
**Strategic Assessment of the Models of Electoral Management and the Guiding Principles in
the Organization of Election**

BY

Young J. LUKE, *Ph.D*
Department of Business Management
Faculty of Business Administration
University of Birmingham
United Kingdom

ABSTRACT

The term EMB means electoral management board of body. It may apply to a national electoral commission that co-manages elections together with local authorities, such as the Swedish Election Authority, which coordinates ballot paper printing, the distribution of seats and the announcement of results at the national level. In addition to these essential elements, an EMB may undertake other tasks that assist in the conduct of elections and direct democracy instruments, such as voter registration, boundary delimitation, voter education and information, media monitoring and electoral dispute resolution. There are three Models of Electoral Management each model of electoral management has some basic attributes, but also many variations. The way in which EMBs work depends not merely on the model used, but also on other electoral framework, social, cultural and political factors. There are many types of EMBs within the three broad models. They may be permanent or temporary, and may be centralized or decentralized to varying degrees. Each structure has its advantages and disadvantages that need to be carefully assessed according to the particular country's conditions. Regardless of which model is used, every EMB should be certain that it can ensure the legitimacy and credibility of the processes for which it is responsible. It is on this ground that the study conducted to strategically assess the models of electoral management and the guiding principles in the organization of any successful election.

KEYWORDS: Organization, Electoral Management Board (EMBs), Elections

Introduction

The complexity and specialist skills necessary for electoral management require that an institution or institutions be responsible for electoral activities. Such bodies have a variety of shapes and sizes, with a wide range of titles to match, such as Election Commission, Department of Elections, Electoral Council, Election Unit or Electoral Board. The term electoral management body (EMB) has been coined to refer to the body or bodies responsible for electoral management, regardless of the wider institutional framework in place.

According to Elklit, & Reynolds, (2002), an EMB is an organization or body that has the sole purpose of, and is legally responsible for, managing some or all of the elements that are essential for the conduct of elections and direct democracy instruments—such as referendums, citizens' initiatives and recall votes—if those are part of the legal framework. These essential (or core) elements include:

- determining who is eligible to vote;
- receiving and validating the nominations of electoral participants
- (for elections, political parties and/or candidates);
- conducting polling;
- counting the votes; and
- Tabulating the votes.

If these essential elements are allocated to various bodies, then all bodies that share these responsibilities can be considered EMBs. An EMB may be a stand-alone institution, or a distinct management unit within a larger institution that may also have non-electoral tasks.

In addition to these essential elements, an EMB may undertake other tasks that assist in the conduct of elections and direct democracy instruments, such as voter registration, boundary delimitation, voter education and information, media monitoring and electoral dispute resolution. However, a body that has no electoral responsibilities other than, for example, boundary delimitation (such as a boundary delimitation commission), electoral dispute resolution (such as an electoral court), election media monitoring (such as a media monitoring commission), or the conduct of voter education and information (such as a civic education commission) is not considered an EMB because it is not managing any of the essential elements identified above. Similarly, a national population or statistics bureau that produces electoral registers as part of the general process of population registration is not considered to be an EMB (Elklit, & Reynolds, 2005).

Different EMBs may be established for different electoral processes. In Mexico and Poland, the EMBs are responsible for both presidential and parliamentary elections; in Australia, the national EMB deals with national-level elections, while state-level elections are the responsibility of separate state-level EMBs. In the United Kingdom (UK), the arrangements for the conduct of elections and referendums are separate. Some bodies that are not engaged in any of the essential elements of elections may nonetheless be popularly regarded as EMBs. The US Federal Election Commission (FEC) defines its mission as ‘administering and enforcing federal campaign finance laws’. However, such institutions do not qualify as EMBs under the definition above.

In addition to the division of functional responsibility for different elements of the electoral process, electoral responsibilities may be divided between bodies at different levels. For example, some elements of the conduct of elections may be managed by a national-level electoral commission, a ministry (such as the Ministry of the Interior) or a national government agency, while others are implemented by local-level commissions, regional branches of government departments or local authorities (as in Spain). The term EMB may also apply to a national electoral commission that co-manages elections together with local authorities, such as the Swedish Election Authority, which coordinates ballot paper printing, the distribution of seats and the announcement of results at the national level (European Commission, 2008).

Literature Review

Three Models of Electoral Management

A country's electoral management model may either result from a holistic design process or be grafted onto an existing system of state administration. In post-colonial countries, the model may be strongly influenced by colonial administrative patterns. While there are many variations, there are three broad types or models of electoral management: Independent, Governmental and Mixed Models.

According to European Commission (2008), the three broad electoral management models are:

- Independent Model
- Governmental Model
- Mixed Model

The Independent Model of Electoral Management

The Independent Model of electoral management is used in countries where elections are organized and managed by an EMB that is institutionally independent and autonomous from the executive branch of government; its members are outside the executive. Under the Independent Model, the EMB has and manages its own budget, and is not accountable to a government ministry or department. It may be accountable to the legislature, the judiciary or the head of state. EMBs under this model may enjoy varying degrees of financial autonomy and accountability, as well as varying levels of performance accountability. Many new and emerging democracies have chosen this model, including Armenia, Bosnia and Herzegovina, Burkina Faso, Canada, Costa Rica, Estonia, Georgia, India, Indonesia, Liberia, Mauritius, Nigeria, Poland, South Africa, Thailand and Uruguay (Franck, 1992).

In some countries, two bodies are established to manage elections, both of which are independent of the executive and can be considered independent EMBs. One of these bodies is likely to have responsibility for policy decisions relating to the electoral process, and the other to be responsible for conducting and implementing the electoral process. There may be provisions to insulate the implementation EMB from interference by the policy EMB in staffing and operational matters. Examples of this 'double-independent' framework under the Independent Model include Jamaica and Romania.

The Governmental Model of Electoral Management

In countries with the Governmental Model of electoral management, elections are organized and managed by the executive branch through a ministry (such as the Ministry of the Interior) and/or through local authorities. Where EMBs under this model exist at the national level, they are led by a minister or civil servant and are answerable to a cabinet minister (Weingast, 1997). With very few exceptions, they have no 'members'. Their budget falls within a government ministry and/or under local authorities.

Countries that use this model include Denmark, Singapore, Switzerland, the UK (for elections but not referendums) and the United States. In Sweden, Switzerland, the UK and the United States, elections are implemented by local authorities. In Sweden and Switzerland, the central EMB assumes a policy coordinating role.

The Mixed Model of Electoral Management

According to Voigt, & Salzberger, (2002), the Mixed Model of electoral management usually involves two component EMBs and a dual structure: (1) a policy, monitoring or supervisory EMB that is independent of the executive branch (like an EMB under the Independent Model) and (2) an implementation EMB located within a department of state and/or local government (like an EMB under the Governmental Model). Under the Mixed Model, elections are organized by the component governmental EMB, with some level of oversight provided by the component independent EMB. The Mixed Model is used in France, Japan, Spain and many former French colonies, especially in West Africa, for example Mali and Senegal.

The powers, functions and strength of the component independent EMB in relation to the component governmental EMB vary in different examples of the Mixed Model, and the classification of a particular country as using this model is sometimes not very clear. In the past, the component independent EMB was sometimes little more than a formalized observation operation, although this version is dying out, having been abandoned, for example, in Senegal. In other cases, the component independent EMB supervises and verifies the implementation of electoral events by the component governmental EMB, and tabulates and transmits results, as in Congo (Brazzaville). In some Francophone countries, the Constitutional Council is engaged in the tabulation and declaration of results and can be considered a component independent EMB within the Mixed Model. In Chad, this applies to referendums only, and not to elections. In Mali, where elections are organized by the Ministry of Territorial Administration, both the Independent National Electoral Commission and the Constitutional Court undertake their own tabulation of results; the country thus has three component EMBs (one governmental and two independent).

The relationship between the component EMBs in a Mixed Model is not always clearly defined in legislation or practice, and friction can result. In the 1999 elections in Guinea (which used the Mixed Model at that time), the majority and opposition representatives in the component independent EMB had conflicting approaches to its role in supervising and verifying the elections; thus its effectiveness was heavily disputed.

Centralized or Decentralized EMBs

Feld, & Voigt, (2003) opined that the level of an EMB's power concentration or devolution depends very much on the system of government in the country. In unitary countries, the responsibility for elections will be determined at the national level. Federal countries may have separate EMBs at the national level and in each state/province, which often operate under different legal frameworks and may implement different electoral systems.

The nature of the EMB will usually be defined in the electoral law, whether this takes the form of a single omnibus law—as in the Philippines—or a separate law specifically relating to electoral administration—as in Indonesia. The legal framework may distinguish between powers and functions that are given to a central or national EMB and those given to regional or lower-level EMBs. In unitary countries, such vertical divisions of power and functions may be between different branch levels of the one national EMB, or between national and local EMBs, as in the UK. It is common in a unitary system, as in Costa Rica, Ghana and the Philippines, to have one central EMB that is responsible for all elections, which has subordinate offices at both the

provincial and local levels. Countries with laws that define separate, hierarchically accountable EMBs at national, regional, administrative district and even village level often assign devolved or different powers and responsibilities to each level. Many countries, such as Indonesia, Lithuania and Slovakia, have a central EMB that devolves responsibilities for implementing some electoral functions.

According to Richard, Devinney, Yip, & Johnson, (2009), countries that use the Governmental or Mixed Model may rely on local authorities to conduct all or part of the electoral activities. For example, Sweden operates a highly decentralized electoral management structure that consists of a national EMB for policy coordination and local authorities that manage elections, and Hungary and Switzerland devolve some powers to local EMBs. Devolving electoral powers and responsibilities to local authorities without appropriate oversight may make it more difficult to maintain electoral consistency, service, quality and—ultimately—the freedom and fairness of elections. The United States is a good example of this difficulty.

EMBs in Federal Countries

In federal countries, the national- and provincial-level EMBs may each have separate, devolved structures. The nature of the relationship between such EMBs, and the powers and responsibilities of each, depend on the provisions of the law (Freedom House, 2008).

There are a variety of approaches to this relationship.

- In Australia and Canada, the national EMB is responsible for national (federal) elections, while provincial EMBs are responsible for provincial and local elections.
- In Brazil, the state EMBs are generally responsible for running all elections, and the national EMB is involved in the tabulation and declaration of the results for national offices.
- In India, the national EMB exercises overall superintendence, control and direction over state elections. The conduct of these elections is the direct responsibility of the state chief electoral officer, who is a senior civil servant appointed by the national EMB.
- In Nigeria, the national EMB assumes responsibility for federal and state elections and referendums, while the provincial EMBs are only responsible for local elections.
- In the Russian Federation, a central EMB at the national level is responsible for all federal elections; regional EMBs are responsible for elections in the 89 regions that make up the federation; and lower-level EMBs are responsible to the central EMB for federal elections and to the regional EMB for republic, regional and local elections.
- In Switzerland, a national EMB is responsible for policy coordination, while local authorities manage elections.

While there are often rivalries between EMBs at the national and provincial levels in federal systems, there are examples of cooperation. For example, in Australia, state electoral laws specifically provide that the electoral registers for provincial and local elections are to be jointly maintained with the national EMB, rather than the provinces maintaining their own registers. Such coordination in electoral laws has significant cost-saving benefits.

Transitional International EMBs and National EMBs

Transitional EMBs are set up temporarily to facilitate transitional elections. They are normally set up under the auspices of the international community, for example through the United Nations (UN), and consist of or include international experts as members. Countries where transitional international EMBs have been set up include Cambodia (1993), Bosnia and Herzegovina (1996), and Timor-Leste (2000). An advantage of transitional international EMBs is that they benefit from the presence of international election experts who have vast technical knowledge and comparative electoral experience. This type of EMB structure is useful in deep-rooted conflict situations that require consensus building through mediation and dialogue. The presence of international experts on the EMB may bolster domestic and international stakeholder confidence in supporting the electoral process. However, local ownership of the electoral process may be significantly diminished, and the more usual approach is to provide international expertise for rather than international control of the transitional election (Rosenblatt, Thompson, & Tiberti, 2012).

While not strictly ‘international’, the EMBs in Afghanistan (2004) and South Africa (1994) were national institutions with provision for the appointment of international members. The 1994 South African EMB consisted of five international experts, but since 1996 it has had a national EMB following the Independent Model. Transitional EMBs may also consist of nationals only, often political party representatives; an example was the 53-member EMB of Indonesia in 1999. This EMB was larger than usual in an effort to provide representation and inclusiveness. In 2001, Indonesia amended its Electoral Law to provide for an 11-member expert-based EMB, and membership was subsequently reduced to seven in 2007 (Tan, 2013).

Representation of the EMB before Cabinet and the Legislature

According to Van Aaken, (2005), regardless of the model or type of EMB, it needs to deal with the executive branch of government and the legislature on issues such as electoral law and budgets. It is a good practice for a multiparty committee of the legislature, such as the Joint Standing Committee on Electoral Matters in Australia, to deal with EMB matters, and for a cabinet member to handle all EMB issues in cabinet and speak on its behalf in cabinet and the legislature. For a governmental EMB, the relevant minister would usually be from the department in which the EMB is located.

Unless an independent EMB within an Independent or Mixed Model also has someone to speak on its behalf—a task that may be allocated to a specified minister—it is difficult for EMB matters to attract sufficient attention from either the legislature or the cabinet. For example, the arrangement in Namibia—under which the speaker of parliament handles all EMB matters, including electoral law and the EMB budget—has in the past presented some problems for the EMB because the speaker is not represented in cabinet, and cabinet rules in Namibia state that proposals for legislation must first be presented to the cabinet by one of its members. A crisis over delays in electoral law reform in 2003 led to the appointment of a temporary ‘guardian’ minister to the EMB and the Ministry of Regional and Local Government being given the legislative task (Voigt, & Salzberger, 2002).

Some Guiding Principles for All EMBs

Regardless of which model is used, every EMB should be certain that it can ensure the legitimacy and credibility of the processes for which it is responsible. This can be done if electoral management is founded on fundamental guiding principles.

According to Vonnahme, & Miller, (2012), the guiding principles for EMBs include:

- independence
- impartiality
- integrity
- transparency
- efficiency
- professionalism and
- service-mindedness

These guiding principles form the basis of electoral administration and are essential to ensure both the actual and perceived integrity of the electoral process.

Independence

There is some confusion over the meaning of EMB independence because the term ‘independent’ embraces two different concepts: (1) structural independence from the government (the Independent Model) and (2) the ‘fearless independence’ expected of all EMBs, no matter which model is used, in that they do not bend to governmental, political or other partisan influences on their decisions. While one issue is formal and the other is normative, they are seen as linked; in many parts of the world, the Independent Model is regarded as the one most likely to ensure an EMB’s independence of decision and action.

Institutional or ‘structural’ independence can only be found in the constitution or the law. The simplest way to promote independence of decision and action in an EMB is to create a legal framework that embeds EMB independence, as provided in the constitutions and principal EMB laws of many countries, such as Mexico, South Africa, Uruguay and Zambia. While this is always feasible with the Independent Model and may be feasible when the Mixed Model is used, it may be more difficult to embed under the Governmental Model, apart from strict requirements for impartiality of action, given the integration of the EMB(s) into ministries or local governments (Voigt, Ebeling, & Blume, 2007).

For both Independent and Mixed Model electoral management, a culture of independence and the commitment of EMB members to independent decision-making are more important than formal ‘structural’ independence. Strong leadership is important for maintaining an EMB’s independence of action. For example, a senior member of the judiciary may fill the position of chair of an independent EMB within either model. Such a link to the judiciary may make undue interference by the government or opposition parties in EMB operations less likely. However, it would not be appropriate where the judiciary is not regarded as impartial or free of corruption, or does not have enough members for it to be able to avoid conflicts of interest in election-related court cases. Countries that use judges or former judges as EMB chairs include Australia, Brazil, Costa Rica and Zambia.

Impartiality

To establish the integrity and credibility of electoral processes, and promote the widespread acceptance of election results, an EMB must not only conduct electoral events in a fearlessly independent manner; it must also be impartial in its actions. Without impartial electoral management and independent action, the integrity of the election is likely to fail, making it difficult to instill widespread belief in the credibility of electoral processes, especially among the losers. Every EMB is expected to manage elections impartially. Irrespective of the model, its source of accountability, management control or funding, the EMB should treat all election participants equally, fairly and even-handedly, without giving advantage to any political tendency or interest group (Freedom House. 2008).

In theory, an independent EMB made up of non-aligned ‘expert’ appointees might be best able to achieve impartiality. Other independent EMBs, for example where nominees of the contesting political parties are appointed to the EMB, may have a more difficult time establishing their credentials with the public as completely impartial bodies. Except in countries that have a tradition of a non-aligned civil service, the decisions and activities of EMBs under the Governmental or Mixed Models may be publicly regarded as likely to favour the incumbent government.

Integrity

The EMB is the primary guarantor of the integrity and purity of the electoral process, and EMB members are directly responsible for ensuring this. Integrity may be easier to maintain if the EMB has both full independence of action and full control of all essential electoral processes, including full control over budgets and staffing. Where other bodies have electoral functions, EMBs need to be empowered to monitor their activities closely to ensure that they meet the highest integrity standards.

Transparency

Transparency in operational and financial management lays out for public scrutiny the decisions and reasoning of the EMB. Transparency is a basic good practice for all EMB activities. It can help an EMB combat perceptions of and identify actual financial or electoral fraud, or a lack of competence or favouritism toward particular political tendencies, which can enhance its credibility. Electoral transparency may be backed by electoral law, for example by a requirement that the EMB inform the public of its activities, as in Indonesia. Or it may be required by the EMB's code of conduct, for example the frequent media briefings and releases and stakeholder consultations undertaken by the Liberian EMB for the 2011 elections. Even without such formal backing, an EMB may adopt a transparency policy.

The absence of transparency in electoral processes invariably leads to the suspicion that fraudulent activities are taking place. For example, where observers and the public are unable to access progressive vote count and aggregation data, and where there are significant delays in announcing and validating election results (as in Belarus and Ukraine in 2004 and Ethiopia in 2005) the credibility of the election suffers.

Efficiency

Governments and the public expect that funds for elections will be used wisely and services delivered efficiently. In the face of expanding and ever more expensive technological solutions, and demands for increased effort in high-cost areas such as voter education and information, EMBs have to be careful that their programmes sustainably serve electoral efficiency, as well as integrity and modernity.

Professionalism

Professionalism in electoral managements requires accurate, service-oriented implementation of electoral procedures by suitably skilled staff. EMBs need to ensure that all election officials, whether core staff or temporary workers, are well trained and have the necessary skills to apply high professional standards in their technical work. Professional training prompts public trust that the entire process is 'in good hands' (Stewart, 2006). However, while a continuous training and skill development programme is an essential part of creating and maintaining a professional EMB, professionalism depends just as much on the attitude of every member and secretariat staff person. A personal commitment from each individual in an EMB to equity, accuracy, diligence and service in all they do, and to self-improvement, is necessary to maintain professionalism in electoral management.

A lack of visible professionalism in electoral management, on the other hand, will create public suspicions of inaccurate and perhaps fraudulent activity, and a lack of trust. It will make it easier for complaints from election losers to find public support, whether the complaint is valid or not.

Service-mindedness

EMB's not only have a responsibility to provide a service to their stakeholders—it is the major reason for their existence. Developing and publicizing service delivery standards for all their activities provides both internal motivators for EMB members and staff to provide high-quality service, and external yardsticks with which stakeholders can assess the EMB's performance.

Some basic service standards are often included in the electoral legal framework, as in Canada: these include time-based standards such as deadlines for announcing election results, compiling the electoral registers, distributing voters' identification (ID) cards or distributing information on voting location (Richard, Devinney, Yip, & Johnson, 2009).

Summary and Conclusion

Elections are complex and specialized processes that are most effectively managed by a body with specific electoral management responsibilities. An EMB is an institution or body founded for the sole purpose of managing some or all of the essential elements of electoral management, which include: a. determining who is eligible to vote; b. receiving and validating the nominations of electoral participants (for elections, political parties and/or candidates); c. conducting polling; d. counting the votes; and e. tabulating the votes. Essential and other electoral tasks may be conducted by a single body, or be allocated to multiple bodies. There are three Models of Electoral Management each model of electoral management has some basic attributes, but also many variations. The way in which EMBs work depends not merely on the model used, but also on other electoral framework, social, cultural and political factors. There are many types of EMBs within the three broad models. They may be permanent or temporary, and may be centralized or decentralized to varying degrees. Each structure has its advantages and disadvantages that need to be carefully assessed according to the particular country's conditions. Regardless of which model is used, all EMBs needs to follow some guiding principles, including independence of decision-making and action, impartiality, integrity, transparency, efficiency, professionalism and service-mindedness. These principles are sometimes more fully achieved under the Independent Model than by the other models.

Recommendation

1. EMB's should have the interest to ensure that breaches of the electoral laws, rules and codes of conduct are followed by appropriate sanctions.
2. EMB is one that has displayed integrity, competence and efficiency. These qualities should be applied because it helps generate public and political party confidence in electoral processes
3. Regular public or stakeholder surveys (for example, after elections) can provide useful information to help an EMB assess and improve its service delivery. These should be conducted as part of EMB responsibilities.

REFERENCES

- Elklit, J., & Reynolds, A. (2002). The impact of election administration on the legitimacy of emerging democracies: A new comparative politics research agenda. *Journal of Commonwealth and Comparative Politics*, 40 (5), 86–89.
- Elklit, J., & Reynolds, A. (2005). A framework for the systematic study of election quality. *Democratization journal*, 12(5) 149–154.
- European Commission. (2008). *Handbook for European Union Election Observation*.
- Feld, L. P., & Voigt, S. (2003). Economic growth and judicial independence: Cross-country evidence using a new set of indicators. *European Journal of Political Economy*, 21(19), 7–9.
- Franck, T. M. (1992). The emerging right to democratic governance. *American Journal of International Law*, 86(4), 90–95.
- Freedom House. (2008). *Freedom in the World*. Selected Data from the Houses'. Annual Global Survey of Political Rights and Civil Liberties, www.freedomhouse.org.
- Richard, P. J., Devinney, T. M., Yip, G. S., & Johnson, G. (2009). 'Measuring organizational performance: Towards methodological best practice'. *Journal of Management*, 35(3), 718–804.
- Rosenblatt, G., Thompson, P., & Tiberti, D. (2012). 'The Quality of the Electoral Registers in Great Britain and the Future of Electoral Registration'. *Parliamentary Affairs*. 27(2). 23
- Stewart, J. (2006). 'Contemporary Issues: A Banana Republic? The Investigation into Electoral Fraud by the Birmingham Election Court'. *Parliamentary Affairs*, 59(4), 654–667.
- Streeck, W., & Thelan, K. (2005). Introduction: Institutional Change in Advanced Political Economies. In W. Streeck & K. Thelan (Eds.), *Beyond Continuity (pp.1-39)*. Oxford, Oxford University Press.
- Tan, N. (2013). 'Manipulating electoral laws in Singapore'. *Electoral Studies*. 2(4) 40- 44.
- The Telegraph. (2012). *Mislaid ballot boxes delay mayoral election results*. The Telegraph. TNS. Electoral Commission.
- Van Aaken, A. (2005). Independent Administrative Authorities in Germany. In R. Caranta, A. Mads, & F. Duncan (Eds.), *Independent Administrative Authorities: The European way(s)* (pp. 65–91). London: British Institute of International and Comparative Law.
- Voigt, S., & Salzberger, E. (2002). Choosing not to choose: When politicians choose to delegate powers. *Kyklos journal*, 55 (21), 249–252.
- Voigt, S., Ebeling, M., & Blume, L. (2007). Improving credibility by delegating judicial competence—the case of the Judicial Committee of the Privy Council. *Journal of Development Economics*, 82 (15) 349–370.
- Vonnahme, G., & Miller, B. (2012). 'Candidate Cues and Voter Confidence in American Elections'. *Journal of Elections, Public Opinion & Parties*, 23(2), 223–239.

Weingast, B. (1997). The political foundations of democracy and the rule of law. *American Political Science Review*, 91(21) 249–260.