell us, Dr. Jagan: what will you do about Religious Teaching in the schools... [and] racial segregation in the schools?" The fact that these are not even PNC advertisements illustrates therefore that not only the major political parties have relied on the issue of race in their campaign strategies.

Other political advertisements have been cast on religious grounds. So for example, in the same campaign the following publication claimed:

To you the Voter: PPP in Religious fraud... What an insult to our Hindu religion, to deceive them with this political communist "monk"! The PPP is guilty of shameful religious fraud!²⁹

This allegation of religious fraud would appeal to Indians who have been regarded as the political base of the PPP arguably with the intention of discrediting the integrity of the political party. The PPP established a formal strategy of campaigning through ethnic profiling before independence. They start with the following assumption:

When people are exposed to “reasonable” or “rational” arguments they tend to believe or remember those points which confirm their existing political beliefs and forget or ignore the strength of the argument on the opposite side.³⁰

On the matter of racial voting they continue: “this largely explains the nature of ‘racial voting’ in British Guiana. East Indians, Africans and Portuguese see themselves as separate groups and they vote for the parties which seem to symbolize the group to which they belong”. Among the racial strategies to support voters are the following guidelines:

1. Do not waste your time trying to change an African who strongly supports the PNC...concentrate your efforts on East Indians, Negroes and Portuguese who seem uncommitted.
2. Make your greatest efforts on the East Indian population. East Indians who do not vote for the PPP are in a sense “deviants” from their group and are more likely to be convinced of the need to vote for the PPP as the least of the three evils.
3. The East Indians in this country are not safe mainly because the partisan approach of the Police Force which is largely Negro. The acts of violence against Indian property and women folk should be highlighted also the large numbers of arrests made when one African is injured or killed as compared with the very few, if even any arrests, which follow the injury or death of an Indian. ...[I]t should be pointed out that if these crimes of rape, battery, violence and destruction of property and business happens when the PPP is in power then one can well imagine what will take place when the PNC becomes the government. ...Woe to the Indo Guyanese when this happens and many of them might have to leave the country with their wives and children.
4. If an African is strongly a supporter of the PNC do not waste your time in trying to get his vote. You are advised to work more with those Africans who are either wavering or likely to support the UF.³¹

These extracts clearly demonstrate that appealing to race was not just a strategy employed subconsciously, but an intentional policy of influencing potential voters by playing on feelings of racial loyalty and fear of Afro-Guyanese by the Indians. Non-racial factors such as the possibility of upward mobility through education for the Afro-Guyanese were also

employed. Overall, the documents unequivocally show not only that race is a factor, but that at least in the 1960s the PPP consciously tried to use racial appeals to their advantage.

An important element of the PPP's strategy to draw attention to their political strife has been external appeals. So for instance, the party has written letters to various organizations requesting them to observe Guyanese elections. One foundation for these requests has been the perpetration of human rights abuses on the PPP by the government in various ways including "racial discrimination".³² Although in the initial phase of its appeal for observers the PPP has called for CARICOM observers, there has been the sentiment in some quarters that CARICOM leaders turned a blind eye to the plight of the PNC because "a bunch of black men would not be sensitive to the issues of Indians".³³ It is more probable that other Caribbean leaders paid little attention to Guyana because their domestic politics and foreign policy were also being steered, even dictated by Cold War realities, but the perception remains.

The PNC campaign strategy has also had racial overtures, but packaged differently. Its approach while it was the government to discount any notions of racial voting, or that it intentionally appealed to Afro-Guyanese, or that it would tolerate racism. On the last point, the PNC proudly reports that it expelled an aspiring Working People's Alliance (WPA) candidate for being racist. Media reports confirm that the candidate supported policies based on race, but not that he was racist.³⁴ With specific reference to 1985, the PNC states rather boldly: "With the Elections...Racial Politics Will be Dead" as a caption of a photograph of President Hoyte surrounded by both Indians and Afro-Guyanese.³⁵ Finally, the PNC goes to great lengths to prove that it had a strong support base of East Indians. An effort is made to substantiate these claims with numerous photographs of crowds and lines, presumably of PNC supporters, including many Indians.

This is in keeping with the view expressed by the leadership of the party that voting for the PNC is not entirely racial. By one account, many Indians vote for the PNC but are fearful of reprisals and intimidation by the PPP for betraying their race.³⁶ The closest to this research is the view that claims of racial voting in Guyana are spurious. The difference in this view is not an implicit justification of PNC victories, but is also made on empirical grounds. With reference to early PNC appeals to multi-ethnic support and to the leader's line of reasoning, while there could be some truth to the argument, it does not obviate the PNC of

charges of fraud. What these strategies and propositions do, nevertheless, is to reinforce the view that in Guyana the matter of race has a complex relationship with politics.

In response to the PNC's suggestion that Indians would freely elect an Afro-Guyanese leader, one view in the Burnham era tried to set the record straight:

We have not met the African who can raise the Bible and swear that he can truly represent and lead the Indian. That is why we oppose the pretensions of Mr. Forbes Burnham. We do not think that any Indian should aspire to lead the Africans.³⁷

Despite calling for racial unity to defeat the "prejudices and problems" of racism, the message that anything but racially determined rule is not an option is unequivocal and underscores the centrality of racial considerations in Guyanese politics. The failure of the WPA to garner multiracial support has also reaffirmed this view.

Closely associated with the appeal to race through campaign strategies is the implicit acknowledgement by politicians that some constituencies are safe seats for one party based on the racial profile of the community.³⁸ In response to the acknowledgement of racial voting, it was common practice by the political parties, at least in the 1960s, not to contest seats in the opposing party's stronghold.

In further recognition of racial voting, where there were Afro-Guyanese or non-Indian candidates in the PPP they would run in the areas with more Afro-Guyanese. In this regard, both parties have members who are not members of the assumed racial support base. So, for instance, the inclusion in the PPP of high profile Afro-Guyanese candidates is presumably an attempt to give the appearance of racial inclusion. This tendency can also be explained by the recognition that the current administration is an alliance of the PPP and other civic groups, hence PPP/Civic and to suggest that all involvement in politics in Guyana is racially motivated is an unfair proposition.

REPORTS OF VOTING AS A RACIAL CENSUS

Table 5.1 below presents the racial composition of the Guyanese population between 1960 and 1999. These figures reflect the responses given when individuals were asked to identify themselves by race as Afro-Guyanese, Indo-Guyanese or Other.

Table 5.1 Share of population for Afro- and Indo-Guyanese 1960–1999

<i>Ethnic group</i>	<i>1960</i>	<i>1970</i>	<i>1980</i>	<i>1990</i>	<i>1992</i>	<i>1999</i>
Indo-Guyanese	47	52	51	48	49.5	48.2
Afro-Guyanese	45	42	42	33	35.6	27.7

Source Based on C.Y. Thomas, *Poverty and the 1999 Guyana survey of living conditions* (Georgetown: United Nations Development Programme, 2002)

The figures show that Afro-Guyanese have always comprised a smaller percentage of the population than Indo-Guyanese. This was only marginally so up until 1960. By 1970 however the figures illustrate that the Afro-Guyanese portion was 10 percentage points less than the other group. These are the figures that are frequently used to make some link between race and voting in Guyana. The assumption has always been made that voting was largely a factor of race. So for instance, Ellis and Zwaenepoel refer to the voting patterns of the 1992 elections as 53% for the PPP and 42% for the PNC as consistent with the demographics of the country.³⁹ This line of reasoning has also been employed by most observer reports and is consistent with wider public opinion in general.⁴⁰ Parris suggests that although there is “the existence of a correlation between ethnicity and voting preferences” racial voting in Guyana is “a pedestrian myth”.⁴¹

Even a minimal approach to accepting the perception of racial voting has provided challenges for the PNC. It is this widely held view of racial voting that has made this party susceptible to charges of election rigging. Whether faulty assumption or fact, it explains the PNC strategy to prove that the party has a substantial proportion of Indo-Guyanese voters. So, if one proceeds on the premise that elections in Guyana are a racial census, then according to statistics available before the 1992 elections a PNC victory would have been statistically impossible if there was a relatively proportional voter turnout for both major ethnic groups.⁴²

One cannot claim victory in the explanation of racial voting with population census figures. What, for example, would explain the sharp decrease of Afro-Guyanese by 1999 to a mere 27.7%? There is no statistical explanation of this trend. Thomas suggests that either the census is highly unreliable or that individuals who would previously have identified themselves as Afro-Guyanese prefer to refer to themselves as “other” or “mixed”.⁴³ Statistically too, Thomas notes that the “percentage of the mixed population has risen equally dramatically”.⁴⁴ Gibson further

suggests that this re-labelling is an outgrowth of the “dehumanization” of Africans that has been taking place since the PPP attained political office in 1992.⁴⁵ Arguably, the reasoning that individuals have begun resorting to subjective racial labelling is quite plausible given the deep racial tension in Guyana.

Finally, whether the link between race and politics is real or imagined, the perception that it exists is very strong. One opinion survey shows overwhelmingly that the political attitudes and choices of many Guyanese are racially founded. In other words, when surveyed on various aspects of political life in Guyana, many of the responses could be categorized in terms of race.⁴⁶ For example, in 1999, 62% or more than twice as many Indo-Guyanese thought there were opportunities to improve compared to only 26% of Afro-Guyanese.⁴⁷ Likewise, only 36% of Afro-Guyanese thought the 2001 elections would be fair compared to 69% of Indo-Guyanese.⁴⁸ These represent just a few of the responses that were racially differentiated and although they are time specific, they are arguably reflective of general differences in opinions and attitudes of the major racial groups to political issues. In considering the correlations between the responses to questions about racial self-identity and political perspective, it is important to also consider the possibility of reverse causality. In this regard, racial self-identification may shift according to a person’s comfort and satisfaction with the political situation. Thus, persons who could claim to be of mixed race may self-identify as such if they are dissatisfied with a regime which is identified with the African or Indian group. Alternatively, if of a different persuasion, they may self-identify with the group which is associated with the ruling regime.

This section has sought to establish the link between race and politics in the context of elections and their observation in Guyana. It has done this through the examination of accusations of electoral fraud; local and international campaign approaches; allegations of discrimination in employment and other social policies; public opinion surveys; and population census figures. Although the veracity of all the claims cannot be statistically verified, they provide reasonable grounds to substantiate the widely held view that race and politics are inextricably linked.

EXTERNAL INVOLVEMENT: AID, FIDDLING AND SUPPORT

In its modern political history there has never been an election in Guyana that has not had some form of direct external intervention. The British government suspended the Guyanese constitution in 1953

because they believed the newly elected PPP administration was “not on the path to responsible” self-government and were instead involved in an “insidious undermining process” towards totalitarian rule and alliance with the then Soviet Union.⁴⁹ Followed by the introduction of Proportional Representation by the British in 1964, mark the first two instances of Guyana’s inability and lack of opportunity to exercise full sovereignty in its electoral affairs. Since then, Guyana has had a record of election observation and technical assistance unmatched by any other Caribbean or Latin American country. During the Cold War when the USA conveniently ignored the electoral abuses of the PNC government, other actors intervened.⁵⁰ The US strategy of non-interference, also, may ironically be classified as direct involvement in Guyana as the PNC had only come to power on the ticket of election results partly engineered by its political administration.

Guyana is the first Commonwealth Caribbean country to have had election observers. In 1964 a Commonwealth Team observed the controversial first election under the proportional representation system. The elections of 1980 were observed by the International Team of Observers. Subsequently, the 1992, 1997, 2001, 2006, 2011 and 2015 elections have had international observer teams from the Commonwealth, Carter Center, OAS, EU and CARICOM. This makes Guyana not only the first Caribbean country to have had observers, but also the country which has hosted the most observer teams. Guyana has also received technical assistance from a wide range of actors including the UN, CAPEL (Centre for Electoral Promotion and Assistance), NDI, International IDEA and CARICOM. With the exception of 1980, observers have been facilitated by the government of the day.

Guyana has also had unsolicited involvement in its elections by foreign governments. The US and UK governments have intervened in the political process in the country to suit their own national interests. It is generally accepted that the PPP was ousted from power because of Jagan’s pro-communist position. Some analysts suggest, however, that the Kennedy administration was more concerned with its own chances of an electoral victory than with any perceived threat from Guyana.⁵¹ Whatever the case, the outcome remains the same: the British and US governments used covert means to destabilize the Jagan government. This involvement resulted in the installation of a Burnham regime which became a dictatorship, leaving an indelible scar on the political fabric of Guyana.

PROBLEMS ASSOCIATED WITH THE ADMINISTRATION OF ELECTIONS

In most cases, Guyana shares problems of electoral administration with one or more of the other Caribbean states, albeit in a more pronounced manner. These include voter registration and the associated voters' list, proxy voting, overseas voting, and the reporting, tabulation and announcement of election results. Other areas of concern include electoral intimidation and violence, electoral rigging, and the role of media. The following section outlines some of the main problems and irregularities with elections in Guyana.

ELECTION RIGGING

Guyana has had a long history of elections that have been anything but "free and fair", even with the most flexibly conceived interpretations of this term. In addition to the manipulation of the administrative framework of elections and their outcome by external forces, elections in Guyana have been fraught with problems for several decades. While the PPP has been accused of some level of electoral manoeuvring, it is the PNC which has been the most cited and documented perpetrator of fraud.

From their "seizure of power" in 1968 the PNC used various methods to manipulate election results in their favour.⁵² The main tools of election rigging in Guyana have been using state-owned media, violence and intimidation, constitutional manipulation ballot stuffing, over-voting, tampering with the voters' list, and manipulating the counting of votes.

Abuse of freedom of the press has been a frequent charge against various political administrations in Guyana. Although the PNC has been the more blatant offender, the PPP is not without fault in this respect. The use of state-owned media for partisan political purposes has been a constant feature of Guyanese politics. In the immediate post-independence period, the PPP was reported to have unfairly used its access to the media. Likewise, under the PNC, state-owned media were used for the glorification of the government and for disparaging the PPP. Even where freedom of the press existed, and privately owned newspapers were accommodated, with few exceptions these were fiercely biased in their reporting.⁵³ Eventually, the PNC was able to suppress most

anti-government sources by restricting supplies of newsprint and ink. By the mid-1980s, however, the introduction of *Stabroek News* inserted a greater level of independence and objectivity on the media scene. This has not entirely removed the tendency of the bias in the media as the major daily prints are still accused of being partisan.

PARAMOUNTCY

The PNC continuously found innovative means of extending its abuse of power. In 1974, Burnham made the famous “Declaration of Sophia” asserting the paramountcy of the PNC over all parties and the state itself.⁵⁴ The Westminster-style constitution was subsequently abolished and replaced with the 1980 Constitution of Guyana.⁵⁵ Paramountcy of the party as introduced by the PNC was a major instrument of government to entrench its control over various aspects of life in Guyana. This policy effectively crippled the independence of the judiciary and transformed it into a regime of tyranny.⁵⁶

The implications of the philosophical pillars of the new Constitution on the democratic machinery of Guyana were far-reaching. The President was vested with excessive rights such as the right to prolong the duration of Parliament and the power of veto over any legislation passed.⁵⁷ Provisions were also made for him to act “in accordance with his own deliberate judgements” rather than in accordance with the decisions of Cabinet.⁵⁸ Morrison asserts that this “constitutional dictatorship” as an electoral strategy acknowledged that:

... the Indian population growing at a faster rate than the Africans he could not hope to retain his position by winning at elections. To ensure his continuance in office he set out to control every aspect of life in the country.⁵⁹

The new constitution ostensibly served to entrench the abuse of power by the PNC, and resulted in the further polarization of ethnic groups in Guyana. One effect of Burnham’s quest to extend the party’s power beyond the role of the judiciary to the use of the military for political rule was an almost “uni-ethnic” Defence Force.⁶⁰ An engineered readjustment in the membership of the security forces resulted in an attrition of Indo-Guyanese and an influx of Afro-Guyanese that reflected the racial and political support base of the main political

parties. As has been well documented, the army, police and other arms of the Guyana Defence Force were key players in the consolidation of the Burnham regime. Party paramountcy therefore resulted in the “dominance of Africans in the coercive apparatus of the state”.⁶¹ This state of affairs intensified the image of Afro-Guyanese as violent and aggressive; an image that persisted even after Hoyte abandoned this policy in the 1980s, and has persisted despite the PPP’s subsequent regain and maintenance of power.⁶²

This lack of separation between the security of the state and the security of the PNC regime led to the “accretion of semi-official violence” which worsened Guyana’s profile in its international relations. The response of the military to the 1980 International Team of Observers received extensive international coverage and confirmed the existence of widespread abuse of power by the PNC through agents of the state especially during elections.⁶³

REGISTRATION/VOTERS’ LIST

The registration process in Guyana has been one of the sources of much disagreement in successive elections. Various political parties and other actors have charged that the voters’ list produced by registration has been the main tool of fraud and coercion or, to a lesser extent, has been genuinely flawed.⁶⁴ Problems associated with the accuracy of the voters’ list have resurfaced in every election and are therefore recurrent grounds for dispute. Charges and counter charges of fraud; inflation of the list with dead, underage and fictitious persons; deletion of names; and double or multiple entries have been the main sources of contention. The tension created due to these errors and alleged efforts to taint the list have mainly been resolved by third parties, including local and international observers; and through technical and financial assistance.

One early dispute over the list was in the context of efforts to supplant the PPP with the PNC during the Cold War. In this regard, the UK/US alliance was accused of employing Shoup Registration System International, a fictitious company, for the development of a voters’ list that would be manipulated to the detriment of the incumbent. Hence, the resulting padded list was in fact a coercive strategy by the US government.⁶⁵ Under the supervision of Shoup, the electorate moved from 247, 664 in 1964 to 299, 348 persons in 1968, substantiating grounds for suspicion.

The most frequently stated problem with the voters' list has been that it is engineered to put the incumbent at an electoral advantage. Hence, opposition parties in Guyana have consistently accused the government of tampering with the list. This was especially the case from 1968 to 1992 when the PNC was in power. From as early as 1967, the Civil Liberties Action Council (CLAC) noted that the PNC by-passed the Elections Commission and used the Ministry of Home Affairs to establish an undercover office that registered persons 14 years and over. Although the later electoral roll comprising persons 21 and over was extracted from this list, at the very least, there was lack of transparency in the process. The Central Electoral Office notes Premdas, "was barricaded like an impregnable fortress with high security fences, barbed wire, flood lights, and armed guards protecting its activities with utmost secrecy".⁶⁶ This seclusion of the registration process by the PNC ensured little if any accessibility by the PPP, any other party, group, voter or other individual, and facilitated the padding of the voters' list in successive elections.

Various strategies have been used to inflate the voters' list. The most common ploy was to include the names of deceased persons. In this regard, the PPP charged that the PNC either did not delete deaths from current lists or simply added the names of deceased persons to increase their chances of winning the election. The PNC was also accused of inflating the voter's lists with overseas voters, many of them fictitious as widely publicized by interviews conducted by Granada Television. Efforts to verify the addresses of persons on these lists provided ample proof that many alleged voters did not even exist. This fraud was further compounded by the extension of categories of proxy voters where numbers increased from 300 in 1961 to 19,000 in 1968. It was made clear that the PNC would explore all options to ensure their hold on power.⁶⁷

Another method of tampering with the voters' list was to make multiple entries of the same name. Both the major political parties have accused each other of this practice, but Indian cultural practices create more scope to accuse the PPP. Here again, the element of race resurfaces. Within the Indian community, it is not uncommon to find several entries of the same name not just for different locations, but for people living in the same household. The defence of the PPP is that many Indians have the same surname—so names such as Singh, Persaud, and so on will be quite common. Moreover, it is common practice for the

same address to have more than one person with the same name as in the context of the extended family many children are named after older relatives. So, in practice the same name could be given across three generations. While some verification exercises have found that many multiple entries of names are genuine, the system has been open to abuse.

The deletion of names from the registration list has been another method of rigging elections. It has been charged that several names have been removed in a manner that disadvantaged one party, and in effect one race. In 1991, the response to one such allegation by the PNC was that the removal was due to computer error. This was not enough to pacify the accusers who further claimed that the computer erred because of deliberate programming to which it was subjected.⁶⁸ The PPP was not always the passive victim in this process as they too were accused of attempting to manipulate the process through the confusion of voters. The PNC complained that the PPP distributed “bogus registration forms to people attending their public meetings”. The PPP’s defence that these were merely “specimen forms” to “assist persons” to become acquainted with the process showed a lack of sensitivity to the highly tense nature of the 1992 elections.⁶⁹

The streams of allegations concerning a flawed voters’ list in the prelude to the 1992 elections were supported by regional electoral experts who stated that the preliminary roll was too seriously afflicted to be the foundation of a free and fair election. While the chairman of the Elections Commission disagreed, Mills refused to be a party to “foisting the list on the Guyanese electorate” and publicly declared that the elections could not be held on the list as published.⁷⁰

The PPP claimed that the problems with the list were so extensive that it required the intervention of international observers to solve the problem.⁷¹ The criteria that the Carter Center established as prerequisites to their involvement in the election gave support to claims of an inefficient list. As such, the organization would only consent to observe the elections if minimum standards were met—including amending the voters’ list. Even under the subsequent watch of the Carter Center, one original date for the election, December 1991, had to be postponed for the “purging of a very inaccurate list”⁷² which the organization damned as “seriously flawed by 1/3 or more” of a magnitude beyond the system and time.⁷³ The later disappearance of relevant election equipment and computers confirmed that the Carter Center was serious about the pre-condition. On a more fundamental level though, the disappearance of

equipment reflected who was really in charge of the process, i.e. it was not merely “observation” by the Carter Center, and that the Guyanese were not exercising full sovereignty over their electoral affairs.

VIOLENCE

Violence and intimidation have been intricately linked to elections in Guyana. On the one hand, they have been tools used to reduce voter participation or to steal votes, and on the other, they have been reactions to undesired social policies and election results. Elections in Guyana have been described as a “time of war”.⁷⁴ Killings and oppression on either side have occurred although the PNC has been guilty of more offences due to the party’s history of election rigging. The role of the military as perpetrators of violence and intimidation during the Burnham years has been well documented as the state institutionalized extrajudicial killings and employed other agents as strong-arms of the party.⁷⁵ Harassment, intimidation and violence became entrenched in the Guyanese political system as the PNC used coercive measures as electioneering strategies to maintain the party’s hold on state power.⁷⁶

The PPP has not been without blemish in the problem of electoral violence in Guyana. While the stereotype of the timid, usually Indian, PPP supporter as victim of crimes perpetrated by PNC supporters prevails, this party too, has been responsible for acts of violence and intimidation associated with elections. Killings have continued under PPP rule, including allegations that a government minister employed a death squad to rid the country of a PNC associated gang that was itself committing acts of violence.⁷⁷ It must be admitted though, that the PPP has been less associated with violence than the PNC. Rather, the government has been accused of more subtle forms of coercion than the violent tactics previously used by the PNC. Allegations discrimination against Afro-Guyanese and marginalization have been levied against the current administration as they have set about readjusting previous arrangements to suit current racial and power political realities.

The fundamental issue remains that violence in Guyana has been “vigorously applied to inter-racial conflict”⁷⁸ as each racial group fears domination and oppression by the other.⁷⁹ Electoral violence has persisted in Guyana despite several peace accords and other forms of mediation as elections continue to be seen as a racial census. As Hinds states, “violence does not emerge from thin air. Whenever racial competition and

conflict are manipulated for electoral purposes and wished away at the end of the elections, violence is inevitable”.⁸⁰ Chapter 6 will now look at the observation of elections in Guyana between 1964 and 2015.

NOTES

1. See, for instance, Ralph Premdas, “Guyana: Ethnic Politics and the Erosion of Human Rights and Democratic Governance,” in *Democracy and Human Rights in the Caribbean Democracy in the Caribbean: Myths and Realities*, ed. Carlene Edie (Westport, London: Praeger, 1994).
2. Antigua and Barbuda was rated partly free between 1992 and 2004, while Grenada oscillated between free and not free until 1985.
3. Emmanuel, “Parties and Electoral Competition.”
4. Premdas, “Guyana: Ethnic Politics,” 43–58.
5. These workers were Chinese, Portuguese and East Indians—mainly the latter.
6. Restaurants are part of this service industry.
7. Racial division in this sense is synonymous with the concept of ethnic polarization and refers to the division between two opposing sections of the population. In Guyana, smaller ethnic groups usually form coalitions with one of the two main groups. The use of this term therefore acknowledges the co-existence of smaller groups of Chinese, Europeans, Amerindians and other racial groups with the major African and Indian communities. See, e.g., Perry Mars, “Political Violence and Ethnic Polarization in Guyana, 1947–1960,” in *Selected Issues in Guyanese Politics*, ed. Harold Lutchman, Perry Mars and Herb Addo, 89–113 (Georgetown: University of Guyana, 1976).
8. Ralph Premdas, “Guyana: Socialism and Destabilization in the Western Hemisphere,” *Caribbean Quarterly* 25, no. 3 (1979): 25–43.
9. Premdas, “Guyana: Ethnic Politics,” 143–158.
10. For a detailed discussion on political violence and race, see Mars, “Political ence.” Mars concludes that while ethnic cleavage, is not the cause of political violence, this factor contributes to political violence. Furthermore, the Guyanese case illustrates that while ‘independent acts of political violence were instigated by basically political issues, the target of attacks in many cases involved opposing ethnic groups.’
11. *Ibid.*, 90.
12. David Lowenthal, *West Indian Societies* (London: Oxford University Press, 1972).
13. Allegedly, the PNC received burgeoning political, military and financial support from the CIA, particularly within the context of the Cold War. The US government was instrumental in the formulation of a foreign

- policy that repressed the Marxist PPP on the one hand, and coerced the power of the PNC. See, for example Singh, "Discrimination.," Lowenthal, *West Indian Societies*, 130; and Premdas, "Guyana: Ethnic Politics."
14. See, David Hinds, "Merit and Principle Sacrificed at Altar of Racial Bias," *Guyana Commentary* (Georgetown), October, 2000. Note also the mission statement of the publication includes: (a) To demonstrate how the politics of division in Guyana (Westminster majority rule struggles in a racially polarized context) has led over the last 40 years, and continues to lead, to a colossal waste of people, their time and their resources, including the resources of aid donors.
 15. David Carroll and Robert Pastor, *Moderating Ethnic Tensions by Electoral Mediation* (Atlanta: Carter Center, 1993).
 16. Ibid.
 17. Ibid., 274.
 18. Premdas, "Guyana: Ethnic Politics," 51.
 19. Federick Kissoon, "Letter to the Editor," *Stabroek News* (Georgetown), October 5, 2003. This is one of several media responses to a publication by Dr. Keane Gibson, which asserts in the main that the source of Indian racism was the Hindu religion and its entrenched caste system. The book was the subject of acrimonious public debate which led to the controversial decision of the Committee on Ethnic Relations for its ban.
 20. Herman Singh, "Discrimination in Employment in Guyana," accessed May 19, 2004, <http://www.guyanacaribbeanpolitics.com>.
 21. Ibid.
 22. Ibid.
 23. Ibid.
 24. See for example, Hinds, "Merit and Principle."
 25. International IDEA, *Report of the Audit and Systems Review of the 2001 Elections Process in Guyana* (Stockholm: International IDEA, 2001).
 26. Singh, "Discrimination." The charges of discrimination presuppose that mainly traditional racial support of the political parties. So for instance, one account reads: "the government assumes that persons of Indian descent are the main supporters of the opposition People's Progressive Party. For them life is hell and unless they officially team up with the ruling PNC party card, they cannot obtain employment, promotion or just recognition of their services".
 27. Alan Parris, interview by the author, Guyana, May 2004.
 28. The United Force was a small party that was represented mainly by an elite group of Guyanese. For further information see, Jon R. Mars, *Deadly Force, Colonialism and the Rule of Law* (Westport: Greenwood Publishing Group, 2002), 104; and John Gafar, *Guyana: From State Control to Free Markets* (New York: Nova, 2003), 18.

29. United Force, "To You, The Voter-6 PPP in Religious Fraud," *Daily Chronicle* (Georgetown).
30. Freedom House (Peoples Progressive Party), *How People Vote* (Guyana: Freedom House, undated). Received from Freedom House (PPP) Library. It is likely to have been written during the early 1960s while the PPP was still in power, before independence.
31. Ibid.
32. Civil Liberties Action Council of Guyana (CLAC) to Mark Schrieber, Director, UN Human Rights Division, December 19, 1972.
33. Steve Surujubally, Interview by the author, Guyana, May 2004.
34. "I Have Swallowed Much-I Cannot Be Any Part of Odo's Plan," *Daily Chronicle* (Georgetown), July 20, 1961. It is reported the candidate has called for "equality of rights for Africans and Indians with joint and equal Premiership" or, if this is rejected, a partition of Guyana into three zones—African, Indian and a free zone.
35. "With the Elections... Racial Politics Will be Dead," *Guyana Chronicle* (Georgetown), December 5, 1985. See also Guyana, Ministry of Information, *An Analysis of the Presidential, National and Regional Elections of The Co-operative Republic of Guyana*, Guyana, December 9, 1985.
36. Robert Corbin, Interview by author, May 2004.
37. "Much To Be Done Among Indian Masses," *Guyana Graphic* (Georgetown), October 8, 1973.
38. Buxon, for example, is considered a safe seat for the PNC.
39. Ellis Andrew and Luc Zwaenepoel, *Needs Assessment Mission for the Organization of General Elections in Guyana* (Europe: European Union, 2000).
40. See for instance, "the country was divided politically, for the most part along racial lines." OAS, *Report on the Electoral Mission on the General and Regional Elections in Guyana, 1997* (Washington, DC: OAS Secretariat, 1998).
41. Haslyn Parris, *1993–2003 Heretical Musings about Guyana* (Victoria, BC: Tafford, 2003).
42. This represents the Voter Distribution by Ethnic Origin within Age Group for Entire Country, 1991. Of a total 296,349 voters, 156,744 or 52% were East Indians and 92,061 or only 31% Africans. So even if all the other racial groups were to align themselves with the Africans, the PNC would not be able to overcome the numerical majority enjoyed by the Indian-based PPP.
43. C.Y. Thomas, *Poverty and the 1999 Guyana Survey of Living Conditions*. See also, C.Y. Thomas, interview by the author, Guyana, May 2004.
44. Ibid.

45. Keane Gibson, *The Cycle of Racial Oppression in Guyana* (Lanham, MD: University Press of America, 2003), 73.
46. St. Augustine Research Associates (SARA), *Hopes and Aspirations: Political Attitudes and Party Choices in Contemporary Guyana* (St. Augustine, Trinidad: St. Augustine Research Associates (SARA), 2000).
47. Ibid.
48. Ibid.
49. Odeen Ismael, "The Suspension of the British Guyana Constitution-1953," http://www.guyana.org/govt/declassified_british_documents_1953.html.
50. British Parliamentary Human Rights Group, *Something to Remember: The Report of the International Team of Observers at the Elections in Guyana, December 1980* (London: House of Commons, 1980).
51. Hector Parekh, "Subversion in British Guiana: Why and How the Kennedy Administration got Rid of a Democratic Government," *Monthly Review* 51, no. 5 (1999): 50–58.
52. Premdas, "Guyana: Ethnic Politics," 50.
53. The Chronicle has been considered pro-PNC, the Mirror pro-PPP and the Catholic Standard was considered independent.
54. Forbes Burnham, *Declaration of Sophia: Address by the Prime Minister to the Special Congress, 10th Anniversary of the PNC government* (Georgetown, Guyana, 1974), 11.
55. Constitution of the Co-operative Republic of Guyana Act 2 of 1980.
56. Premdas, "Guyana: Ethnic Politics," 42.
57. Constitution of the Co-operative Republic of Guyana Act 1980. See Articles, 70(3), and 170(4), respectively of the 1980 Constitution.
58. Ibid., Article, 111(1).
59. Morrison, *Justice: The Struggle*, 84.
60. Premdas, "Guyana: Ethnic Politics," 48.
61. Ibid.
62. See for instance, Keane, *The Cycle of Racial*.
63. Premdas, "Guyana: Ethnic Politics," 42–48.
64. See, "Rai: 'Jagan Rigged PPP Elections'," *Guyana Chronicle* (Georgetown), April 24, 1962.
65. Suggestions were that the company contracted to oversee the registration of voters' were agents of the CIA in the US and although they allegedly had a record of experience in other Caribbean countries such as Trinidad and Tobago, fears of external manipulation were not allayed. Subsequent 'investigations' by the PPP found that after elections, the company was dismantled and no longer existed. This finding substantiated PPP suspicions, at least in their estimation. See, for example, Rebecca Moore, *A Sympathetic History of Jonestown* (New York: Edwin Mellen Press, 1985), 404.

66. Premdas, "Guyana: Ethnic Politics," 50.
67. *Ibid.*
68. See, Cheddi Jagan, *PPP document no. 1792*, 1986, 2; Cheddi Jagan, Press Statement, Guyana, 1992, 2; International IDEA, *Audit and Systems Review*, 13. The audit done by the International IDEA stated that although their findings were inconclusive, accusations by the PNC that the GECOM (Guyana Elections Commission) was racially insensitive in its recruiting process were magnified because the two main races were suspicious of each other.
69. "PPP Acknowledges Issuing Unofficial Registration Forms," *Guyana Chronicle* (Georgetown), October 8, 1991.
70. Sharief Khan, "Gladstone Mills Condemns Voters List," *Stabroek News* (Georgetown), October 31, 1991. Professor Gladstone Mills was also part of one of the Carter Center's pre-assessment missions.
71. In PPP Freedom House, *The Rigging of the Voters' List* (Georgetown: Freedom House, 1991), the PPP states that a fraudulent voters' list is the main means of the PNC to rig the election. In October, there is still no improvement and Jagan states that "there is a diabolical plot by the PNC to rig the elections". PPP Election Update, October 16, 1991.
72. Will, "NGOs and IGOs as Promoters," 64.
73. Carter Center, *Departure Statement, October 26, 1991* (Atlanta: Carter Center, 1991). The problems with the list included missing names, names listed in the wrong division, errors in data entry, nonexistent persons, and undocumented names.
74. Keane, *The Cycle of Racial*, 41.
75. In addition to the Guyana Defence Force, the House of Israel cult operated as the strong-arm of the PNC. Its leader "Rabbi" exposed many of the group's wrong-doings after it fell out with the PNC under the leadership of Hoyte. See, Morrison, *Justice: The Struggle*.
76. For further discussion on electoral violence, see for instance Premdas, "Guyana: Ethnic Politics," 43.
77. *Ibid.*
78. Emmanuel, *Governance and Democracy*, 105.
79. Gibson, *The Cycle of Racial Oppression*, 42.
80. David Hinds, "Commentary: The Truth of the Matter: Disregard for the Truth and the Village Council Debate," accessed August 9, 2006, http://www.guyanacaribbeanpolitics.com/commentary/hinds_081301.html.

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Election Observation in Guyana: A Case Study of the Commonwealth Caribbean

INTRODUCTION

This chapter provides an overview and analysis of the observed elections in Guyana for the period 1964–2016. There have been eight such elections in Guyana involving at least five foreign or international groups during this time. The country has also had local observers and the regional presence of CARICOM. In addition to the formal observation of elections, Guyana has received technical and financial support from a number of international agencies. This chapter covers the range of activities of observation missions from the invitation to the verdicts. It outlines the elections that have been observed, discusses the involvement of various actors and provides an analysis of the main issues and controversies in each election and a preliminary statement of the verdicts of the various observer delegations.

OBSERVER MISSIONS 1964–2016: AN OVERVIEW

December 1964: The Will of the People or Cold War Paranoia?

This section provides a summary of the various elections that have been observed in Guyana. The first instance of observation was in 1964 when Guyana was still British Guiana. There were 247,604 electors registered of a population of 605,000. Seven political parties with a total slate of 199 candidates contested 53 seats in the election. Voter turnout was

exceptionally high at 96%¹ with 6690 proxy vote applications. This election was observed by a team of Commonwealth observers at the request of Jagan as leader of the PPP.

Jagan thought that the electoral system and results were being manipulated to ensure the loss of the PPP. The British decision to change the voting system to Proportional Representation reaffirmed that view. Another area of contention surrounding this election concerns remarks made by the Governor regarding his discretionary powers under Article 29(1) of the constitution. His announcement that the leader of the party garnering the most votes would not necessarily become the Premier was not received well by the PPP and its supporters who believed the Governor's statement may have caused some persons to change their intended votes. While this, and the previous issue of proportional representation, may not have directly influenced the actual administration of the election in a manner prejudicial to PPP, it is clear the pre-election atmosphere was somewhat biased against the Jagan-led party. The Commonwealth observers reported that the administration of the election was "fair and proper". The most notable feature of this report was the separate report of the views of a dissenting observer, a Member of Parliament from India. This has been the only such instance of individual statements within Commonwealth observer reporting.²

1980: Something to Remember

Elections were held in 1980 under a new Constitution. The PNC leadership had become known for its widespread use of questionable electoral manoeuvres. These included clandestine tactics such as stuffing ballot boxes, rigging voting lists, "assisted" voting for non-English-speaking members of the electorate, and violent voter intimidation.³ Based on the history of electoral fraud, racial tensions and intense political distrust, the opposition parties demanded the presence of "impartial governments, persons and organizations from abroad" to monitor the parliamentary elections and report on their findings.⁴

All aspects of the observation of the 1980 elections by the International Team of Observers were controversial. Observers were invited by persons sympathetic to the PPP and were not well received by the Burnham administration. The observers concluded that the election was "rigged massively and flagrantly".⁵

1992: Genuine Change or US Construct?

The 1992 elections were arguably the most important milestone in Guyana's post-colonial political history. They represented the country's first step in the transition towards democracy. These elections received extensive administrative support from the Carter Center and were also observed by a team of Commonwealth observers. The PPP was restored to power and the PNC accepted defeat after a process that showed massive improvements over previous elections. The electoral process was far from perfect and was plagued by problems of slow reporting of results and instances of violence and intimidation.

The main controversy in 1992 was the near collapse of the process when some voters, who claimed to be registered and did not find their names on the list violently demanded that they should be allowed to vote. Despite these problems however, there was consensus that all things considered, the elections proceeded fairly well. The Carter Center said that the elections "functioned peacefully and efficiently"⁶ while the Commonwealth stated that they were "properly and impartially carried out" and a "reflection of the genuine will of the Guyanese people".⁷ These elections represented a peaceful transfer of power from the PNC to the PPP and represented the first time in nearly three decades that a consensus was reached on the freeness and fairness of the election.

1997: Reversal of Roles

The post-1992 Jagan administration continued the process of economic restructuring full force. On the political front, however, they were less forthcoming. Promises to establish a commission for racial tolerance and to create a White Paper on the subject were not fulfilled. The matter of the paramountcy of the party resurfaced. While in accordance with his political style, President Jagan was fairly impartial, no concrete efforts were made by his administration to constitutionally implement the reforms for which he clamoured while in opposition. The main critic of the government in this case was the multi-racial Guyana Human Rights Association (GHRA). This group criticized the PPP's lack of action as evidence of their protracted racial bias. Ironically, the GHRA is the group that lobbied for the International Team of Observers to observe the 1980 election and was criticized as being sympathetic to the PPP. This strengthens the credibility of the objectivity of the organization.

Cheddi Jagan's death in March 1997 was accompanied by hopes of unity within the country. This was however short lived, and Guyana's politics of racial confrontation persisted. The election campaign began later in September with 10 parties or coalitions running with candidates.⁸ Campaign issues focused primarily on economic policy and the usual ethnic confrontations. The government along with the consent of the opposition invited international organizations to observe the electoral process.⁹ Elections were constitutionally due by March 1998, but were held on December 15, 1997. These elections were observed by teams from the Commonwealth, OAS, and the local EAB.

The Carter Center was absent as they were observing the general elections in Jamaica. The actual administration of the elections was reported to be respectable but the results were disputed by the PNC which did not accept defeat as graciously as in 1992. Protracted violence erupted in the aftermath of the election after the controversial swearing in of Janet Jagan as President. The Commonwealth concluded that there were positives in this election but "the shortcomings diminished the credibility of results".¹⁰ As a relative new comer to the Guyanese electoral environment the OAS observers carefully stated that they saw no evidence of fraud although "some" questioned the "results and the process".¹¹ Tensions remained high in the period after the election and there were widespread violence, looting and general political mayhem. CARICOM intervention was instrumental in mediating the conflict between the political parties with an audit of the election results which they concluded reflected the will of the people. The results of the 1997 elections were subsequently ruled as null and void by a 2000 court ruling.

2001: Same Song, Different Tune

Elections in 2001 were almost a replay of 1997 despite the presence of scores of international observers and increased technical and administrative support. There were observers from the Carter Center, the Commonwealth, the OAS, the EU and the GLTOG. As in 1997, there was a PPP victory and administration of the election ran relatively smoothly. A last minute decision to extend the time for voting and problems in the transmission of election results within the context of existing tensions concerning the voters' list created suspicion and uncertainty at the end of the process. Observers did not report any evidence of malpractice and agreed that the people were able to express their will and

the elections broadly met international standards. The Commonwealth expressed the view, however, that the shortcomings “obscured the positive and praiseworthy” elements of the elections.¹² Again, post-election violence posed a serious challenge for the integrity of these elections.

2006, 2011 and 2015: Fait Accompli Observation

By 2006, the election observation had become an entrenched and expected element of Guyanese elections. Guyana’s political climate had also been affected by general conditions of violence, and the effects of the country’s involvement in narco-trafficking. The resulting electoral environment was therefore one of heightened anxiety, apprehension and fear. Against this backdrop of a protracted history of electoral problems and the added complication of drug-related violence the 2006 elections presented two main possibilities.

On the one hand, Guyana could revert to the pattern of electoral violence and fraud of previous years and witness a degeneration of the strides made since 1992. On the other hand, these elections presented the opportunity for the country to build on the foundation of electoral reform and public and international trust to rise above the expectations of failure. Within this context, the 2006 elections were observed by the Carter Center, the Commonwealth, EU and the OAS. Many feared they would follow the same pattern of previous elections that were relatively well administered but descended into post-election chaos and even violence. This was the eighth election to be observed since 1968 and after years of investment of financial, technical and human resources the international community seemed to be approaching donor fatigue. At best, all stakeholders had become impatient and exasperated with the pace of electoral reform in Guyana.

The observation of the 2006 process effectively marked the normalization of elections in Guyana. After almost 40 years of irregularities, fraud, and general mayhem the country held elections that were generally accepted by the international community. Finally, there were returns on the extensive investment made in the country. Progressing beyond this, the 2011 elections were held on possibly the firmest foundation in the country’s history. The electoral environment presented a new set of dynamics from previous years. For the main part, these helped to fortify the electoral institutions and process. This was the first independently held election in Guyana’s history.¹³ Although there were still some

elements of racial tension there were no major problems with the voter's list which has been the source of problems in previous elections. The development of locally generated Codes of Conduct for political parties and the media helped foster an ambience of order and trust.

The 2015 elections were a true test of the endurance of the political process and institutions in Guyana. While the elections of 2006 and 2011 represented the normalization and consolidation of democratic norms, those in 2015 posed a substantial test of the resilience of these strides. One notable feature of these elections was the voter turnout of 74%—the highest since 1997. This compounded fears of what administrative problems and irregularities might arise because of more persons turning out to participate in the poll. Another notable feature of this election was the outcome. This was the first since 1992 that an incumbent would lose.¹⁴ Given the history of racially motivated voting and partisanship, the local and international community anticipated unrest in the post-election period. The extremely slim margin by which the PPP/Civic lost the election provided further grounds for anxiety that there would be political mayhem.

OBSERVER GROUPS

External actors have been extensively involved in Guyana's elections over the last forty one years as shown in Table 6.1 below. It is the only Commonwealth country to have had international observers before the 1980s and even before independence. Guyana has had a long and eventful history with several actors having various levels of involvement in its elections. Guyana has had international and regional observers and technical and financial support from a range of international non-governmental and intergovernmental organizations such as the International IDEA, IFES, NDI and UNDP. A local observer group, the EAB has also been engaged in reforming Guyana's electoral process.

THE COMMONWEALTH

The Commonwealth has had the most longstanding association with elections in Guyana. It was the first organization to observe elections in 1964 and is the organization that has observed elections most frequently there.¹⁵ Despite what might be seen as a questionable role in legitimizing the manoeuvres aimed at the removal of Jagan from power in 1964,

Table 6.1 Observed elections in Guyana 1964–2015 by group(s) observing

<i>Year</i>	<i>Observer group(s)</i>
1964	Commonwealth
1968	None
1973	None
1980	International Team of Observers
1985	None
1992 ^a	Carter Center, Commonwealth
1997	CARICOM (Audit 1997/1998), Commonwealth, EAB, OAS
2001	CARICOM, Carter Center, Commonwealth, EAB, EU, GLTOG, OAS
2006	Carter Center, Commonwealth, EAB, EU, OAS
2011	Commonwealth, OAS, CARICOM
2015	Carter, Commonwealth, CARICOM, OAS

^aFor the 1992 election, the Center for Strategic and International Studies (CSIS) produced a report: Douglas Payne, *The 1992 Guyana Elections: Post Election Report* (Washington, DC: CSIS Americas Program, 1993)

the subsequent record of the Commonwealth has generally been positive. Guyana has hosted Commonwealth observers more times than any other country, Caribbean or otherwise.¹⁶

THE CARTER CENTER

If Guyana's relationship with Commonwealth observer missions has been longstanding, conventional and by the book, then its affiliation with the Carter Center can only be described as extensive and invasive. Of the 65 elections observed in 25 countries, this group has observed four elections in Guyana and has had the most entrenched relationship with Guyanese elections.¹⁷ Unlike the Commonwealth, the Carter Center's scope of activities has sometimes extended beyond the normal range for the observation of elections and, especially in 1992, can be more aptly described as monitoring. In effect, the organization has acted to ensure the replacement of the PNC government with one they were more confident would abide by emerging latent norms of holding democratic elections—a reversal of its Cold War-driven foreign policy strategy towards Guyana, but consistent with its foreign policy goals.

The Carter Center's involvement in the 1992 Guyanese elections was not by chance. The organization carefully planned every stage of its observation of the electoral process. In fact, it would be fair to say that

President Carter had more say in determining the pace and substance of electoral reform and preparations for the 1992 election than the director of elections or even President Hoyte. This is partly evidenced by the group's insistence that they would not observe the elections unless minimum criteria were met. This pre-condition by itself is not an untenable position as it would only be reasonable to ensure that the electoral system in Guyana had a reasonably well-developed infrastructure for the administration of elections.

The depth of the Carter Center's involvement was clearly shown in the daily activities of the group and President Carter. In the run up to the 1992 elections they held daily meetings with key actors in the electoral system—and this was reasonably within the mandate of a conventional international observer team. However, other aspects of their procedures suggest that, at least in the 1992 elections, it was really Carter who was in charge. This perception was reinforced when announcements for electoral changes to improve the administration of the process were made. Although Hoyte was present, these key changes were announced by Carter, creating the perception that the Guyanese President was merely a passive actor in the entire process.

The approach taken by the Carter Center in the 1992 election was much more than simply observing the election. The organization became intricately involved in the preparation for and administration of the election. This was not entirely surprising as the extent of electoral crisis in Guyana at that time required the presence of a mediatory force to diffuse the brewing political tensions and atmosphere of distrust. Moreover, the Carter Center's role in monitoring the election was useful in light of the overwhelming vacuum of trust between the political parties and within the society on a whole.

The lines of appropriateness may have been crossed in suggestions that covert measures were employed by the foreign observers. Allegations are that the Carter Center became involved in the election with a preconceived idea of who should win the elections and with the aim of replacing the president.¹⁸ Carter rejected the decision made by the director of elections that in the interest of time, elections should be held on the existing voter's list despite some irregularities. By all indications there was an orchestrated effort by external actors to further delay the elections. This was evidenced by the removal of computers and other

key equipment from the UNDP office, as well as the disappearance of ballot papers that were housed at the IFES office.¹⁹ These factors, along with the holding of daily meetings by some of these entities, strongly indicated that the administration and organization of the 1992 election were by no means under the jurisdiction of the Guyanese government. Restoring liberal democracy to Guyana was not in and of itself the primary agenda of observers. Observation became the strategic veil for US efforts to exert and ensure influence over states that had geopolitical importance in the post-Cold War era.

The Carter Center was absent from the 1997 elections as they were involved in the observation of the Jamaican elections for the first time. This raises questions of how the organization determines its involvement in particular countries. The Carter Center's deep involvement in the 1992 elections provided them with more knowledge of the system and more familiarity with the local stakeholders than the Commonwealth, for example. From all accounts, there was no acrimony between the PPP administration and the 1992 delegation and both parties appeared to have had mutual respect for each other. Their subsequent involvement in 1997 would not have been unexpected or unwarranted.

It is arguable however, that the Carter Center thought that Guyana was well on its way to implementing reform and had sufficient multi-lateral support in that regard. This opens the possibility that since the Commonwealth and OAS had consented to providing their services in Guyana; the Carter Center may have considered that their presence was redundant. In the context of the limit to resources, and the involvement of the Commonwealth and OAS, it is not surprising that the Carter Center was absent from Guyana in 1997.

It is possible as well, that the Commonwealth's more longstanding relationship with Guyana and wider experience in the field as international observers, provided the Carter Center with the opportunity to expand its portfolio and sphere of influence in the Caribbean. In the absence of the actual factors determining the involvement of observer teams, the most reasonable and informed assumption one can make is that these decisions were motivated by both need and strategy. The Center's next involvement in Guyana was not until 2001. In this election, the organization's involvement was more in keeping with the traditional notion of observing elections.

ORGANIZATION OF AMERICAN STATES (OAS)

The OAS did not come on board in the observation of elections in Guyana until 1997. By the time Guyana became a member of the OAS in 1990, the Carter Center was already deeply involved in the country. Taking the regional power realities into perspective, the organization's involvement in 1992 would have been unnecessary. In the first instance, the intense involvement of the Carter Center would have overlapped with an OAS presence and would have represented similar interests. The observation of the Guyanese 1992 elections by both the OAS and the Carter Center would have therefore been politically redundant. Second, the magnitude of such a mission would have been very costly and bearing in mind that the US government shoulders a significant portion of the funding of OAS initiatives, including election observation, a 1992 mission would not have been cost effective.

Another compelling explanation for the absence of the OAS in the 1992 elections is that the organization's resources were already allocated to elections in other member states. During the run up to the elections in Guyana, the OAS had a hectic and extensive election observation roster in the region. Between February 1990 and November 1992 the organization deployed 16 observer missions.²⁰ With the tentative nature of setting a concrete date for the election along with the need for extensive preparatory work before observing the election, and with its already very demanding schedule; the OAS would have found it extremely difficult to mount a meaningful observer mission for the Guyanese election. The OAS was, however, present in Guyana in all subsequent elections between 1997 and 2015.

PROLIFERATION OF OBSERVERS

In 2001, there were over 165 international observers in Guyana.²¹ Although the UN had previously provided electoral support to the country in the form of technical and financial assistance, the organization had never become involved in the observation of Guyana's elections. In this election however, the UNDP facilitated an international long-term observers which comprised mainly representatives from the host countries of the nine major donor organizations. Unlike the Carter Center, the Commonwealth and the OAS; the GLTOG was not dispatched by one single organization with the primary mandate of observing elections.

Rather, the GLTOG represented a partnership of the UNDP with the EU, UK and Guyanese nationals as part of a wider programme of long-term electoral assistance and reform.

A central question that must be addressed is the reason for the increase in number of observer teams in general, and the absolute numbers of international observers in Guyana. One possible response is that this is a manifestation of the country's eagerness to demonstrate its conformity with the norm of holding free and fair elections. An examination of all the relevant issues suggests that there are other factors that can explain this trend. In the first place, the invitation of observers seems to have increasingly become a prerequisite for receiving aid. So not only did Guyana want to indicate its commitment to democracy, but it also wanted to secure a path to economic development.

The increased number of actors has come on board to offer assistance to Guyana, and the proliferation of observers is also an indication of their commitment to achieving improvements in the country's electoral system. This position is especially convincing when one takes into account that many of these groups initiated their involvement in Guyana. So for example, the EU conducted a needs assessment mission to determine the extent of financial, technical and administrative support that was required to support the electoral process in a comprehensive and meaningful way. It had become clear that despite previous support, an electoral crisis in Guyana was escalating even in 2000 after CARICOM intervention and mediation.

The increased levels of assistance to Guyana were a culmination of efforts to make the political system more stable. The entry of International IDEA, EU observers and others represents more than increased personnel and technical assistance. It also represented the infusion of millions of dollars for the support of the electoral process. In this vein, increased support by more actors suggests more than the spreading of political responsibility, but indicates the sharing of the financial costs to mount the extensive support being offered to Guyana in 2001.

It is possible too that the case of Guyana was becoming a political embarrassment in the field of election observation and in the wider area of democracy assistance. Between 1990 and 2000 the country had international observers from the Carter Center, the Commonwealth and the OAS. The Carter Center had also established a field office in the country. Guyana's regional partners, CARICOM, had also played an important role in brokering peace between the PNC and PPP. With respect to

economic support, the country had received extensive debt forgiveness and substantial aid and development assistance.²² It is very likely therefore that the international community and donor agencies were not seeing the political returns they had expected. The increase in international support was arguably a concerted effort to ensure more sustainable electoral reform conducive to creating political stability and facilitating economic development.

There is also a more negative and distrustful view of the role and motives of actors involved in this form of electoral support. The view that the plethora of election observers and increased presence of the international donor community is a reflection of their self-serving policy is difficult to ignore. The industry of elections is considered a thriving business for they increasingly require computers for databases, electronically generated voter identification cards, ballot boxes and other equipment that is not available in the majority of developing countries. The countries that supply democracy assistance are also the main suppliers of technologically advanced election material. Guyana and other developing countries provide a lucrative market for this industry.²³

Similarly, one perspective suggests that democracy assistance in general provides support that is not suited to the peculiar conditions of developing countries such as Guyana. In this view, democracy assistance tools such as election observation merely perpetuate a cycle of dependency on unsustainable Western approaches and equipment and do not tackle the root causes of political turmoil. While this position merits attention, it is fair to say, however, that the majority of election observer delegations have provided meaningful recommendations for improvement in Guyana. It is undeniable that reform cannot be exported²⁴ and must be grown locally as the case of Guyana has clearly shown. And yet, it is unthinkable what the political fate of Guyana would have been without external assistance given the deeply engrained antagonism between the races and the existing political acrimony. In the case of Guyana, it is foreseeable that the cost of not providing assistance would be far greater than implementing measures that could be unsustainable. This does not suggest, however that the donor community cannot take heed of some of these criticisms. By 2015, with election observation missions were much smaller and operated in accordance with codes of conduct on logistics and coordination.

LOGISTICS

Composition

Mounting effective observer missions requires a considerable amount of financial and human resources. Certainly, one of the most challenging parts of putting together an observer team is finding a cadre of suitably trained and experienced individuals. Election observers are usually chosen from a pool of persons, themselves regarded as politically active or having electoral expertise in their respective countries. With respect to Guyana, the majority of observers have been politicians—either Members of Parliament, candidates of political parties or cabinet ministers. The next largest group of persons serving as observers has comprised individuals directly responsible for the administration of elections in their home countries, and includes former or current electoral commissioners, or chief elections officers. Persons with a legal background such as judges and lawyers also often serve as election observers, as have many diplomats, academics and past Heads of Governments. The profile of the team also depends on the organization. So, for example, Commonwealth teams comprise senior diplomats, academics and statesmen, while Carter Center teams are usually more diverse.

Perception of Groups

An examination of the operation of the various observer groups, an evaluation of the opinion of the key informants and careful reading of the reports by the different missions reveal differences in how each group has been perceived. The relationship with the Commonwealth has been positive. This group has observed four elections in Guyana²⁵; more than any other group. It has displayed professionalism and maintained its role as observers in the precise meaning of the term. As aforementioned, Commonwealth observer missions insist on adhering to the protocol by the book. Their inclination to make more critical conclusions on the quality of various elections has reinforced their objectivity, although at times their comments have been taken out of context to support opposition claims that elections have not been free or fair. Overall, the Commonwealth has been viewed positively.

The involvement of the Carter Center in Guyanese elections is well known. It has been present in four elections²⁶ with an intensive level of

involvement in the initial years. The Carter Center has had a longstanding relationship with Guyana and had a field office there until 2004. It has collaborated with IFES to provide an assessment of and recommendations for the country's electoral system. Guyana has also benefited from the development of a National Development Strategy that was the result of the combined effort of the private sector, civil society, the government and the Carter Center. This group has been viewed by many as serving the interests of the US government. On this point, it is difficult to ignore the irony that the Carter administration did not pay much or any attention to Guyana or the PPP during the period of blatant electoral fraud.

The OAS, on the other hand, is also very experienced in observing elections, but has had less experience in the Commonwealth Caribbean, and specifically in Guyana. The regional group has observed two elections in Guyana in 1997 and 2001. The timing of their involvement in Guyana has certainly led to the impression in some quarters that OAS observers in Guyana were not the most suited for the country's political environment.²⁷ There was also some tension among observer delegations in 2001 concerning fairness and equal access to information.

The OAS noted in 2001 that "one observer group appeared to enjoy greater access to information from the electoral authorities".²⁸ The OAS was careful not to identify which organization, but based on the history of election observation in Guyana it is most likely to have been the Carter Center. This problem may well have been the result of the difficulty in coordinating so many observer delegations, but might well have been a natural consequence of the greater familiarity of one group with the key personnel and processes in Guyana. In the absence of concrete evidence, however, one can only be satisfied that "after requests from others, including the OAS, weekly meetings with the Chairman of the Elections Commission were opened for all".²⁹

Unequal access to electoral personnel was not the only challenge the OAS encountered in 2001. The organization also complained of the imposition of last minute changes that restricted access to some stages of the process. All observers are issued identification cards before the elections. These cards grant them access to relevant places during the election. This stipulation is covered under the rights of observers in the Guyana Elections (Observers) Act of 1990. It provides that "the name of any person so invited shall be published in the Gazette and he shall be issued with an identity card by the Chairman of the Elections Commission".³⁰

According to the OAS, there were initial rumours that observers would need an additional identification card to gain access to the compound of the Elections Commission. The head of the delegation later informally confirmed that a second card was indeed needed. Observers from another delegation had already been denied access to the Commission's premises so there was general concern among observers regarding this change. This additional stipulation was not withdrawn despite written protests from the OAS and reminders that the government and observers signed an agreement that was consistent with the provisions of the aforementioned Act.

There are two possible explanations for this standoff between the election officers and international observers. First, it suggests the effort of the Guyanese to reclaim control over their election process was in effect, a subtle effort to reassert sovereignty. The implementation of this additional restriction could also be taken as a reflection of the true feelings of contempt and apprehension towards the presence of foreigners in a national process. Second, this move might also be interpreted as the effort of election officials to manage the flow of persons with access to the compound. It is reported that the Chief Elections Officer was "concerned about being overrun" by observers and other interested parties. Considering that there were at least 165 international observers plus local observers from the EAB, the concern of the office being swamped by too many persons was quite reasonable. In the final analysis, the granting of additional cards, did not totally deny access to international observers and was a fair, if not legal, compromise. The fact that this was applied to all observer delegations reduces the impression that some groups were treated more favourably. As observation became a more regular feature of Guyanese elections, multiple observer groups have been able to coordinate their activities and share resources without compromising each group's autonomy.

Size and Coverage

The case of Guyana presents a number of special features for election observation. To begin with, the population of Guyana at 707, 954 living within an overall area of 214,969 square kilometres gives the country a population density of 3.3 people per km² (8.5 per sq. mi.).³¹ Although there is more dense concentration in coastal areas, this overall sparse coverage poses some challenges for small observer teams wishing to achieve

effective coverage of the 10 polling districts in the country.³² This section examines the logistical issues of size of missions and the related coverage and shows how small observer teams have tried to maximize coverage of the election process in Guyana.

The Carter Center has usually mounted the largest observer missions in Guyana with teams of at least 40 observers. This has served to the advantage of the organization as the relatively large team in comparison to others, has allowed a greater coverage of the polling sites and therefore provided respective teams with fairly large sample sizes for quick counts. In practical terms, also, having more observers has simply allowed the Carter Center to observe more of the Election Day proceedings than groups with fewer observers such as the Commonwealth. The largest team the latter has had in Guyana was in 1992, and even this number, 16 observers, would not have allowed any significant coverage of the election. In the two elections it has observed,³³ the OAS has had 28 and 34 observers, respectively. This has allowed the organization to have coverage of the election that was at least comparable to the Carter Center. Despite its longstanding relationship with Guyana, the Commonwealth has consistently had the least observers and the lowest coverage of elections in comparison to the Carter Center and the OAS. The smaller delegations from the Commonwealth and OAS have not been due to lack of commitment but to financial limitations.

The Electoral Assistance Bureau (EAB) has been the main local observer group in Guyana. It was founded in 1991 and has had a consistent roster of as many as 1500 volunteers. Like most local groups they have always been able to field more observers than any of the international observer teams. In the 1997 election, the EAB fielded approximately 600 local observers. In 2001, there were just over 1000 local observers who were able to observe and report on 995 or 52.7% of polling stations in Guyana; significantly above the coverage of the typical international observer group.³⁴ This high coverage reinforces the complementary roles of local and international observers. By 2015, however, the EAB was fielded approximately 750 observers.

The size of observer teams in relation to the population helps determine the coverage of observer teams. Other factors such as population density and spread also affect observer coverage. The greater the coverage that teams can achieve, the better they can contribute to the electoral process. It is relatively straightforward that the more observers see and the more observers are seen, the more they will be able to detect

fraud or irregularity on the one hand, and inspire voter confidence and decrease incidents of intimidation and violence on the other. A range of 15 to 20% has generally been considered acceptable. Small observer teams often move around throughout the day and this allows for much greater coverage. The approach of deploying roaming rather than fixed observer teams maximizes the possible coverage of small observer teams. At the same time, visiting more polling sites does not ensure that observers will see more as offences may be committed before or after a team has visited. Supplementing the presence of international observers with local observers has been one useful strategy that helps to overcome this challenge.

International observer teams have not always provided precise statistics on their coverage of the election. The available figures indicate that there has always been respectable coverage of polling sites in Guyanese elections. Coverage by individual teams: ranges from a low of 11%, by the Commonwealth in 2001, to a high of 67% by the Carter Center in 1992. The presence of more than one international observer team has always improved the level of coverage. Altogether the 2001 elections had 165 observers who were present at over half the polling stations on polling day.³⁵ More, is not always necessarily better, and a level of precise coordination is required to reduce duplication of activities of the various teams. However, this coordination was not fully achieved in 2001. The presence of several international observers, as outlined above, may also prove to be overwhelming for local officials who may become vulnerable to criticisms of displaying favouritism and placing restrictions on the access of observers to important stages of the election.

Duration

The practice of international observation started in a fairly unobtrusive manner that would give observers enough time to arrive, gain accreditation, and hold briefing sessions declaring their impartiality and respect for the sovereignty of the country. They would observe the proceedings on Election Day, make preliminary statements concerning the credibility of the elections and then leave shortly thereafter. This modus operandi has opened observer teams to criticisms of superficiality and acting like tourists. Over time many observer delegations have made attempts to address these criticisms by having pre-assessment missions and generally by spending more time in the country in which they are observing

elections. This has developed into various categories of observation missions depending on their length of stay. So, for example, short-term observers (STO) are the conventional observers that arrive a few days before the election and leave shortly thereafter. medium-term observers (MTO) arrive and depart within two to three weeks of either side of the election, while long-term observers (LTO) remain in the country for a few months.

International observers have generally responded to the gradual changes in the nature of electoral problems in Guyana. Initially, the main concerns were related to instances of blatant fraud, the stealing of ballot boxes, general election rigging, violence and intimidation. These more obvious problems have generally been reduced with the presence of short-term observers. In 1992, the need for substantial electoral support was fulfilled by the Carter Center's long-term involvement of more than two years in Guyana. Although the Commonwealth's involvement was not long term, this organization had five short pre-election missions to Guyana in preparation for the 1992 elections. The tensions that erupted towards the end of the process were addressed in a timely manner. Both teams left within a week of Election Day and the political environment was relatively calm, especially after Hoyte's relatively willing acceptance of defeat.

In 1997, the Commonwealth and OAS teams adhered to the conventional format for observing elections. There were no pre-election visits and both teams mounted short-term missions. Serious violence and conflict erupted at the end of polling, after Election Day and continued for several months. The observer delegations departed within four days of the election during the height of the chaos. It is understandable that there may have been concerns for safety, financial constraints and personal commitments that prevented the observers from staying longer. It is notable though that CARICOM, which has not always had the best of relations with Guyana, provided well-needed conflict mediation and suggested a number of measures through the Herdmanston Accord and played a great role in restoring political stability to Guyana. It is possible that the more sustained presence of international observers could have helped reduce the problems.

By 2001, all international observer groups recognized the strong possibility that there would be political tension throughout all phases of the 2001 elections and responded accordingly. The Carter Center deployed short- and medium-term observers, the EU sponsored a long-term

mission, and even the short-term Commonwealth and OAS teams stayed in the country. For the 2006, 2011 and 2015 elections, the standard procedure was to send a small pre-assessment mission followed by a team of short-term observers.

Scope of Activities

After 1992, most observer teams tried to ensure their involvement was minimal and in keeping with the conventional norms that have developed and are codified in various guidelines for international election observation. This raises the issue of the scope of activities of observer delegations and establishing clear boundaries for their involvement.

The Commonwealth delegation in 2001 was particularly sensitive to this distinction and implicitly highlighted the need to draw the line between the two activities. Their report states:

people knew that we were not there to interfere but to observe and help engender a climate of confidence in the process. However, some people expected the observers to intervene on their behalf. Against the background of the published Electoral Code of Conduct others, including sections of the media felt that observers had a duty to speak out against any unacceptable conduct that came to their notice during the election period. While we do not see any reason to change Commonwealth practice — which is held high in this regard, including in Guyana — we note the need for better public education on the role of observers both in Guyana and other countries of the Commonwealth.³⁶

The question of how the observer should respond to procedural mistakes has emerged in other missions.³⁷ Two competing views are offered in practice. One advances the notion that the observer's role is to observe and not to think. The better view, however, acknowledges the principle that observers should not interfere in the process but balances that with the possibility of drawing the attention of local electoral officials and personnel to possible mistakes or oversights. The Commonwealth Guidelines for Observers defines the precise role of the international observer and emphasizes that "it is fundamental that, as a Commonwealth observer, you do not intervene in any of the electoral processes. Your principal job is to observe the problems and record any discrepancies".³⁸ It reinforces this point in reaffirming the responsibilities of observers as "providing an impartial and independent judgement of

the electoral process”.³⁹ In this instance, Commonwealth principles and actions are consistent with each other.

The OAS does not draw any special attention to the role of the observer in this regard. However, there is nothing in its practice, reaction to its mode of operation or in the statements of the organization to suggest that its position is any different from that of the Commonwealth. Some aspects of the Carter Center’s approach in 1992 blurred the technical distinctions between observing and monitoring.

In a post-election press conference in 1992, President Carter stated his desire to “emphasize the fact that the observers’ role is very carefully limited”. He stated: “We do not have any authority and we have never asked for authority in any country in which we have served as observers...we always work through the election officials and the political officials of a country. We do not intrude on our own initiative”.⁴⁰ Both documentary evidence and elite surveys indicate that at minimum there was the perception that the organization’s activities went beyond the boundaries of election observation.

One interpretation of the discrepancy between practice and statements is that the Carter Center intended to separate their role into two phases—administrative support and technical assistance, in effect monitoring, before the election; and observation during the voting phase. This issue highlights the sensitivity of the nature of election observation especially during the earlier phases of negotiating and reconciling the role of observers. What is also clear is that the nature of the Guyanese political climate in 1992 required extensive and comprehensive support that was outside the scope of observation. The unstated goal in the observation of these elections was to establish a political regime in Guyana that was amenable to US post-Cold War policies.

Regardless of this discrepancy, the Carter Center’s approach in 2001 was unambiguously election observation. The Code of Conduct drafted by the Carter Center, United Nations EAD and the NDI reaffirms the importance of the impartiality of the observer. It asserts that “they must maintain strict political impartiality at all times,” and “must not obstruct any element of the election process”.⁴¹ They may, however, “bring problems to the attention of officials in a non-obstructive manner”.⁴² These guidelines do not eliminate the wider possibility of election observer delegations making other contributions to the improvement of the administration of elections as they often include many recommendations for the government in their published reports.

OBSERVATION COMMENTS AND VERDICTS

1964: Commonwealth

The observers described the administration of the election as “fair and proper”, and concluded that the prerequisites for voting were in place and reasonably done. The integrity of the process was acceptable as evidenced by efforts to guarantee the secrecy of voting, protection of the ballot and prevent or reduce voter intimidation. Electoral officers and party agents executed their tasks efficiently and impartially. Polling was peaceful and orderly and there was an overall approval of the conduct of the election. The main shortcoming with regards to the administration of the election involved the physical infrastructure. This problem primarily applied to remote areas where there was a shortage of appropriate accommodation and, because of the topography of the country, some polling stations were far apart.

Although the observers were unable to identify any specific violation, they pointed to the vulnerability of the system and to the abuse of proxy voting. This system is useful for the incapacitated or those who could not vote because of work demands, but there were allegations of malpractice and although the evidence or extent could not be verified, the possibility for abuse is obvious.

Regarding other indicators of the freeness of the election, the observers suggested that there was scope for improvement. Allegations were that the sole broadcasting company that was controlled by the government used airtime for partisan purposes. Although other parties were allowed to broadcast, the PPP was noted to have majority airplay both before and after nomination day. In terms of freedom to campaign, there was one reported instance of taunts at a political meeting, but the majority were held with freedom from interference and intimidation from other parties. Likewise, while there was no censorship of the press by the government, there were undertones of bias in the reporting.

A main controversy in 1964 related to the PPP protests that questioned the constitutionality of the election being held under the system of proportional representation. The Commonwealth observers refrained from commenting on this issue under the pretext that this was not considered an electoral matter per se, and was therefore not within their terms of reference. Given the context of the PPP’s mistrust of the Colonial office, and the clandestine measures put in place to ensure their

removal from office, the Commonwealth team's stance of silence on the constitutionality of the election weakened their position as neutral and objective bystanders. However, their presence as observers in the pre-independence period cannot be judged on the same grounds as present when the practice of international election observation has developed in the context of independent states.

Dissenting Views

Perhaps the most interesting and noteworthy part of this report is the inclusion of a dissenting view by one of the team members.⁴³ The central theme of his personal report is that the high voter turnout in the 1964 poll was not a positive indicator of the freeness and fairness of the poll. On the contrary, a voter turnout of over 96% sends a strong message of insecurity. The heavy polling was instead, an indicator of fear and an effort to secure one's place in a racially charged political system. Elections hinged on fear cannot, in the dissenting observer's view, be fair because "where fear exists, freedom is nominal".⁴⁴ He presents evidence of this fear, and describes an atmosphere of subtle intimidation. One issue that comes to mind is to what extent the final report of the Team can be credible, if one member of the team can have such divergent views. This brings the issue of objectivity and personal bias in the observation process to the fore. Does this observer's race make him view the poll differently? On the other hand, are election observers generally so clinical in their proceedings of their observations that racial nuances such as those entrenched in the Guyanese society go unnoticed?

In examining this case, a question arises as to whether it is feasible or appropriate for dissenting views to be reported, or individual personal accounts of an election to be made as an appendix or as a part of observer reports. Does this undermine the process by providing conflicting views if they exist or does it lend more credibility to the task of election observation? This particular situation has not occurred again and has therefore not arisen as a contentious issue. At the same time, one must acknowledge that this exception is more a reflection on the early nature of observation which occurred long before the current guidelines and various codes of conduct for observers were established. The current approach encourages a unified voice by observers in one final report.

1980: Aveybury Led International Team of Observers

The next election in Guyana to be observed by international observers was in 1980. The deep acrimony surrounding the invitation and presence of International Team of Observers has been discussed in detail in Chap. 7 on the invitation of observers. The report states that the observer team went to Guyana with negative preconceptions, but the members were prepared to impartially judge the elections on their own merit. However, what they observed of that election made them conclude, without a doubt, that the election “was rigged massively and flagrantly”.⁴⁵ The only positive feature of that election was that the violations were so widespread that they could not be hidden from the observers or the international community. As the report states, “Far from legitimizing ... Burnham’s assumption of his office, the events we witnessed confirm all the fears of Guyanese and foreign observers about the state of democracy in that country”.⁴⁶

Premdas suggests that the main impetus for the extensive electoral fraud was the fear that one ethnic group would win the election and therefore neglect the needs of the remainder of the population, mainly comprising the rival ethnic group.⁴⁷ Burnham’s desire to become Prime Minister was an additional factor that further entrenched the scale of malpractice. Fear as the axis of electoral fraud became recurrent in Guyana’s political landscape from this period onward. This was correctly identified by the dissenting Commonwealth Observer as the primary obstacle to a free and fair election in 1964. This exact sentiment is echoed by others. So for example, Thomas states:

Democracy confined to free and fair elections and ignoring ethnic security, and the needs and fears of the major race groups would not be sustainable...If racial voting were to be the outcome of a free and fair election next time around, then free and fair elections might well come to be seen as a pillar of domination rather than a democratic advance, thereby leading to its rejection, and increasing the prospects of social breakdown⁴⁸

The report gives several accounts of episodes which compromised the integrity of the electoral process before Election Day. To begin with, the PNC had revised the electoral laws so that they favoured the government. One of the effects of this revision was that the opposition party had restricted access to the voters’ list on a national level as well as in individual polling divisions. In fact, political party representatives were

not entitled to receive copies of these lists and therefore could not check, verify or amend the list in any way. Other indicators of the fairness of the electoral process such as freedom of association, movement and expression were clearly breached. In addition, there were several episodes of intimidation and harassment of opposition party members through violence, arbitrary arrests and detention as well as political pressure on public servants to express their allegiance to the incumbent party. The report chronicles the clear instances of Election Day voting irregularities that led to the team's eventual conclusion that the 1980 election was extensively rigged.⁴⁹

The participation of the WPA in these elections merits some attention. The multi-racial WPA was co-founded by Moses Bagwan, Brindley Benn, Eusi Kwayana, Walter Rodney, Rupert Roopnarine and Clive (C.Y.) Thomas in 1974. This political party departed from the tradition of race as a determinant of party affiliation. The WPA played a facilitating role in brokering peace and minimizing tensions between the main ethnic groups. This was not met without resistance, as the international observer team noted:

The Working People's Alliance (WPA) had not been allowed any meeting in the week preceding the visit of the observers. The day after the team saw the Commissioner of Police, permission for the two meetings appeared at the WPA office. It is unfortunate that one of these meetings had to be called off because of the presence of persons in vehicles clearly bent on breaking it up...The observers were present when a WPA meeting was greatly disturbed by stone throwers. It became so bad that a stampede was caused.⁵⁰

The report continues:

We have confirmed the widespread view in Guyana that opposition meetings at night encountered sudden blackouts of electricity. PNC meetings did not face blackouts.⁵¹

On this matter of freedom of association, the observers concluded that "the right to meet, associate publicly, to share opinions, and develop political choices was not effectively demonstrated as part of the political process in Guyana".⁵² The efforts of the politicians and intellectuals of the WPA to bring about racial harmony among ethnic groups, free

elections and democratic socialism were ostensibly sabotaged when Rodney was killed in a car explosion in June of the election year. The party boycotted the December 1980 elections. Electoral fraud was so extensive “that the irregularities could not be hidden either from the Guyanese public or from international onlookers”.⁵³

1992

The Commonwealth and Carter Center coordinated the deployment of observers. Both groups observed the opening of the poll and the voting process. Observers noted that the elections ran relatively smoothly. The main problems were to the high number of voters without identification cards, too many voters for voting facilities, insufficiently trained staff, poor communication between electoral officials and the command Center, omission of names from the voters’ list and uncertainty because of last minute changes. The high voter turnout of 98% exacerbated many of these hitches in administration of the election. The electoral process was generally peaceful with only a few instances of violence, intimidation and attempts to manipulate the process. The main threat to the credibility of these elections was the siege of the building of the Elections Commission and associated violence and looting instigated by some persons who claimed they were not permitted to vote.

The Carter Center reported that the episodes that surrounded the close of the poll “nearly caused Guyana’s election to collapse”.⁵⁴ Overall they concluded that the election “functioned peacefully and efficiently” and represented the country’s “first step in transition to democratic culture”.⁵⁵ The Commonwealth team of observers concluded that “the organization and conduct of the poll were properly and impartially carried out”.⁵⁶ Despite the confusion and some of the problems with the voters’ list, it was the teams’ view that the result of the elections “should be seen as a reflection of the genuine will of the Guyanese people”.⁵⁷ It is clear that there is some amount of discretion and subjectivity in the analysis of these elections. While they were far from perfect, it is apparent that both organizations factored in their opinion that the 1992 elections were a turning point in Guyana’s history and therefore they exercised more restraint in commenting on the negative aspects of the election than they would have in a more politically stable country.

1997

The terms of reference for this observation mission required that the Commonwealth Team should:

... consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgement whether the conditions exist for a free expression of will by the electors and if the result of the elections reflects the wishes of the people.⁵⁸

This threefold mandate called on the observers to ascertain the integrity and freeness of the process, and to determine if the will of the people was reflected.

In this instance, the Commonwealth Team desisted from making any definitive assessment of the second and third components. Instead, its report focused on the first point concerning factors impinging on the integrity of the process. In so doing, the report was careful to list some of the positive elements of the electoral process, but spent considerable time on the weaknesses which in the Commonwealth Team's estimate "contributed to the diminished credibility of the results".⁵⁹ In keeping with this noncommittal approach, the report drew on a section of the terms of reference which stated in part that the Team would "be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections".⁶⁰ Accordingly, it proceeded to offer a number of suggestions concerning the running of the Elections Commission, electoral and constitutional reform, registration, and the tallying and verification of results.

The 1997 elections were the first the OAS had observed in Guyana and the first in the Commonwealth Caribbean. It is noteworthy that at least one respondent of the elite survey considered this group to be "incredibly inexperienced". The report described the OAS mission as long term with much more "complex endeavours" than the typical symbolic short-term observer mission.⁶¹ In general, the OAS report was less critical than that of the Commonwealth. While it acknowledged "the post-electoral process manifested significant weaknesses in organization, management and execution", it affirms that "it observed no fraudulent or intentionally improper behaviour by electoral officials while it was in the country".⁶² Like the Commonwealth Team, but in less sharp tones, the OAS report avoids making a decisive statement about the freeness

and fairness of the election or the expression of the will of the electorate and only states that “some have questioned the electoral process and results”.⁶³

The OAS highlighted one particular feature of Guyanese politics which in its estimation formed considerable grounds for the electoral problems. This is the often a discussed issue of racial division. The report notes that “the country was divided politically, for the most part along racial lines”.⁶⁴ The issue of race relations and politics, and more specifically its effect on the electoral process in Guyana continued to be a significant source of concern. The dissenting Commonwealth Observer in 1964 stated that “no election, however well conducted can be called fair when it leads to division, racial conflict and creates a sense of fear and insecurity”.⁶⁵ These sentiments may have just as well described the 1997 elections.

All the observer reports on the 1997 poll comment positively on the progress that the overall administration of the election had achieved. Of the reports, the Commonwealth offered the most detailed account of the administrative problems of the elections, especially regarding the tallying of the results.⁶⁶ The Commonwealth Observer report provides a comprehensive discussion of the challenges and flaws of the various stages of the 1997 elections in Guyana. In chronicling these inefficiencies, the report itself became the substance of the evidence that the PNC used in its charges that the elections and their results were rigged. The opposition party quotes several sections of the report in defence of its position to reject the election results. So, for instance, “the worrying disparity between the results that were agreed between the Commission and party agents and those that were announced by the Chairman of the Commission”, along with the “very poor” and non-transparent administration and tallying process provided fuel to the PNC’s charges of a “flawdulent” election.⁶⁷ This instance highlights how the efforts of observers to depart from the overuse of jargon and shorthand assessments elections as “free and fair”, creates room for the use of their statements to support various claims.

It is the events in the aftermath of the election that substantially undermined the credibility of the election. The lengthy delays between voting and the announcement of results, in an atmosphere charged with distrust, tension and enmity could only have resulted in suspicion by the opposition party that the incumbents were manipulating the process. In this regard, there were several accusations by the PNC that the Chairman

of the Elections Commission deliberately took charge of this process to put the PPP at an advantage. Later accounts of his tacit approval of the controversial swearing in of Janet Jagan as President, further entrenched existing acrimony between the PPP and PNC.⁶⁸ In the end, CARICOM had to intervene to help diffuse the post-election tensions.

CARICOM Mediation

The appeal to CARICOM to assist with diffusing the tensions that arose after the 1997 elections highlight the practical limitations of the role of international observers. These tensions were caused by a series of allegations and counter allegations regarding the election results, the timing of the reporting of these results and the controversial swearing in of Janet Jagan; and they escalated to a “state of unrest manifested in lawlessness, intimidation, rioting, bloodshed and assault against individuals”.⁶⁹ In this volatile political environment, with the recent memory of extensive electoral crisis after the 1992 elections and the rejection of the current election results by the PNC, a CARICOM mission intervened in the process.

The objectives of the CARICOM mission were threefold. They set out to “enable CARICOM to formulate an independent position on the situation in Guyana”, arrest the trend of violence and guarantee that the Guyanese were “united in quest for free democratic expression”.⁷⁰ The intention to formulate an “independent position” suggests the desire of Caribbean leaders to assert regional autonomy over their own affairs. It is clear that the participation of international observers was not useful in ameliorating the post-election conflicts. At the same time, this first stated objective could also have served as a strong signal that the Mission’s involvement would not be in favour of any one political party in Guyana. Ensuring the intention to operate in an impartial manner was an important step for the CARICOM mission to make given the highly divided and tense political conditions in the country.

The delegation’s visit resulted in the signing of the Herdmanston Accord (1998) between PNC and PPP/Civic. The main aim of this agreement was to carry out an independent inquiry or audit of the elections. Even before the idea was properly proposed; some persons and groups, including the opposition, expressed doubts about its utility.⁷¹ The Accord also established a three month moratorium on public demonstrations and marches, and signalled the need for constitutional reform

and the establishment of bipartisan committees to facilitate structured dialogue.

The audit was undertaken despite the lack of confidence expressed by the PNC and general public cynicism towards the initiative.⁷² Not long after the signing of the agreement, a lack of confidence in and impatience with the process fuelled public critical dissatisfaction with the pace of the audit and the inability of the Mission to promote meaningful bipartisan dialogue.⁷³ These and other criticisms of the audit are more a testament to the lack of trust between the political parties than one of any inefficiency or partiality on the part of the Mission. This lack of trust is further evidenced by the crossfire between the parties regarding the motives of CARICOM. On the one hand, the PNC is noted for initially expressing its reservations about CARICOM's intervention and subsequently for accusing the PPP of trying to influence the group's work.⁷⁴ On the other hand, the Accord is later described as a "super con job initiated and inspired by the PNC".⁷⁵

The findings of the election audit were consistent with the preliminary statements of the observers. It discovered "procedural omissions, irregularities and systemic difficulties"⁷⁶ which were understandably grounds for suspicion. None of these shortcomings, however, facilitated an electoral advantage for any particular party. The main recommendations of the audit were centered on good governance and the need for inclusive politics. So, for instance, Guyana's National Assembly resolved to establish a special committee to determine the terms of reference and composition of the constitutional review commission. The commission comprised various segments of the society and conducted consultations that resulted in over 171 recommendations including the holding of new elections in 2001. The Parliamentary Select Committee reviewed and refined these recommendations for inclusion in the constitution.

The political leaders either disagreed with many of the findings of the audit or did not abide by the recommendations. The main result was a tiresome tirade of accusations and counter-accusations. So, for instance, the PPP accused the PNC of breaching the racial code of conduct by instigating acts of violence against Indo-Guyanese. Mars notes that some modest attempts at reconciliation were also rejected by the Opposition.⁷⁷ The PNC's complaints that the government breached the Constitution in several areas were met with responses that the lack of progress was due to the PNC's intransigence. In turn, the PNC ascribed its non-cooperation to its profound disappointment with government performance.⁷⁸ Overall,

therefore, the success of Herdmanston Accord remains questionable as while it identified the challenges and proposed solutions, it was unable to overcome political deadlock.

CARICOM's role in mediating conflict between the political parties might initially appear to be negligible. However, Guyana's tumultuous political history does not provide a receptive atmosphere for mediation. The response to the results of the audit highlights intense distrust among the political actors that is underscored with deep racial tension. Although rifts persisted between the parties, and there were no immediate or tangible reforms, the symbolism of the Accord lays a significant foundation for improving political relations and governance in Guyana. As the report states, "it cannot be overemphasized that the primary responsibility for restoring trust and managing the continued cohesion and well-being of the nation is primarily that of the Guyanese people".⁷⁹ CARICOM's intervention reinforces the argument that the participation of external actors without the active engagement of the main domestic stakeholders in the process yields superficial and unsustainable results.

2001

These elections were reasonably administered, but as in 1997, there were problems in the aftermath, but they were not as protracted. Some PNC supporters were disappointed with the results and reacted with violence, including stabbing their party representative who appeared on television reaffirming the election results, and by extension accepting defeat. There was consensus among the international observer delegations that the administration of the election generally met international standards. The reticence that was shown in making positive conclusions about the 1997 election was replaced with the view from the Carter Center that the election met basic international standards and allowed for the will of the people to be expressed. The OAS too agreed that there were improvements and concluded that the election was satisfactory and proceeded "fairly well". The Commonwealth, however, departed from the general sentiment of satisfaction with the administration of the election and stated that the "shortcomings" of the election were "regrettable" and "obscured the positive and praiseworthy" elements of the process. Once again, Commonwealth comments reinforced the view that there was no closure to the discontent with electoral conditions in 2001.

The Guyana Elections Commission requested an audit of the 2001 elections in light of the overwhelming number of allegations of fraud and unfairness. This report stated the team was unable to find “any evidence of deliberate manipulation or electoral fraud”.⁸⁰ Like the 1997 CARICOM audit, the independent audit team conducted tests on the database of registered voters and did not find any evidence of corruption or manipulation here either. In a similar pattern, it did not deny the existence of errors in the system, but it was unable to identify any grounds to substantiate the claims that these errors were the result of a malicious conspiracy to manipulate the elections or their results. The report notes, however, that the election process was not without blemish, but that this was typical of elections worldwide. It states that:

... while it is possible that there may have been individual instances of abuse of the system, as is the case in most elections around the world, there is no evidence to suggest that these abuses would have had any effect whatsoever on the election result.⁸¹

The report identifies a number of weaknesses in the administration of the election by GECOM, and states that these inefficiencies resulted in greater suspicion, distrust and bias. Some of these inefficiencies included the late completion of electoral lists which had a chain effect of late opening of polling stations and general chaos because electors did not receive timely notification about where to vote. The crux of the matter is that the International IDEA was not able to find any measurable instances of fraud in the administration of the election, and certainly none that would have affected the election results whether by favouring or placing at a disadvantage any political party.

The conclusion of the report highlighted that the technical inefficiencies of the administration of the 2001 Guyanese elections intensified fears and high levels of suspicion among the political parties, electorate and other stakeholders in the election. In such a charged atmosphere, many of the instances of errors, delays, omissions and other discrepancies in the system were interpreted as intentional efforts to manipulate the system. The role of the audit team, therefore, served to reinforce the validity of the statements of the various observer teams that the results of the election reflected the will of the people.

2006, 2011 and 2015: Normalization and Consolidation of Observation

Despite the expectations of challenges in the 2006 elections and against the background of election-related instability in previous years, these elections became an important turning point in Guyana's electoral history. There was consensus among all observer groups that unlike all previous elections, the most striking feature of the 2006 poll was the "absence of pre- and post-election violence as well as polling protests". The Carter Center commented that this was the "most peaceful and orderly electoral process in recent history" and one that represented the "maturing of Guyana's political culture and the deep yearning for peace and progress".⁸² The Commonwealth was similarly encouraged and noted that "despite the background of increasing violence... (the) voting, counting and results process took place in conditions of calm". The OAS offered a similar assessment that despite concerns about security the election was peaceful.

Teams from the OAS, the Commonwealth and CARCIOM observed the 2011 elections. In this instance, these organizations did not provide technical or logistical support to the Guyana Elections Commission (GECOM) and were autonomously administered. The observer groups found the process "peaceful and orderly" notwithstanding a few challenges with the voter's list. The OAS concluded that the "quality and transparency of elections in Guyana" had "progressed significantly" since 1992. CARICOM and the Commonwealth teams reiterated this stance. The Commonwealth stated that despite some shortcomings, the 2011 elections were an improvement on those in 2006. These elections were credible and met most of the benchmarks of the democratic elections despite isolated incidents. Overall, the 2011 elections represented further progress in strengthening the democratic process in Guyana.

2015: Test of Resilience

Remarkably, there was a peaceful transfer of power even with a five day delay in the dissemination of results.

Again, the OAS, Commonwealth, Carter Center and CARICOM observed these elections. All groups acknowledged allegations of provocative confrontations and inflammatory tones in campaigning although the Carter Center concluded that these were unfounded. The Commonwealth noted that the elections were "inclusive and competitive" although there

were some operational challenges. The team reaffirmed that the elections were “credible and the results reflected the wishes of the voters”.⁸³ CARICOM stated that “voting was transparent, free and fair”⁸⁴ the OAS noted areas that required improvement while commending the process. Overall, regional and international observers regarded the 2006, 2011 and 2015 elections as acceptable. Admittedly, there has been some level of subjectivity in the positive assessment of Guyanese elections. At the same time, however, all groups have provided a balanced approach in identifying breaches and areas for improvement. Overall, the quality and standard of the electoral process in Guyana have progressed significantly. International observers have played a significant role in this overall improvement through their presence, technical and logistical support and even through highlighting problematic areas. Ultimately, the final responsibility and credit for the development and implementation of measures to strengthen the democratic processes rest with local actors in Guyana.

Assessing the Verdicts

In assessing the verdicts of the various observer delegations on the administration of elections in Guyana it is clear that all avoided using the “term free and fair”, and resorted to terms such as “satisfactory”, “fairly well” and “reflected the will of the people”. Comments after the 1992 elections reflected more patience and an acknowledgement that these elections were more symbolic. The Commonwealth and the OAS made similar comments about the 1997 and 2001 elections that reflected frustration with the process. Their preliminary statements offered generalized positive assessments of the elections. Further reading of the OAS report in particular, reveals a more critical evaluation of some aspects of the election. For example, it mentions that the Elections Commission was not as cooperative as it could have been, although they stop short of saying that they breached the agreements giving observers access. Some amount of disappointment was also expressed with the pace of reforms. The OAS matched its recommendations after the 1997 elections against what has been accomplished. The Carter Center too, clouded in careful language, expressed the need for the reforms to come from the locals themselves.

It is also clear that much importance is usually accorded to the preliminary and interim statements made by observer organizations. These for the most part, have been encouraging. The tardiness in publication

of some reports however, is problematic and diminishes the utility of election observation, for although one can appreciate the time needed to make a comprehensive report, the international community may long have forgotten about a particular election and placed attention on elections in another country. In 1992, for example, the Carter Center's report was not available until some 5 months later and in 1997 the OAS four months after. The publication of reports was more delayed in 2001. The OAS report was ready after 7 months and the Carter Center's not until almost an entire year. Although it is understandable, especially in the Guyanese context, that conditions in the aftermath of the election may develop in an unpredictable way, and will need to be included in a comprehensive report, a report that is published long after the events may prove redundant. These considerations explain the focus and attention accorded to the preliminary statements made by observer groups. This concern with the timeliness of reports does not preclude their usefulness, as they often include many proposals for improvement and electoral reform. As the electoral system in Guyana settled and matured, and as observer organizations have systemized and professionalized their processes reports are published in a more timely manner.

Assessing the Overall Impact of Observation in Guyana

The involvement of international election observers in Guyana has not been smooth sailing. The effect of their input was not initially clearly positive and did not seem to benefit the country in any meaningful way. Prior to 1992, an external analysis of the electoral process could only have painted a negative picture of Guyana's electoral conditions. However, the culmination of local and international pressure on the government to overhaul the electoral system between 1990 and 1992 promised better prospects for observation to make a positive impact. After the cases in 1997 and 2001, although international observers recognized improvements in the electoral process in Guyana, the international attention on the irregularities and administrative problems, particularly on the post-election periods, only placed the country in a more negative light.

This scepticism towards the impact of observation was reinforced in the perception that given the state of political tensions in the country, international observers were an embarrassing requirement. This approach is also hesitant to ascribe much praise to the performance of international observers. And purports that even if one fully embraced the

reality of international observers, their activities and reports only brought further shame to Guyana. In the short term, it is easy to agree with this stance, especially with the support of Freedom House statistics that reflect a decline in Guyana's standing from "free" to "partly free" after 2002, despite extensive financial, technical, personnel support and the presence of over 160 observers and at least four different international observer delegations.

On the other hand, however, the EU et al. audit of the 2001 elections magnifies a recurrent theme concerning the reasonable expectation of what international and local actors can achieve. With specific reference to Guyana, the audit states that the lack of perfection in the election process is typical of elections worldwide.⁸⁵ This is a profoundly significant and instructive declaration for several reasons. First, it represents a rite of passage for Guyana to a state of holding elections that are on par with the standard of generally accepted elections worldwide. Finally, Guyana has received redemption from the stigma of having a prolonged history of rigged elections.

Additionally, if Guyana has reached the bar of achieving electoral standards that are internationally accredited, there are wider implications for the Caribbean in general. For if along the spectrum of Caribbean states under review, Guyana stood at the most vulnerable and fragile end, it is an unintended admission that elections in other Caribbean countries, even with their instances of systemic abuse, have been of a reasonable standard. While the democratic maturity of Caribbean states has not really been disputed, this admission is a vindication of the Caribbean electoral standard.

Further, this acknowledgment that no election is perfect also represents a tacit vindication of member states represented by the main organizations involved in international election observation of the hypocrisy of upholding their electoral systems as the model to be attained. It also facilitates a more sincere, albeit belated, starting point for explaining the impetus behind the uneven application of international election observation as an international norm. It is clear that the common thread in this norm has been the hegemonic and non-reciprocal nature.

Guyana's case has validated Bjornlund's stance that election observation does not always fit the criticism of being "superficial or symbolic".⁸⁶ Although this is a reasonable assessment in some circumstances, as aspects of the case of Guyana have shown, election observation and its related activities "can contribute to genuine, concrete improvements

in elections and meaningful, sustainable political development”.⁸⁷ So, although observation may not have been the only source of improvements in elections in Guyana, there have been positive changes in the system as a result of observer recommendations and other forms of related technical and financial assistance. The absence of any serious disturbances in the aftermath the election in 2006 finally boosted the country’s status internationally and brought it closer to acceptable electoral standards. Substantial improvements in the administration of elections of 2011 and the ability of GECOM to autonomously manage those in 2015, further solidified the view that Guyana is committed to the norm of holding democratic elections. The acceptance of the 2015 results and the absence of any post-election disturbances or violence are strong evidence of democratic consolidation in Guyana.

CONCLUSION

This chapter has offered an evaluation of the role of international observers in Guyanese elections from 1964 to 2015. It has looked at logistical issues such as coverage, number of observers and duration of their missions. It has also examined the profile of the various observer groups providing data on their experience in the Caribbean and their specific relationship with Guyana.

It has also shown that the case of Guyana is complex and proves that international election observation on its own does not improve an electoral system. For as these elections have shown, violence and chaos have erupted after elections in 1997 and 2001 despite the heavy presence and support of international observers. However, observation occurs within a wider context of recommendations, financial and technical assistance which have helped make improvements especially with action and cooperation from relevant local actors. This investment to time, personnel and resources eventually and gradually accrued benefits in subsequent elections between 2005 and 2015. The relative normalizing of elections in Guyana by 2015 has shown the complementarity of local and international actors in deepening democracy in the country. More specifically, the case of Guyana has illustrated the overall benefits of having international election observers. Chapter 7 will now assess the outcomes of observation for the Caribbean and project what the further evolution of the practice in the region might entail.

NOTES

1. 238,530 votes were cast.
2. The issue of the dissenting observer view and its implications will be examined in greater detail in Sect. 8.5.1.1 (p. 251) under the discussion of Commonwealth comments and verdicts.
3. For a more detailed discussion, see for example, Will, “NGOs and IGOs as Promoters.”
4. The Observer team included representatives of the UK Parliamentary Group, attorneys-at-law from Jamaica, Canada; representatives from national and international Church groups, a UN and OAS Observers and representatives from other relevant organizations and countries. See, Jai Narine Singh, *Guyana: Democracy Betrayed: A Political History 1948–1993* (Kingston: Kingston Publishers, 1996), 132.
5. Lord Avebury, “Guyana’s 1980 Elections,” 3.
6. The Carter Center, *Observing Guyana’s Electoral Process*.
7. For further information on the 1992 Guyanese Elections see: The Carter Center, *Observing Guyana’s Electoral Process*; Commonwealth Secretariat, *The General and Regional Elections in Guyana* (London: Commonwealth Secretariat, 1992); Douglas Payne, *The 1992 Guyana Elections: Post Election Report* (Washington, DC: CSIS Americas Program, 1993).
8. These parties/coalitions included Good and Green Guyana (GGG), Guyana Democratic Party (GDP), Justice for All Party (JFAP), National Independent Party (NIP), National Democratic Front (NDF), God Bless Guyana (GBG).
9. Three main international organizations joined the 1994 established Electoral Assistance Bureau: the Organization of American States—this was their first exercise in an English-speaking member state; the Commonwealth and the International Foundation for Election Systems. The Carter Center was unavailable as it was observing the parliamentary elections in Jamaica the same week.
10. Commonwealth Secretariat, *The General and Regional Elections in Guyana* (London: Commonwealth Secretariat, 1997).
11. OAS, *Report on the Electoral Mission on the General and Regional Elections in Guyana, 1997* (Washington, DC: OAS Secretariat, 1998).
12. Commonwealth Secretariat, *The General and Regional Elections*.
13. OAS, *The Observation of the 2006 Elections in Guyana, 2006*, p. 16.
14. The PPP/Civic received 32 seats while the APNU-Alliance For Change won with a majority of 33 seats with a margin of only 4500 votes. GECOM, May.
15. The Commonwealth has observed elections in Guyana in 1964, 1992, 1997 and 2001 respectively.

16. See, Table 3.
17. The Carter Center has observed four Caribbean elections, two in Jamaica (1997, 2002) and two in Guyana (1992 and 2001).
18. Rudi Collins, interview by the author, Guyana, May 2004.
19. Rudi Collins, interview by the author, Guyana, May 2004.
20. In 1990 the OAS observed elections in Costa Rica (February 2), Nicaragua (February 25), Dominican Republic (May 16), Guatemala (November 16), and Haiti (December 16). In 1991—Guatemala (January 6), El Salvador (February 10), Haiti (January 18), Paraguay (May 26 and December 1), Suriname (May 21) and Panama (January 27). In 1992 the OAS had four missions—Paraguay (August 5), Panama (November 15), Venezuela (December 8) and Peru (November 22).
21. United Nations Development Programme (UNDP), *Final Evaluation Report of UNDP Support to Guyana Elections—1997 through 2004*.
22. See, Andrew and Zwaenepoel, *Needs Assessment Mission*.
23. Ottaway and Chung, “Toward a New Paradigm;” and Richard Ullman, “US and the World: An Interview with George Kennan,” *New York Review of Books* 46, no. 13 (1999).
24. Carothers, *Aiding Democracy Abroad*.
25. The 1964, 1992, 1997 and 2001 Guyana elections were observed by the Commonwealth Group.
26. In 1992, 2001, 2006 and 2015.
27. Key informants interviews, May 2004.
28. OAS, *Report on the Electoral Observation Mission to Guyana* (OAS, 2001).
29. Ibid.
30. Guyana, “General Elections (Observers) 3 Cap.1:10 L.R.O. 3/1998,” *An Act Empowering the President of Guyana to Invite Observers at General Elections and For Matters Connected Therewith*, July 5, 1990, 3(2).
31. This is a 1998 estimate.
32. The 10 polling districts are: Region (1) Barima/Waini; Region (2) Pomeroon/Supenaam; Region (3) Essequibo Islands/ West Demerara; Region (4) Demerara/Mahaica; Region (5) Mahaica/Berbice; Region (6) East Berbice/ Corentyne; Region (7) Cuyuni/Mazaruni; Region (8) Potaro/Siparuni; Region (9) Upper Takutu/Upper Essequibo; Region (10) Upper Demerara/Berbice.
33. The Commonwealth has observed elections in Guyana in 1997 and 2001.
34. Electoral Assistance Bureau, *General and Regional Elections: Guyana 2001* (Guyana: Electoral Assistance Bureau, 2001), 7.
35. Commonwealth Secretariat, *Election Observer Group Reports: Guyana General and Regional Elections, 19 March 2001* (London: Commonwealth Secretariat Library, 2001).
36. Commonwealth Secretariat, *Election Observer Group Reports*.

37. Mair, "Election Observation."
38. Institute of Commonwealth Studies. Commonwealth Policy Studies Unit, *Good Practice Guidelines for Commonwealth Observers* (London: Commonwealth Policy Studies Unit, 2002), 8.
39. Ibid.
40. Carter Center, *Observing Guyana's Electoral Process*, 99.
41. *Draft Declaration of Principles and Code of Conduct For Election Observers* (UNEAD, 2004).
42. Ibid.
43. Mr. Bakar Ali Mirza, Member of Parliament, India.
44. Ibid.
45. Lord Avebury, "Statement Issued."
46. Ibid.
47. Premdas. "Guyana: Ethnic Politics," 51.
48. C.Y. Thomas, cited in David Hinds, "The Truth of the Matter," accessed August 10, 2006, <http://www.guyanacaribbeanpolitics.com/commentary/hinds.html>.
49. These irregularities included deletion of names from the voter's list, abuse of proxy and postal voting, intimidation, bogus voting, double registration and bias of poll workers. For a more detailed discussion, see, British Parliamentary Human Rights Group, *Something to Remember*.
50. Singh, *Guyana, Democracy Betrayed*, 131–133.
51. Ibid.
52. Ibid.
53. Ibid.
54. Carter Center, *Observing Guyana's Electoral Process*, 40.
55. Ibid.
56. Commonwealth Secretariat, *The General and Regional Elections in Guyana 5 October 1992: The Report of the Commonwealth Observer Group* (London: Commonwealth Secretariat Library, 1992).
57. Ibid.
58. "Election Observation," Commonwealth Secretariat, accessed May 24, 2004, http://www.thecommonwealth.org/Internal/39079/election_observation/.
59. See, Amanda Sives, "A Review of Commonwealth Election Observation," *Commonwealth and Comparative Politics* 39, no. 3 (2001): 32–49.
60. Commonwealth Secretariat, "Election Observation".
61. Ibid.
62. Ibid.
63. Ibid.
64. OAS, *Report of the Electoral Mission Guyana 1997*.

65. Bakar Ali Mirza, "Memorandum," in *British Guiana: Report by the Commonwealth Team of Observers on the Election in December 1964* (Colon. No. 359; London, HMSO, 1965), 14.
66. Commonwealth Secretariat, *The General and Regional Elections in Guyana, December 15, 1997* (Commonwealth Secretariat, 1998).
67. Ibid.
68. Hear say, but many interviewed state that Singh was overheard saying "Dat is good" when Mrs. Jagan threw the court injunction over her shoulder.
69. Caribbean Community (CARICOM), *Independent Audit of the December 1997 Elections in Guyana* (Georgetown, Guyana: CARICOM Secretariat, 1998), 7.
70. Ibid.
71. Hoyte stated that such an audit would be "meaningless" *Stabroek News*, January 15, 1998.
72. See, for example, "Frankly Speaking," *Stabroek News*, March 27, 1998 where it is suggested that former Jamaican Director of Elections, Noel Lee, and his Guyanese counterpart, Doodnauth Singh, could share notes, ostensibly on how to run fraudulent elections.
73. Editorial, *Stabroek News*, March 1, 1998.
74. PNC, *Press Release, PPP Strategy to Jettison the Herdmanston Accord*. March 23, 1999.
75. Ibid.
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77. Mars, "Ethnic Politics, Mediation, and Conflict Resolution," 327–352.
78. Ibid., 327.
79. Caribbean Community (CARICOM), *Independent Audit*, 1.
80. International IDEA, *Report of the Audit and Systems Review*, 124.
81. Ibid.
82. Carter Center, *The Observation of the 2006 Guyanese Election*. 2006, p. 6.
83. Commonwealth, *Report of the Commonwealth Observer Group*, 2015, p. 36.
84. CARICOM, *Interim Statement*, May 12, 2015.
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86. Eric C. Bjornlund. *Beyond Free and Fair*, 19.
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International Election Observation in the Caribbean: Trends and Outcomes

INTRODUCTION

This chapter summarizes the main findings of the study and outlines their implications for Caribbean countries. It aims to enhance our understanding of the practice of international observation within the countries of Commonwealth Caribbean. It does so by drawing conclusions from the case of Guyana. It re-examines the central research questions and offers explanations for the development and practice of election observation in these countries. Chapter 7 also considers some of the main issues that will be on the agenda of international election observation in the future.

This study set out to trace how observers became part of the political landscape of the Commonwealth Caribbean, to examine how observers operate and evaluate the outcome of their presence on the electoral conditions and international standing of Caribbean countries. This research has been important because it situates the Caribbean in wider context of observation. Specifically, this research has contributed to the general body of work on elections by identifying the genesis of observation in the Caribbean and demonstrating the development of the practice. It has also contributed to the literature on comparative politics by presenting a typology of conditions for observation in the Caribbean.

HOW OBSERVERS CAME

How did international observers become part of the political process in the Caribbean? On this issue, the research concludes that in recent times international election observation spread to the Caribbean as part of a global trend of mainly developing states indicating their commitment to the liberal democratic tradition as defined by the post-Cold War international order. It argues that these states have found it increasingly necessary to indicate that they have achieved and are maintaining basic levels of democratic governance and stability. This stands true for most of the Caribbean countries under review as the research has shown that the majority of these states have had observers since the 1990s.

The research has shown that although there were early instances of observation such as Guyana under colonial rule and Grenada post-intervention, the practice became popular after the end of the Cold War: Haiti (1990) followed by Suriname 1991 and Guyana 1992; St. Kitts and Nevis (1995) followed by Belize, Jamaica and Guyana (1997); Antigua and Barbuda (1999), Trinidad and Tobago (2000) and St. Vincent & the Grenadines (2001); and subsequently St. Lucia (2006), and Dominica (2009). Election observation has gained momentum for a number of reasons. The first may be attributed to the third wave of democracy in developing countries, mainly in Latin America and countries in transition in Eastern Europe. This pattern, however, does not explain the spread to the region as the majority of Caribbean countries that have invited observer delegations. These countries have long been considered democratic and would not fall within the scope of this Third Wave.

Another explanation for the spread of international election observation to the Caribbean discussed in this book reflects the new thrust of post-Cold War politics. In this era, the USA and other countries have had greater latitude to more uniformly extend and impose principles of liberal democracy throughout the world. Most developing states recognize the power dynamics of the international political economy in which the likelihood of receiving loans, development assistance and foreign investment has largely hinged on issues of governance and local political conditions. The decision to invite observers is therefore an acknowledgement by many developing states that their invitation is an indicator of the political administration's commitment to democratization. In this respect, therefore, all players in the field of international election observation fully acknowledge the direct and tacit implications of acquiescing, or not, to all its terms and conditions.

As shown in Chap. 4, countries have pursued this strategy within the context of renegotiating the role sovereignty plays in world politics. The stipulation that observers must receive an invitation is an important indicator that sovereignty is being respected. However, the discussion has also shown that the negotiations leading up to the decision to have observers often render the final invitation little more than a symbolic gesture. Even so, developing countries have generally accepted that the participation of observers is not necessarily an infringement of sovereignty even in the Westphalian sense, as countries make the sovereign decision to invite or refuse observers.

The specific answer to the question of how observers initially came to the region can be found in the dynamics of Cold War politics. The cases of Grenada and Guyana before the 1990s illustrate how the structural politics of the international system affected the domestic politics of Caribbean states. The affairs of both countries were initially heavily motivated by Cold War politics. However, the cases are distinguished by the actors who initiated the process. In Grenada for instance, observers were instigated by the USA and their subsequent presence was largely a hangover from this initial instance. In contrast, the first call for observers in Guyana came from the incumbent PPP regime as a response to the manipulation of Guyana's domestic politics by external actors within the Cold War context. Throughout the Cold War period, the PPP and other local actors worked extremely hard to gain international attention and convince external non-governmental organizations to become involved. The difficulty of mobilizing international support to scrutinize elections during this period is not surprising bearing in mind the clandestine role played by some of these actors in destabilizing Guyanese politics. While the unofficial International Team of Observers responded to these calls in 1980, actors based in or influenced by the UK and the USA did not observe elections in Guyana until this involvement again coincided with their national interests.

The real milestone for the development and surge of observation in the Caribbean was the end of the Cold War. Since 1990, international observers have become frequent participants in the international relations of the Caribbean. This has been so as the elitist interests in the international system have since been redefined in such a way that observation is now a ritual. States, which are vulnerable, and have volatile political systems, have had to work harder at convincing the main actors that they are abiding by the newly established rules of the game. In essence, therefore, the end of the Cold War created the political space for a new set of norms to emerge in international relations.

The holding of free and fair elections or showing one's commitment to this process has been the main litmus test of conformity to these norms. The research has noted the lack of uniformity and political convenience with which the acquiescence to the norms has been measured. There can be no pretence, therefore, that international election observation has solely operated as a *prima facie* tool for the advancement of the promotion of liberal democracy. At best, observation has served as a hegemonic cloak to facilitate the ease of the manageability of some states by the US and other Western governments. In other words, states that invite international observers complicity yield to other norms, standards and wider policies led by developed countries. On the other hand, this does not suggest sinister motives as observation has yielded positive tangible results for host states as well, and all parties enter the arrangement fully aware of the political trade-offs, expectations and intentions.

In this regard, local conditions have been an important factor in determining which countries first received international observers in the post-Cold War period, as well as the intensity of the scrutiny that such countries have received. As is discussed in Chap. 5, the presence of a wide range of significant problems within the political and electoral systems has provided the context in which local actors have been more receptive to the idea of international observers despite the question that such invitation initially posed for the exercise of national sovereignty. Indeed, opposition parties have at times demanded the presence of observers and ruling parties have become less averse to their presence. It could also be argued that as the practice of international observers has become more regularized, local actors have seen such groups as a resource on which to call to meet their electoral objectives. In this regard, the increased supply of observers may have stimulated additional demand. In this context, the discussion has shown that invitations in the context of the Caribbean are often the result of a complex process of negotiations involving local human rights and observer groups, opposition political parties, faith-based organizations, other local non-governmental organizations, foreign observer groups and governmental representatives. This was played out, in the most dramatic fashion in Guyana's first post-Cold War election (1992). Here, the long-standing efforts of the local actors ignored during the Cold War, the determination of the Carter Center to facilitate the new post-Cold War regime, and the greater flexibility of President Hoyte's leadership helped to transform the electoral system in Guyana. The case of Guyana therefore

embodies all the scenarios for observation in the Caribbean: the dynamics of Cold War politics; a subset of special electoral and political challenges and features; and the display of acquiescence to an emerged international norm within a context of the power nuances of the international system.

HOW OBSERVERS OPERATE

As noted in Chap. 4, before involving themselves in an election, international observer groups operated based on an indication from the host country that their presence is being sought. This approach allows states to preserve their national sovereignty even if they have been influenced or coerced by local and/or international actors to issue an invitation. Despite arguments to include international observers without this requirement, the research has shown that states will continue to place importance on issuing an official invitation.

Another question important to this study has been whether the invitation of international election observers is indication of a country's acceptance of, or willingness to accept and adhere to international election standards of "free and fair elections". In some cases, political rhetoric implies such an acceptance without a real commitment to improving and ensuring the integrity of the electoral process. The research on the Caribbean has shown, however, that countries have found it important to have this international stamp of approval and have shown the commitment to achieving acceptable standards.

Observer groups do not always observe an election even though they have received an invitation. They will first determine the need for their involvement based on the nature of political conditions in the host country. They will normally send pre-election missions in an effort to assess the political environment, negotiate terms of their presence and hold discussions with political parties and other stakeholders. This has usually been the case for Caribbean countries. Observer teams will also collaborate with other observer groups to determine which and how many organizations will participate. In most Caribbean cases, one major observer group will observe an election in a country. This has usually been a group either from the Commonwealth or from the OAS. In the case of Jamaica in 1997 and 2002, the major group has been from the Carter Center. Guyana, on the other hand, has had as many as six observer groups in one election including CARICOM, in addition to the local EAB.

In the Caribbean, international observers groups have also worked alongside, and to varying degrees cooperated with local observer groups. As discussed in Chap. 3, this can be a strength. Thus, a central theme that has emerged from this research on Guyana and the Caribbean, in general, is the mutually enabling role that endogenous and exogenous actors play in improving electoral standards. Observers have played a positive role in indicating a country's efforts and commitment to these standards. This was especially so in Guyana (1992) when the Carter Center was the primary agents of change in the elections. In this election, President Carter in particular, exercised more influence and control over nearly every aspect of the proceedings than any local actor.

At the same time, it is difficult to disaggregate the influence that observers have had from other aspects of assistance that Guyana received and from local initiatives as well. What is particularly clear in the case of Guyana is that the diffusion of the racial conflict that permeates the political landscape and improvements in the quality of elections cannot take place and will not be sustainable, without the engagement of the Guyanese people. For, as every election and observation including 1992 have shown, unresolved conflicts will inevitably erupt as violence and mayhem in the aftermath of an election. Domestic action and support for the creation and implementation of strategies and reforms are the most central and compulsory elements of any programme, electoral or otherwise in all states. It evident, therefore, that international observation on its own does not produce sustainable transformation.

The matter of the extensive scope of involvement of the Carter Center in 1992 *viz-a-viz* local actors highlights the persistent challenge of establishing clear guidelines for the *modus operandi* of international observers. Guyana (1992) presents an extreme case of overstepping the boundaries of observation into the realm of monitoring. In retrospect, it is easy to hurl accusations at the observation team for the nature of this level of involvement. However, this was a special case, if not turning point for Guyana and required decisive action. Beyond this obvious exception, while international observation has developed clear codes of conduct, observers are also guided to exercise discretion and flexibility as the conditions they sometimes meet in the field are not textbook or code of conduct defined.

One final way in which observers operate relates to the more comprehensive approach to providing electoral assistance. As the research on Guyana has shown, international election observation in the Caribbean is

sometimes just one aspect of a wider programme of technical and financial assistance. This is especially the case where there is a great need for strengthening the capacity of local institutions. Generally, international observer groups adhere to internationally agreed guidelines for operation but allow some room for discretion.

OUTCOMES OF OBSERVATION

Observation has had tangible effects on Caribbean elections. Material benefits and technical support have routinely become part of observation packages; these include computers, fingerprint machines, registration systems and other forms of technical assistance. Improvements in the administration of elections and overall electoral conditions are also attributable in part to the presence of international observers. At the same time, observation and the international attention placed on countries during their elections have generally improved the international profile of Caribbean countries.

As to the effect of observers on the electoral process, it is clear that observers have had a positive role in the improvement of the administration of elections in Caribbean countries. The presence of international observers helped to enhance voter confidence and reduce the incidence of negative features of the election such as intimidation, violence and fraud. Improvements in the quality of elections are also attributable to the work of domestic observer groups, the domestic electoral authorities, changes in electoral laws and procedures, the establishment of media guidelines and political codes of conduct and other national strategies geared towards electoral reform. Observer groups have also played an important advisory role by way of the suggestions for reform that they offer in their final reports. It is clear that while the onus for the responsibility of implementing reform programmes primarily lies with local actors, the positive role of international observers extends beyond their influence on Election Day proceedings.

The main reason developing countries invite international observers or consent to their presence is for the international validation and accreditation of elections that they provide. Thus, local stakeholders usually welcome their improvements in the quality of elections such as a reduction in the incidence of violence and fraud, and are at least equally appreciative of the increased global status of their country due to the positive assessment observer teams make the electoral process. This point

is of particular importance to Caribbean states as they are often highly dependent on development assistance, foreign direct investment, loans and international trade, and therefore also vulnerable to foreign perceptions of their local environments. Guyana has been willing to adapt its local political conditions to meet broad international expectations.

This raises an important question regarding the impact of the spread of international observation to the Caribbean: Has the acceptance of observers affected the international profile of these states? In general, the impact has been positive. The initial attitude towards international observers on the part of Caribbean Governments ranged from apprehension to mild antagonism, with the view being that they contribute minimally if at all to improvements in electoral conditions. As observation gained traction within the region by the early 2000s, however, Caribbean countries almost routinely invited various international organizations to observe their elections. This shift towards a more receptive approach to international observers acknowledges the positive effect their presence is likely to have on the international standing of Caribbean countries.

It is likely that Guyana and other Caribbean countries will continue to have international teams observing their elections, albeit with less frequency and diffused intensity. For Guyana especially, this will be an important component of packages of electoral assistance. The presence of observers has positively influenced elections and the international standing of Caribbean countries provided that electoral violence does not escalate. Overall, Caribbean countries have become more likely to accept international election observers as a useful indicator of their acquiescence to international norms. Ironically, they are at the same time, also less likely to be coerced into accepting them.

So, an assessment of whether the holding of free and fair elections has become an international norm for states, and whether Caribbean countries feel compelled to indicate their compliance with this norm requires qualification. First, the profile of the majority of countries that invite international observers indicates that they are primarily developing states. These states want to be considered legitimate members of the international system and therefore would like their elections to be validated to derive tangible economic benefits as well as to enhance political status. Within this context, therefore, election observation may be regarded as a norm largely for subaltern states. The decision to invite international observers has provided Caribbean states with the opportunity to prove themselves as responsible and legitimate. Paradoxically, the pattern of

which states observe on the one hand, and which states are observed on the other, has reinforced the unequal power structure/hegemonic nature of the international system.

CONTRIBUTION OF RESEARCH AND FUTURE WORK

International election observation is no longer taboo. It has become an established, if not entrenched practice for many states. The main pre-requisites for having observers have not changed. So, for instance, groups may not observe an election without an invitation from the government. This preserves the notion of the sovereign equality of states; especially since the majority of countries hosting international observers are still developing states. There are however, developments in the procedural and technical aspects of international election observation. These have also been advances in technology, related to digitalization and access to Internet that affect the administration of elections and how they are observed. Some organizations now provide professional training courses in an effort to build a network and pool of electoral experts for observation missions.

PROFESSIONALIZATION OF OBSERVATION

When international election observation emerged in the 1990s, it was a relatively ad hoc and unregulated activity. It is now so structured, streamlined and systemized with an extensive slate of codes of conduct, best practices and cadre of trained observers and other electoral professionals. It is clear that observation today is very different from during its genesis. In the early days of observation, one major criticism was the lack of professionalism. In response to this, there are now several options for individuals to do training as international observers. In addition to the vast literature on the merits and weaknesses of election observation, there are technical and professional training courses offered by universities and intergovernmental organizations such as the OSCE and OAS. These are constantly updated to reflect trends and developments in elections and their observation.

The effectiveness of election observation is dependent on having competent, trained and professional individuals. Efforts to guarantee professionalism in the field have led to a contemporary environment where there are several conditions to be met for an effective observation

mission. Funding transportation and accommodation costs of a meaningfully sized team are very costly. In addition, sending organizations are now committed to sending teams that meet a number of criteria. These include ensuring that the teams have the appropriate composition of a gender balance, professionals with a range of technical competencies, youth and regional representation among others. This is after the entire process of receiving or soliciting an invitation from the host country, sending pre-assessment missions, long-term observer teams and all other legal and logistical pre-requisites for international election observers to be present. These criteria have streamlined and sanitized the process of election observation and made a more credible and efficient activity.

The professionalization of observation is undoubtedly a positive development. However, this has placed some hurdles in the path of observing some elections. The result has been that some actors have found avenues to circumvent the internal and transnational bureaucracy of establishing observer teams. So, for instance, some governments and intergovernmental organizations send individuals or small unofficial teams to be present during an election. For the most part, such teams do not have the same access to senior government or electoral officials as accredited observer teams. Neither do they come with the same media blitz nor prominence as formally invited missions. Additionally, they will not have the same reach or coverage as official election observer missions. On the other hand, some developments in the field will counteract this possible retreat of traditional election observation. Taking advantage of the use of technological advances and more online sources of information will help fill the gaps and enhance data gathering and analysis of smaller and more restricted observer teams.

CHANGES IN TECHNOLOGY IMPACT

One recurrent theme of observing elections has been that they are more than Election Day voting. A successful election begins with a sound electoral and legal framework, proper registration system and so many other elements that predate and extend beyond election/voting day. The sphere of election observation has expanded beyond the traditional activities in an election cycle. In the future, election observation will increasingly involve emerging digital domains including “voter registration processes, online voter education campaigns, partisan spyware, targeted online campaigning, online party data collection, a range of election-related

apps, online party donation platforms, and the capacity for making party accounts and electoral codes available on the net” (Jones 2016).

The emergence of online sources of local knowledge and the digitization of information are significant developments for international observer organizations to track. Online sources for local knowledge include WhatsApp groups, SMS texting, social media groups such as Facebook, e-platforms and apps that cater specifically to particular countries. It will become increasingly important for observers to tap into these resources at various levels through recruiting local personnel such as drivers, boat captains, analysts or interpreters and through having a more sustained presence in communities in pre-election period.

One organized approach to tapping into these online sources of knowledge is the use of crowdsourcing in election observation. Crowdsourcing has its origins in the business world and refers to outsourcing a task usually performed by a designated agent to a large group of people. (Howe 2008, 99) At its best, this approach involves developing networks and training persons to use texting, social media sites such as Facebook, Twitter and Instagram to report election violations which are then recorded as data and projected on interactive maps.

Crowdsourcing has been formally used in election in Armenia (2012, Nigeria (2015) and the USA (2016). It has been useful for increasing awareness and knowledge of electoral fraud, helping to gather verifiable data and to substantiate claims made by individuals, political parties, organizations and other stakeholders. In particular, the pool of collected data provides an idea of the efficacy of the process and legitimacy of the results. More generally, as crowdsourcing is reliant on the involvement of everyday citizens it is a strategy that is most appropriate for domestic election observer groups.

The benefits of this citizen involvement are substantial. Crowd-sourced election observation provides a medium for the documentation of events within the electoral process in real time. This method may enhance the integrity of elections through highlighting instances of voter intimidation, ballot-box stuffing, vote-buying and other such irregularities. This online spotlight on voters, election management bodies, candidates and political parties amplifies some of the benefits of domestic election observation and encourages accountability. Greater citizen involvement or larger “crowds” create an environment for more verifiable data and better opportunity for crosschecking. On the other hand, crowd-sourced election observation may result in herding behaviour and lead to deliberately

false reports. It may also inflame entrenched divisiveness (Lorenz et al. 2011, 5). Additionally, while this method provides access to a much wider range of information it also runs the risk of providing an information overload and irrelevant, repetitive and redundant information.

So far, crowd-sourced election observation has formally gained traction in some Eastern European and African states. Other states have used online sources of citizen involvement less systematically. So, for instance, Commonwealth observers in the 2013 Maldives elections were acutely aware of the high Twitter usage by the population and utilized this to gather information on activities and perceptions on various aspects of the election. This was very useful and given the geographical spread of the atolls in the Maldives. International election observers are also very likely to tap into these resources to intensify information gathering and compensate for weaknesses in deployment and reach. Crowd-sourced election observation will very likely become a more utilized tool for local and international organizations involved in Caribbean elections. In particular, it will provide important access to information in geographically scattered countries such as the Bahamas, and remote or risky areas in some Caribbean territories such as Guyana and Jamaica.

International observer groups will need to develop compatible training and methodologies to improve their capacity to capture and analyze information in an increasingly digitalized age. Regarding the digitization of information—this will help with the new element of increased online sources of knowledge and help decipher what is really useful and relevant for the observation process. These emerging areas include digitization of voter registration, voter education campaigns, social media campaigning and other online domains including donations and data collection platforms. Some countries have already entered the zone of digitization of many phases and processes of an election and observers will need to be competent in assessing these elements. For the Caribbean, these are areas that are already on the horizon for some countries. In this respect, election observers will need to be trained about evaluating digitized content and output related to elections.

RECIPROCITY AND SOVEREIGNTY

Increased instances of the international observation of elections in developed countries such as the USA and UK has widened the scope of the practice beyond its original intentions and mandate. This precipitates

the issues of reciprocity and renegotiating sovereignty to the extent that the terms and conditions for observation require re-examination. These relate to whether observation should be reciprocal between states and automatic features of their electoral law. As a generalizable norm of international relations, certain restrictions concerning international observation need to be acknowledged. Individual states are not required under international law to give permission for international observers to enter their territory. Rather, as has been noted in this book, observers enter foreign territory on the basis of an invitation from the receiving state. This means that a state cannot be forced to take observers. In this context, a state may say that it will accept international observers only if other states will accept observers; but the state may equally refuse to accept observers for reasons that have nothing to do with reciprocity.

Similarly, because the receiving state's invitation is a precondition for the entry of international observers, it cannot be argued that the receiving state is obliged to incorporate in its laws the notion that elections must always be subject to international observation. In other words, no state is required as a matter of international law to introduce an automatic trigger for international observers in its elections. The state may do so if it wishes, but this is not the approach supported by significant practice in international relations. There is no likelihood that international observation will soon become either an automatic feature of international relations or one which is directly reciprocal between developed and developing countries.

In considering the question of reciprocity and equality in the application of a norm for international observers, it must be noted that this research has focused on the practice of international observers as applied to a group of developing countries. This is in a context where these countries have not been party to any mutually binding treaty, among nations of comparable power, providing for the observation of each other's elections. In passing, Chap. 3 has mentioned the case of the OSCE countries, which come closer to this situation. Here, there is an agreed document which provides a basis for the mutual observation of elections albeit not on a compulsory basis and subject to this practice being permissible under local legislation. As noted also, a number of developed countries have had their elections observed through the OSCE. At the same time, the power imbalance experienced by some countries within this group is not dissimilar to that experienced by the Caribbean states within the international community.

Thus, the observation by the OSCE of the US 2004 presidential elections cannot be compared with its observation of the municipal elections held in Bosnia Herzegovinian during the same year, where the latter had more than twice as many observers¹; or indeed with that of Guyana in 2001 which nearly had twice as many observers from multiple teams. It is quite evident that different tiers of observation have emerged among states. In this regard, the blanket term “election observation” is used to refer to all exercises involving observers. However, the observation of the US and UK elections, though completely justified given some of the underlying electoral challenges in these states, is quite a different exercise than observation of elections in a developing state. In the latter case, the outcomes are likely to determine a state’s profile and status in international affairs, while in the former; observation is more seen as an opportunity to showcase the achievements of a mature democracy. The identification of problems in UK or US elections might be mildly embarrassing for these countries, but at least until the November 2016 US presidential elections, the pronouncements of observer teams have had little impact on these countries’ status or their foreign policy outcomes.

OBSERVATION OF THE US 2016 PRESIDENTIAL ELECTIONS

This discussion would not be complete without some assessment of the US 2016 Presidential elections. This election was under more scrutiny than any other in the country or on the international arena. To begin with, both contenders had controversial backgrounds. There was an environment of distrust, allegations of voter intimidation and fraud and tampering from external actors. These elections were observed by the OSCE and for the first time by the OAS and presented new dynamics in the field of international observation. This was arguably the first time a developed state had international observers for more than ceremonial reasons or token reciprocity.

The unfamiliar grounds under which these elections were observed also posed questions on the universal applicability of requirements for receiving states. In this regard, international observers did not have full access to all states and districts of the US elections. There were, too, reversed asymmetries of power of the observer groups regarding the countries observed. The OAS team comprised 41 experts from 18 countries, most whom were based in Washington DC. The OSCE team was

more expansive and included 11 DC-based experts from 10 countries, 26 long term and 400 long-term observers.

The introduction of the OAS presented a new dynamic to observation being a regional intergovernmental organization with headquarters in the US capital. For one, OAS observers were less likely to be critical by virtue of being permanently hosted by the USA. The power realities within the organization also present unspoken loyalties and obligations.

Finally, the recruitment of observers did not follow the usual protocol of bringing electoral experts and “eminent” persons from different countries. This would have been redundant for the OAS as much of its staff already qualifies as such. The OAS therefore had a pool of political and election observation specialists and ambassadors in the country who were qualified and eligible to serve. Get statistics on team composition. While these practicalities justify the overall composition of the OAS team of persons based in Washington, DC. One must note that such a team would operate differently from one recruited in the traditional way.

Considerations of power and political geography were evident in the assessments provided by OAS and OSCE observers. The OAS highlighted a few weaknesses in the elections. These included long lines, inadequate polling places, gerrymandering of the borders of some electoral districts and the absence of quotas to encourage women’s participation in political life. The team also noted the “polarizing and divisive rhetoric...having a racial undertone” and threats of one candidate to bring judicial action against journalists and to restrict their access to political events. The OSCE similarly noted the “harsh personal attacks and intolerant rhetoric”. This team also noted the disenfranchisement of over 6 million persons comprising US citizens in overseas territories, the incarcerated and ex-convicts. Overall, however, both organizations considered the elections to be highly competitive, demonstrating commitment to fundamental freedoms and facilitating the expression of differences in a free and respectful manner and through institutional mechanisms.

Although more developed countries will come under the lens of observation it is likely that the assessment of these elections will continue to be influenced by practical and political constraints. Developing states such as those in the Caribbean may use these lessons to identify policy implications and formulate approaches towards election observation in their countries in the future. CARICOM member states may

wish to consider the integration of the principle of the mutual observations of elections on a basis like that of the OSCE and the OAS. While the theoretical framework of international norms and power realities is unlikely allow CARICOM to act as a substitute for international election observer groups in the short run, this does not negate the centrality of its place in Caribbean elections. Similarly, the CARICOM member states may wish to press both the OAS and the Commonwealth to develop a framework for international observation which is less uneven in its application. As was evident in the CARICOM audit of the 1997 Elections in Guyana, maximum benefits are yielded from international election observation where there is collaboration with regional actors. This points to the need for CARICOM to play a more assertive role in observing elections in member states, including establishing a clearly identifiable election unit and providing wider access to observer reports.

FLIPPING THE SCRIPT

Kelley (2012) extensively discusses the phenomenon of pseudo-democrats and incumbents who use international observation as a façade to normalize and shield electoral fraud. In these cases, governments continue to cheat in plain sight of observers but by changing the methods of fraud. This shift to less detectable and safer methods might include redistricting or gerrymandering electoral zones to unfairly benefit one party or by implementing registration or voter-identification regulations that place one social or racial group at a disadvantage. Anecdotally, instances of cheating in plain sight have included persons known to be supporters of one political party displaying inked fingers as evidence of having voting when in fact, other party representatives have provided them with ink and paid them **not** to vote. These irregularities often go unnoticed while some observers will conclude that these elections have met international standards.

More recently, there have been elections where the reverse is evident. In other words, there have been a few cases where international teams have observed elections and assessed them as acceptable only to have the incumbents declare that there were several irregularities and instances of fraud. While these are not Caribbean cases, they are telling of some of the issues arising from the observation of elections. Although Commonwealth, EU and other observer teams assessed elections in the Maldives (First round 2012) and Zanzibar (Tanzania 2015) as administratively sound incumbents in both cases nullified the election results.²

Certainly, in the first round of the 2012 elections in the Maldives, Commonwealth observers praised the orderly, peaceful and inclusive nature of the elections. The conduct of this election was almost textbook perfect. In the case of the 2015 elections in Tanzania, there was unanimous opinion that these elections were positive. Despite the many interim statements to this effect, the Chairman of the Zanzibar Electoral Commission issued a statement nullifying the Zanzibar elections. In October 2015, election observers from the Commonwealth, the Southern African Development Community (SADC), the AU and the EU issued a joint statement reaffirming their view of the credibility of the voting process. More specifically, they stated:

Our overall assessment of the voting and counting process at the polling stations, based on all our observations, was that it was conducted in a generally peaceful and organized manner, according to the procedures outlined in the laws of the United Republic of Tanzania and the laws of Zanzibar. We stand by this assessment.³

In both cases, the election results meant a change in administration from one party to the opposition. In the case of the Maldives, this would have represented a shift in power from the traditional closed regime to a younger more inclusive leader who was receptive to ideas of democracy and partnership with the international partners. The Maldives has since left the membership of the Commonwealth. While Tanzania remains a member the electoral issues in Zanzibar continue to be unresolved. These cases present a tendency of incumbents to cry foul in the face of a possible loss. In these instances, observer groups must be prepared to continue collaborating with regional and international partners to improve democratic dialogue and transition. The approach in Tanzania of issuing joint statements confirming their findings and unified stance solidified the credibility of each observer group and of the practice of election observation in general.

GENDER AND OTHER SPECIAL/VULNERABLE GROUPS

Many observer groups now place greater emphasis on issues of gender—participation as voters or candidates. Comprehensive regional and international standards exist for human rights. These encourage states to guarantee full political participation. The standard mandate for international observer groups has been to evaluate the freeness, fairness,

or competitiveness of elections. Since the mid-2000s it has not been uncommon to see a marker for “inclusive” as well. The OAS has led this focus on gendering international election observation. Its pilot project was the 2011 mission to Guyana of which 52% of the team was female. Other observer groups such as the Commonwealth have a similar focus.

From a gender perspective, inclusive has meant paying attention to the norms and practices that affect all stages of the electoral process—registration, access to polling stations, voting and electoral policies and programmes. This focus on gender is part of an overall mandate of professionalizing election observer missions. For the OAS, for example, this has been part of the effort to reconcile election observation according to the standards established by the Inter-American Democratic Charter and other policy documents.

Incorporating a gender perspective focuses on the equitable participation by men and women throughout the entire electoral cycle. This goes beyond simply the observation of elections per se, to a philosophy of creating more inclusive societies. For the OAS, in particular, the goal is to “encourage member states to undergo efforts to transform the asymmetrical relationship between men and women in the political arena, in order to generate stronger, more inclusive and more representative democracies”.⁴ This has translated to inclusiveness for the disabled, elderly and other vulnerable groups such as Albinos in Tanzania.

EXTERNAL/OVERSEAS VOTING

There are also new developments in the international environment and demographics that affect some aspects of observation. International migration and population movements have had implications for the traditional views on democratic citizenship and sovereignty. International statistics on migration provide a stark picture of the magnitude of redistribution of populations across the globe. This is especially so for many developing countries. Between 1970 and 2010, for instance, the number of international migrants moved from 81 to 215 million (World Bank 2011).

Bauböck reiterates the notion that residence taken on its own is not axiomatic to political participation. It has until relatively recently been a necessary condition. In other words, it has generally been accepted that one has to live in a country to have the right to vote in that country. Including non-nationals as residents to be including in an election as

legitimate voters does not pose any incremental challenges for observing elections in jurisdictions where expatriates are included in the vote.

This is not the case for the other dimension of democratic citizenship and global population movements. Several persons retain their original nationality when they live abroad. This has not been an issue for military personnel or diplomats for whom arrangements have usually been made at overseas missions. Beyond these officials, many countries have made provisions for their diaspora populations to be able to vote. This is consistent with the view of citizenship and nationhood as transcending territory and extending beyond a country's resident population. As discussed above, the non-inclusion of US citizens living abroad in the 2016 elections was strongly criticized by the OSCE.

Other countries, however, find merit in this approach. In 2005, for instance, Mexico decided to implement overseas voting for its overseas residents. This included approximately 10 million voters through overseas ballots—more than the combined voting population of the entire Commonwealth Caribbean. Currently, approximately 116 countries have legal provisions for external voting. Many of these are developing states or fledgling democracies most likely to have international observers. As the discussion on Guyana highlighted, external voting may create loopholes for extensive electoral fraud and was eventually discontinued for that reason. External voting therefore creates another logistical challenge for international election observation even though it occurs on the premise of inclusiveness in the political role of Diasporas. Within the Commonwealth Caribbean, the Bahamas has had external voting and it has entered the political discourse in Jamaica. It is expected that as more countries explore adding overseas voting it will have more implications for how this dimension of elections will be observed.

Some countries have moved beyond voting in overseas locations, postal and proxy voting towards other methods to increase the possibility for their citizens to participate in referenda and national elections. Switzerland, the USA, France, the Netherlands, Estonia, Spain and Austria have implemented remote electronic voting or e-voting. This refers to voting over the Internet using a personal computer, mobile phone or digital assistant to cast a vote electronically. These are not countries that have had regular election observation so there are no substantial effects on the process just yet. However, as developing countries work to modernize and improve their elections and increase the accessibility of these elections to their citizens abroad, implementing e-voting

remotely and in their countries, will be a reality. The security of e-voting platforms for external electors will be a concern for election management bodies. These security concerns include the risk of transmitting information on the Internet, hacking threats and subtle voter intimidation through pressuring spouses and other relatives to vote by family. (International IDEA, 220, 2012) This electronic aspect of voting will have implications for how all aspects of elections are observed.

CONCLUSION

Overall, this research has examined several aspects of international election observation in the Commonwealth Caribbean. It has done so within a wider context of the international relations of developing states in a system in which the values, rules and norms are largely set by other states and actors. The research has added to the body of work on elections in the Caribbean with the added dimension of the role of international actors in these processes. For observation to continue its role in improving electoral and political practices, and shed the justified negative impression associated with some aspects of its operation, all stakeholders will have to address the criticisms by reviewing their approaches, logistics and techniques. Strides have already been made in this area as seen in the effort to create best practices, codes of conducts and so on. One must also note the likelihood of the development of new norms and the possibility that the international community is already redefining and revising existing norms. Overall, the effect of international observation has been good and creates an even more useful synergy if there is a partnership with regional and local actors. The Caribbean experience has been that observation has improved countries' international profile, provided material benefits, technical support and improved electoral conditions. Beyond this, it would be in the interest of the Caribbean countries, as small states, to see a greater move towards equity in the area of election observation. If there is to be a global norm regarding election observation or a more restrictive norm among those committed to a liberal democratic paradigm, then the value of this norm would be strengthened if it were universally applied. As the observers from the Commonwealth countries to the UK elections (2010) and teams to the US elections (2016) demonstrated, there is a basis for mutual sharing of experience among states regardless of size and global influence.

NOTES

1. “Presidential Election, 2 November 2004,” Organization of Security and Cooperation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), http://www.osce.org/odihr/elections/usa/com/general_2004; and “*Municipal Elections, 2 October 2004*,” OSCE, ODIHR, http://www.osce.org/odihr/elections/bih/eoms/municipal_2004.
2. Personal note –author was a member of two Commonwealth teams to the Maldives and the Commonwealth team to Tanzania (deployed to Zanzibar).
3. The Commonwealth, Tanzania General Elections, October 2015, p. 56.
4. The OAS, *Incorporating a Gender Perspective*, 2013.

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