

Moderating Ethnic Tensions by Electoral Mediation

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June 1993

The Case of Guyana

1. INTRODUCTION

THE END of the Cold War permitted long-suppressed ethnic tensions that had been frozen in Eastern Europe for 50 years to explode. The challenge for the international community was to find a framework that would permit the peaceful resolution of ethnic conflicts. Elections were one way of mediating disputes between rival ethnic groups, but the bitterness that each group felt toward the other often made it difficult to reach agreement on terms that would permit a free election. International mediators or observers could help. Their absence from the December 1992 election in Yugoslavia was judged by some to be one of the reasons that the election was stolen. .

government ministry. These and other changes, along with the government's control over the transportation and counting of ballots on election day, figured prominently in PNC election victories in 1968, 1973, and 1980. In each instance, the opposition challenged the results and charged fraud. The June 1980 assassination of Dr. Walter Rodney, a popular leader of the Working People's Alliance, provoked increased opposition to the government and escalated demands for electoral reform, but there was no possibility of progress until Burnham died in August 1985.

Burnham was succeeded by Desmond Hoyte, the First Vice President and Prime Minister. After instituting some minor electoral reforms, Hoyte and the PNC won elections in December 1985. However, the opposition charged fraud again. In the wake of the 1985 electoral defeat, five of the six main opposition parties, including the PPP, agreed to form the Patriotic Coalition for Democracy (PCD) to press for reforms in time for the next elections, due by May 1991. The major reforms that they demanded were the creation of a totally independent Elections Commission with authority over all aspects of the electoral process, the counting of ballots at polling places, restricting the military to barracks on election day, and the presence of international observers.

Facing increased domestic and international pressure to institute reforms, Hoyte agreed to an amendment transferring some authority back to the Elections Commission and, in July 1990, he invited the Commonwealth Secretariat to send a delegation to observe the forthcoming elections. The opposition parties were uncertain about the impartiality of a mission from the Commonwealth, as the

completed, including one done by a civic group known as the Electoral Assistance Bureau, which had indicated a very high rate of errors.

There was general agreement that the list was seriously flawed. The critical questions were whether it could be corrected; and if so, how much time would be required. The opposition coalition PCD rejected the list as flawed beyond repair, charging that Commissioner Jacobs and his subordinates had rigged it in favor of the PNC. Chairman Collins, who was under pressure to hold elections by the end of the year, acknowledged some errors in the list, but insisted that they could be corrected during a 28-day period of public review. President Hoyte agreed that the list was flawed, but said he would defer to Collins' judgement.

The Council delegation concluded that while the list was not irreparably flawed, it could not be corrected by the Commission *in time for a December election*. Specifically, the Council delegation was concerned that if a 'corrected' final list were published on the eve of the election without the opposition parties having had time to review it, the result could be violence on election day. Carter wrote to Chairman Collins, stating that the Council and the political parties needed to receive a final copy of the voters' list at least three weeks before the election, in order to judge whether it would be a satisfactory basis for the election. If the list were unacceptable, or had not been received by then, Carter indicated that the Council would not observe the elections unless these were postponed with sufficient time to correct the list. In Carter's meetings with representatives of the Guyanese Government, these points were repeated. The US and UK governments also began to urge President Hoyte to postpone elections.

With time running short, President Hoyte announced in mid-November that elections would be held on 16 December, noting that this decision was based on the projections of the Elections Commission for completion of the list. The call for elections created divisions within the PCD, with some parties deciding to boycott the elections, and the PPP deciding to participate. (The PPP added civic leaders to its party list for the election and renamed itself 'PPP/Civic'.)

Shortly before the Council deadline, Collins finally reported that he was 'unable to guarantee the presentation of a final voters' list in sufficient time for it to be verified by the electorate'. In response, President Hoyte postponed the elections and recalled Parliament to pass legislation which would enable a 1992 election. Most Guyanese breathed a collective sigh of relief and began preparing for new elections. The UN Development Program (UNDP) offered a package of technical advisers and assistance to correct and verify the list. In April, a 'People Test' aimed at detecting whether the new list was padded with names of deceased or non-existent persons was conducted, by selecting a sample of names and trying to locate them. According to the UNDP, the 'not found' rate was only 4.4%.

Another outstanding issue concerned the ability of the Elections Commission to implement decisions regarding election personnel and local observers. Council

observers believed that the independent authority of this Commission had already been established, and all that remained was for Chairman Collins to assert his authority. Consequently, the Council chose not to get involved in this issue, and instead encouraged the Guyanese to resolve it.

In Guyana, as in other transitional elections, the Council realized that suspicions often linger well after actual disagreements are resolved. The Council therefore tried to use its moral authority to urge parties and the public to participate fully in the process.

In anticipation of the completion of the final voters' list, the Council sent a delegation to Guyana on 27-31 July 1992, to assess the list and other preparations for the forthcoming elections. The delegation found the new voters' list acceptable to all the major parties. While several logistical matters remained unresolved, the largest problem was that the public, given the repeated delays and mismanagement, lacked confidence and accurate information about the electoral preparations and the mechanics of the voting process. There were widespread suspicions that the government would never allow a free election and would somehow steal the vote, and that racial violence was inevitable. The delegation publicly urged all Guyanese, including the private sector and other non-governmental actors, to assist the Commission in mounting a public information campaign. Finally, the delegation urged the Commission to use its good offices to re-introduce the Electoral Peace Accord, a document committing the parties to conduct a campaign free from violence, racial incitement, or vandalism to property.

On 10 August, Elections Commission Chairman Collins informed President Hoyte that the final voters' list was completed. This paved the way for President Hoyte's 29 August dissolution of Parliament and announcement that elections would be held on 5 October.

5. THE ELECTIONS

To be effective, observers should be able to make a complete assessment of the process, including a thorough evaluation of election-day balloting, both by random visits to polling sites, and by conducting a parallel vote tabulation or 'quick count'. Such systematic information boosts public confidence because it provides a means to detect fraud. Observers must work as a team, and if possible coordinate their efforts with any other observers, to ensure that the international community speaks with a single voice. Obviously, if systematic fraud is detected, the observers must either convince the parties to correct the process or denounce the final outcome.

5.1 The Campaign

Given the deep-seated tensions between Indo- and Afro-Guyanese, many Guyanese feared that the campaign would be marked by attacks on one community or the other. In fact this rarely occurred. The campaign was virtually free from intimidation and violence. Party rallies were peaceful across the country, and police were present to restrict disturbances to name calling and heckling. Periodic visits and reports by the Council helped to dispel any unfounded rumors.

A significant defect of the campaign was the ruling party's use of state-owned media to promote the PNC campaign, which the opposition and observers criticized as an abuse of public agencies. More important, however, was the fact that all parties had sufficient opportunity to get their message to the public. Independent newspapers ran paid ads from all parties and claimed editorial independence, and TV and radio coverage of the electoral campaign was uncensored and generally vigorous.

5.2 Election-Eve Uncertainties

The day before transitional elections is always a time of high tension. All of the suspicions harbored over decades among the leaders of the various political parties come to the surface. Reports of administrative foul-ups are interpreted as the tip-of-an-iceberg-like conspiracy to steal the election.

The Council election observation delegation saw the same syndrome in Guyana. Many normally sober people became convinced that the election was about to be stolen, even before it had occurred. Generally, in transitional elections, the opposition and its supporters are the ones who are most fearful. In Guyana, the tension was compounded because the governing party felt that it had lost control over the election machinery. But while the Elections Commission had gained some control over the conduct of the election, most of the power remained in the hands of mid-level government bureaucrats, who were resentful of both the government and the Elections Commission for changing the rules of the game without consulting them. The result was confused lines of authority and high levels of administrative incompetence.

The nature and the magnitude of the crisis were not recognized until the day after the election, but two serious problems were evident already on the eve of the election. The Elections Commission had sorted out all of the polling sites too late. It had printed the list of locations only hours before the voting was scheduled to begin, and it did not have enough time or high-speed photocopiers to make copies of all the voters' lists to be packed in ballot boxes and shipped to all the new sites. This problem affected both Indo-Guyanese and Afro-Guyanese. The Council found no evidence of racial, ethnic, or party bias in the numbers of persons claiming not to have found their names on the official list. Still, this irregularity generated suspicion and instability in some communities.

down operations. Violence and looting spread to the business district, resulting in at least two deaths and extensive damage.

Chairman Collins, who had refused to abandon the building, permitted the crowd to vote at the Commission headquarters in an attempt to defuse the situation. (These votes were in fact not counted, and elections officials later determined that only 21% of these persons were registered voters.) Carter joined Collins, and succeeded in convincing President Hoyte and Police Commissioner Laurie Lewis to send armed police to defend the Commission. Police dispersed the crowd and cordoned off the block, allowing the Guyanese and UNDP technicians to return and re-establish operations.

When the polls closed at the end of the day, observers went to pre-assigned polling places, representing a statistical sample of 7% of the total, to witness the counting of ballots, and to conduct a parallel vote tabulation or 'quick count'. As soon as the vote tally was completed, Council observers reported the results of their sites by radio, or in person, to Council headquarters in Georgetown. With a margin of error of 3%, the Council was able to use the quick-count sample to determine before 1:00 a.m. (just 7 hours after polls had closed) that the PPP/Civic had won the national election by a wide margin. The quick count projected that the PPP/Civic would receive 54.8% of the vote and the PNC 40.8%. Official results later gave 53.5% to the PPP/Civic and 42.3% to the PNC.

The Elections Commission's official results trickled in much more slowly. By 5:00 a.m. on 6 October, the Elections Commission had received only 19,293 votes or roughly 5% of the eligible votes from 61 polling places. The release of preliminary results was discontinued soon after this. The biggest problem was that many polling officials were not trained to send their results directly to the Commission. It took several days before the majority of the polling sites had reported. The delays, some from traditional PNC strongholds of support, created the suspicion that results from these areas were being 'fixed' in favor of the ruling party.

The Council's quick count proved extremely important in calming such fears. A quick-count is a powerful tool for deterring attempts to manipulate election results, and detecting such fraud if it occurs. Because the public and all parties know that the count is being implemented as a check on the official tabulation, this also means greater public confidence in the official election results.

On the morning after the election, Carter visited both President Hoyte and Dr. Jagan and shared with them the results of the quick count. Hoyte acknowledged the figures but was unwilling to concede the election until after reviewing the official national returns and tabulations of his own party. Jagan agreed to calm his supporters and wait for the results to be published by the Elections Commission. At a press conference later that day, Carter and Council member Prime Minister George Price of Belize announced that while the delay in reporting returns was a source of frustration, the Council had seen no evidence

that the integrity of reporting the count had been compromised. The Commonwealth observers held their own conference and announced similar findings. Carter said that violence on election day had been confined largely to the Elections Commission and subsequent looting in Georgetown's business district. Carter also announced that he had shared the quick-count results with President Hoyte and Dr. Jagan, and that both had agreed to hold the information in confidence.

On 7 October, as the official returns began to indicate an insurmountable lead for Dr. Jagan, Carter asked Jagan and President Hoyte to name senior representatives to begin plans for an orderly transition. At his final press conference later that day, Carter announced that the Council had found that Guyana's elections were conducted freely and fairly, and that President Hoyte

detect fraud. If systematic fraud is detected, the observers must either convince the guilty parties to correct the process, or denounce the final outcome.

The process of democratization is hardly completed with a free election. In the case of Guyana, the Council remained in close contact with the new government and the opposition. President Jagan was invited to a conference on development at the Carter Center in December 1992; subsequently a three-person team was sent to Guyana in February 1993 to help leaders from the government and private sector in three areas: sustainable economic development; electoral reforms to