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A Perspective On Electoral Matters

I. Myrtle Palacio
June 2010
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INTRODUCTION

Background

The 1954 General Election symbolizes a major milestone for Belize's democracy and political history for two reasons—it was the first major test of the two-party system, and it was the first General Election after achieving adult suffrage. Since then twelve more General or Parliamentary Elections have been successfully conducted; six of these held after the attainment of political independence in 1981. These elections have always been dynamic events, and throughout the half-century or so of electioneering, Belize has maintained an excellent record of parliamentary democracy for its accomplishments in realizing election contests that continuously reflect the will of the people. Notwithstanding successes in electoral democracy, Belize recently experienced actions that are characteristic of deformed democracies in other countries, and include: politically inspired civil unrest, political assassinations, election related bullying, political/election terrorism, subtle bribery and attempted coups. Some of these actions surfaced in the period 2004 to 2008, and leading up to the 2008 Parliamentary Election, which has proven to be the most combative in the post-independent era of competitive elections.

Until the first election (1984) after independence, the Peoples United Party (PUP) dominated all elections to form the governments that led up to and heralded Belize's political independence. In 1984 the United Democratic Party (UDP) was successful at the Polls to take over the reigns of Government, with 75% of the seats in the House of Representatives (Palacio, 1993). Since then General Elections have been extremely competitive between these two major political parties, causing one-term governments until 1998. The PUP formed back-to-back governments from 1998 to 2003 and 2003 to 2008, when the UDP won with 80% of the seats in the House of Representatives. While a proliferation of Third Parties have emerged at election time, these Parties have not been a factor at the Polls. For the 2008 Election some five Third Parties, the largest number to contest Parliamentary Elections, emerged to participate, and individually garnered less than 1% of the votes, ranging from .02% to .86% (www.elections.gov.bz, May 3, 2010). Of the six governments formed after Belize's independence, four garnered super-majority of at least 75% of the seats in the House of Representatives as follows:

- 1984—the UDP with 75% or 21 of 28 seats
- 1998—the PUP with 75% or 22 of 29 seats
- 2003—the PUP with 75% or 22 of 29 seats
- 2008—the UDP with 80% or 25 of 31 seats

It must be noted that in 2003 the PUP's super-majority was short-lived when the Party lost the by-election to fill the vacancy in the Cayo South Division after the passing of Hon. Agripino Cawich. 75% of seats in the House of Representatives empower the winning Party to amend certain Sections of the Constitution, as well as introduce new law, without having to rely on the vote of the Opposition.

The Representation of the People Act (ROPA) Chapter 9 is Belize's electoral law that governs voter registration, conduct of elections, election petitions and who bears responsibility to manage such functions. Election being the most significant element in

Belize's democracy, these functions are crucial and therefore worthy of safeguarding. The organization which bears accountability for managing electoral functions are equally as important and is to be answerable, but also be insulated from callous political behaviour. As is discussed in this Paper, some nineteen years and six governments after independence there is still much confusion regarding governance in electoral management. The electoral management body, as is the culture in Belize, appears to serve political parties only, although it is not set up to do so. However, there are yet no laws to govern political parties that can at least demonstrate clear definitions and composition of these organizations, for transparent rules of engagement. Where there are no laws, the country is at risk for ruthless political behaviour with little or no accountability, as was the case in 2008. Where there are laws, such as those governing the Electoral Commission, there must be clear guidelines for enforcement so that no individual Official flouts the law.

International Election Observers were invited to witness Belize's 2008 Election. While this was the first experience for Belize, election observation and monitoring are frequent occurrences in other countries of the Commonwealth Caribbean. An election belongs to the people of a country whose will provides the basis for authority and legitimacy of their government, and although this has been Belize's experience, the government saw it necessary to invite The Commonwealth Secretariat to observe Belize's election in 2008. Election observation is viewed as a process that can enhance the quality of democracy within a country by ensuring the validity of its election, and is conducted during an exceedingly sensitive period in the existence of a country and people. Validity, which is oftentimes communicated through the Observer Mission's Report and Statements is important, as an indisputable democratic election is viewed as a true articulation of sovereignty. Therefore Reports of International Election Observer Missions must be timely and provide valid information and analysis of the electoral processes and an evaluation of the overall electoral situation. The Commonwealth Secretariat disseminated its findings, conclusions and recommendations via its Report, some five weeks after the 2008 Election. The Report entitled "Belize General Elections 7 February 2008: Report of the Commonwealth Expert Team" consists of 19 pages including a blank page, page ii, subtitled "Map" (www.thecommonwealth.org, January 2010).

Scope and Objective

The main thrust of this Paper is to elucidate issues on electoral matters in post-independent Belize with a view to contribute to enhancing the quality of Belize's democracy. The Paper incorporates an examination of Belize's democratic institutions and political behaviour, highlighting the period 2003 to 2010. It discusses the governance framework of the election management bodies with emphasis on the significance and shortcoming of these institutions, *vis a vis* the status as democratic institutions. Election as a major dimension of Belize's democracy is argued within the framework of this political system, along with emerging dysfunctional actions that can possibly threaten or impede Belize's democratic development. Lastly, the Paper also looked at common criticisms and challenges associated with election observation

practices, including those discerned in the Report of the Election Observers to Belize's 2008 Parliamentary Election.

The primary objective of the Paper is to highlight concerns in safeguarding and strengthening democratic institutions, electoral systems, management and processes. Knowledge is power and by creating this awareness, Belize may continue the move towards much needed meaningful electoral reform and modernization. Other objectives include: contributing to the discourse on the culture of international election observation by emphasizing the pros and cons associated with its practice; and to influence on policies, and strict code of ethics for political parties, as well as, agents responsible for electoral matters, whether administrators or observers. There is room for further research as the Paper has only touched the tip of the iceberg, and it is hoped that the Paper will spur some interests in further studies on Belize's democratic institutions and electoral practices.

The Paper utilized qualitative research methodology, primarily participant observation of Belize's electoral management bodies and electoral practices, as well as, narrative and content analyses of the Commonwealth Election Observers' Report on the 2008 Election. Content analysis is a research technique for making valid inferences from text, by systematically identifying specific characteristics of messages (Daniel Riffe, Stephen Lacy, Frederick G. Fico; 2nd edition, 2005). Employing narrative analysis is one way of attaining better advantages in interpreting meanings in people's stories (Jerome Kirk, Marc L. Miller, 1986; Riessman, 1993). As a Belizean Elector with experience in election management and election data analysis in Belize, the Author is the situated knower or the outsider within, and utilizes this opportunity as a participant observer to draw better insight into the value climate. These are techniques of Indigenous Anthropology and Feminist Standpoint Theory (Catherine Marshall and Gretchen B. Rossman, 1898; Bernard H. Russell, 1994). Both techniques place importance on personal knowledge or lived experience and embrace research on one's own. Researching one's own has as its primary advantage the ability to enrich findings through an understanding of the nuances of the culture (Smith, 1987; Hill, 1990).

ON BELIZE'S EMB

The What Is

The term Election Management Body (EMB) refers to the body or bodies responsible for managing the essential elements of electoral management. Three broad types or models of EMBs are practiced throughout The Commonwealth, namely, Independent, Government and Mixed Models. Each model has advantages and disadvantages based on various aspects of the Model, such as, powers, institutional arrangement, staffing, composition, budget, implementation and term of office. The first two, Independent and Government Models are structures presently found in the Commonwealth Caribbean as is discussed below. Of the two Models the Government Model is more prevalent in the Commonwealth Caribbean.

The Government Model exists in countries where elections are organized and managed by a department of government through a Ministry and is answerable to a Cabinet Minister. In the Independent Model, elections are organized and managed by an EMB which is institutionally independent and autonomous from the Executive Branch of Government. It manages its own budget and is accountable to the Legislature, the Judiciary or Head of State. In some countries practicing this model, two Bodies are formed--one with responsibility for policy decisions relating to the electoral process, and the other, accountable for conducting and implementing the electoral process. Requirements may exist to insulate the implementation EMB from interference by the policy EMB. Jamaica, Suriname and possibly Antigua and Barbuda in the CARICOM region practice some aspects of the Independent Model (Electoral Management Design: The International IDEA Handbook, 2006). Most CARICOM countries practice the Government Model. However, no matter the model or type of EMB, it still needs to transact business with the Executive Branch and the Legislature on issues pertaining to electoral law and budgets.

Legal Framework

Enacted in 1978, the Representation of the People Ordinance established in Section 9 (2), an electoral management body called the Elections and Boundaries Commission (Commission). The Commission was an independent body of five Board members called Commissioners, inclusive of a Chairman; and reported to the National Assembly. All Commissioners were appointed by the Governor, after consultation with the Premier. The Governor appointed the Chief Elections Officer (CEO), while the Commissioners appointed Registering Officers and other support staff, who were responsible to the Commission (Section 10). Under the Ordinance, the Commission was responsible for electoral administration in Section 9 ((9) (10), and boundary delimitation in Section 18. The powers of the Commission under electoral administration included the direction and supervision of the registration of voters, and the administrative conduct of Elections. Also the Commission was empowered to enforce fairness, impartiality and compliance with the provisions of the Ordinance, on the part of all election officers (Palacio, 2005). The Ordinance was in force for one parliamentary election in 1979, and the Commission continued to function under this Ordinance for two more years to the political independence of Belize in September 1981.

At Belize's independence, the Commission was enshrined in the Belize Constitution under Section 88. By so doing "...Belize demonstrated a major step in recognizing the importance and independence of the Commission as the body responsible for the administrative structures to support the democratic process of elections" (Palacio, 2005). The method of appointment of the Commissioners remained the same, except that the appointments were by the Governor General (Sec. 88 (2)). The independence of the Commission was further highlighted in Section 88 (9) of the Constitution, which stated, "...*the Commission shall not be subject to the direction or control of any other person or authority...*" The two functions remained, namely, Boundary Delimitation as stipulated in Sec 90 of the Constitution; Electoral Administration as determined by Section 88 (13), but subject to the Representation of the People Act (ROPA), as stated that the

Commission “*acts in accordance with the Representation of the People Act (ROPA)*”. Omitted from the responsibility for Electoral Administration was the power to reinforce “*fairness, impartiality and compliance*”, on the part of all Election Officers. While the ROPA empowered only the CEO and staff to conduct and direct electoral administration, the CEO and staff reported directly to the Commission who in turn reported to the National Assembly. The appointment of the CEO also remained the same, except this was not included in the Constitution but in the Administrative Provisions of the ROPA.

The first Parliamentary Election after independence in 1984 saw the first change in government from the People’s United Party (PUP) to the United Democratic Party (UDP), with the UDP garnering 75% of the seats. In 1988, the UDP government executed a first amendment to the Constitution including a change to Section 88, which represented the Commission. The method of appointment in Section 88 (2) read as follows:

The Chairman and two other members of the Elections and Boundaries Commission shall be appointed by the Governor-General, acting in accordance with the Prime Minister given after consultation with the Leader of the Opposition, and the remaining two members shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition.

Later, this new approach to the appointment of Commissioners invariably impacted on the perception of a bi-partisan Commission, with some members serving the party’s interest first. The functions of the Commission remained the same as at 1981—Boundary Delimitation empowered by Sec 90, and Electoral Administration in Section 88 (13) was still subject to what had become the second part of Section 88 (14), that the Commission “*acts in accordance with the Representation of the People Act (ROPA)*”.

Subsequent to the amendment of the Constitution in 1988, the ROPA was revised in 1989. The amendment to the Administrative Provisions and other Sections of the ROPA caused drastic changes to the powers of the Commission, as follows:

- Jurisdiction over staff was transferred to the Public Services Commission
- Caused the formation of a second election management body, namely, the Elections and Boundaries Department (Department), headed by the Chief Elections Officer, under a Government Ministry

The ROPA empowered the Department through the Chief Elections Officer (CEO) with responsibility for electoral administration and the adjustment of electoral records after boundary delimitation. The position of CEO was appointed by the Governor-General, acting in accordance with the Prime Minister. Later in 2001, the appointment and jurisdiction of CEO was also transferred to the Public Services Commission (Palacio, 2005). Worthy of mentioning were amendments made to the ROPA in 1997/1998 to institute continuous voter registration, which was enforced immediately after the General Election of 1998 (SI 11 of 1997 and SI 57 of 1998).

Institutional Framework

For ten years, 1978 to 1988, there was one election management body in Belize. This body, the Elections and Boundaries Commission was relatively independent as sanctioned by the Constitution, with the CEO and staff reporting to the Commission. Subsequent to the new legal framework in 1989 by the UDP Government, the Department became the primary structure to manage the essential elements of elections, as empowered by the ROPA and authorized by Sec 88 (14) of the Belize Constitution where it stated that, *"In the exercise of its functions, the Commission..... shall, subject to the provisions of this Constitution, act in accordance with the Representation of the People Act or any other law, rule or regulation relating to elections."* The Department became fully responsible for election administration, including voter registration and the conduct of elections. After the establishment of Continuous Registration in 1998, voter registration became an additional, daily assignment for the Department. With Boundary delimitation, the Department's function was limited to the adjustment of records. Only three major boundary delimitation exercises have been conducted since the first General Election in 1954. In 1961 the number of seats in the National Assembly doubled to eighteen, then in 1984 the seats increased to twenty eight, and twenty one years later in 2005 increased to thirty one seats.

Therefore since the legal amendment in 1989, Belize, like most CARICOM countries operate an election management structure that is a Government Model, under a Government Department with oversight by a Ministry which reports to a Cabinet Minister. In the case of Belize, the EMB moved from an Independent management structure to a Government oversight structure. In other words, instead of more autonomy for the election management body, its relative independence was literally snuffed. At the same time, continuous registration created more activities and added responsibilities to the Department. The Elections and Boundaries Department has functioned under various Ministries of Government, and has been under the purview of the Ministry of the Public Service from 1999 to present day. From 1999 to 2005, Annual Reports and Election Reports were not only presented to Cabinet through the Ministry, but shared with all Partners and posted on the website. These can still be found on the website www.elections.gov.bz as at May 3, 2010.

In terms of boundary delimitation, the Commission still maintained full responsibility under Sec. 90 of the Constitution. However, the Commission's role with respect to electoral administration as empowered by the ROPA was limited to *"...approving the appointment of election workers..."* (Administrative Provisions, Sections 13 and 14 (2)). Therefore the Commission's power in relation to electoral administration was reduced considerably. One other reference to the Commission also in the ROPA under the Administrative Provisions stated that, the Commission may *"...confer its powers on the Chief Elections Officer..."* (Section 11 (2)). However, this Section is seen as purely redundant, since Section 88 (14) of the Constitution has spoken, and all other actions pertaining to electoral administration in the ROPA rests in the hands of the Department, which now reports to a Ministry as per the new structure implemented by the UDP Government in 1989. Also, the Commission has no oversight on the second election management body, which is the Department. The above findings demonstrate that as an

operational election management body, the Commission became a skeleton structure in relation to electoral administration, as the Commission no longer had:

- Jurisdiction over staff
- Enforce fairness, impartiality on Election Workers
- Conduct electoral administration

While it did not perform as an election commission as established above, neither did it operate as boundary commission because boundary delimitation exercises were not conducted frequently; in fact these exercises were executed on extremely rare occasions. Notwithstanding, the Commission continued to exist under this arrangement from 1989, and each Commissioner awarded with a monthly stipend.

The Commission as a body is mandated by law to report on its stewardship to the National Assembly. However, this has not been forthcoming in as many years, although Commissioners to present day continue to have the benefit of a stipend from the Department's budget. The Constitutional amendment in relation to the appointment of Commissioners invariably gave the perception that it is a bi-partisan Body with members representing a political party as appointed. In the Oath of Allegiance to the Office each Commission member publicly swore to "*bear true faith and allegiance to Belize*", "*to uphold the Constitution and Law*" and to discharge duties "*conscientiously, impartially and to the best of [one's] ability*" (Annual Report 2003). In addition, the Code of Conduct under Section 121(1) of the Constitution as it pertains to the members of Elections and Boundaries Commission is very clear, two of which states:

- "To place themselves in positions in which they have or could have a conflict of interest;*
- To endanger or diminish respect for, or confidence in, the Integrity of the government"*

Notwithstanding the Oath of Office, some of the Commissioners appointed by the then Leader of the Opposition (UDP), invariably interpreted their role as that of opposing the Department's efforts, bordering on sabotage (Election Report 2003). In other words they continued to flout the law when they did not adhere to the rule of law, including the Constitution of Belize. Also, they were openly partisan, with one Commissioner being the Editor of The Guardian, a newspaper sponsored by the Opposition (Election Report 2003; Palacio, 2005).

2008 saw a change in government to the UDP, garnering approximately 80% of the seats. Nearly mid-way into the term of this administration, the legal and institutional frameworks of the EMBs outlined above still remain. Two obvious changes warrant highlighting, namely, the Commissioners' stipends increased and the EMBs are wholly politicized. One Commissioner, who is now the Chair continues to be openly active politically, and appears to have hands-on involvement in the work of the Department (Love FM Talk Show, April 14, 2010). Another Commission member, on the Government's side, is the Secretary General of the UDP, the political party in power. Some two years and three Elections later, the Commission nor the Department has reported on their stewardship—at least publicly accountable. The last Annual Report produced by the Department as per the website is dated 2005 and the last Election Report was for the 2003 Municipal and Parliamentary Elections (www.elections.gov.bz, May 3,

2010). The Commission continues not to report on its stewardship to the National Assembly as is required by law.

ON THE 2008 ELECTIONS

Democratic/Political Context leading to 2008

The Commonwealth Caribbean with its liberal democratic political system has been classified as the most democratic region in the developing world. The findings of recent studies on the “durability and effectiveness” based on variables such as, political rights, civil liberties, competitive elections, and responsible government, have been positive (Sutton, 1999). As with other Commonwealth Caribbean countries, competitive elections remain the most significant component of Belize’s democracy. Elections are held at intervals of five years from the date of the first sitting of the House of Representatives, unless the National Assembly is dissolved earlier by the Prime Minister. As clearly stated in the Constitution, “...*the National Assembly, unless sooner dissolved, shall continue for five years from the date of the first sitting of the House of Representatives....*” (Section 84 (2)). Voter participation at the Polls is very high relative to countries of the Commonwealth Caribbean, and except for two instances when petitions were filed and later withdrawn, all election results have been seen as reflecting the will of the people (Palacio, 1993).

Also, Belize as with other countries of the region is being confronted with numerous challenges that can adversely affect the quality of its democracy. Several novel political maneuverings unusual to Belize’s political culture introduced a different level of democratic participation never before experienced. This is being raised in the Paper, not for analysis, but as an endeavour to paint the political ambiance and behaviour leading up to the Elections of 2008 from a perspective of democracy development or improving on democracy. The political atmosphere may have influenced the invitation extended for international election observation, which is also viewed by this Paper as a democracy development initiative. The new-fangled political/democratic direction was more visible during the second term of the PUP government, 2003 to 2008, the first two-term government in post-independent Belize. These activities included:

- 2003--Call-in Talk Shows were ubiquitous with easy access due to the availability of pre-paid mobile phones and freeing of the air waves by the PUP government
- Mid-August of 2004, one year after being re-elected, seven members of the PUP Cabinet resigned *en masse* from Cabinet, but returned after approximately one week or so of stand-off
- 2005 and 2006--Commissions of Inquiry into the Social Security Board and Development Finance Corporation
- 2005 and 2007--series of industrial actions taken by the Unions, including the Public Service and Teachers’ Unions: prolonged strikes; protest March on Belmopan, including breaking of windows of the House of Assembly; closing down of one of the main bridges in Belize City; stoning of the Prime Minister’s residence by street mobs; disrespect for law and order

- 2005—“sabotage of national phone, electricity and water networks were sabotaged; BTL's telephone switches were zapped and its fiber optic lines severed causing a crippling one week national telecom shutdown; BEL's lamp-posts in the remote countryside were torched which caused national outages and load shedding” (www.7newsbelize.com, April 19, 2005)
- 2005 the Leader of the Opposition (UDP) publicly declared “civil disobedience” at a press conference

While some of the activities abovementioned may be viewed as democratic rights or democracy in action, there are others that can be viewed as opportunistic political strategy and/or sabotage. The Cabinet resignation of seven members inclusive of the Deputy Prime Minister resembled an attempted boardroom coup in that the seven Political Leaders felt they had the right to force the hand of the Prime Minister to “*create a new financial management structure*”. It had all the makings of a power struggle out of control—public stand-off, showdown and the ultimate mass resignation of the seven Ministers including the Deputy. The Public Service was shaken; Belize was stunned, but endured the seven tense days of stand-off. The beleaguered Prime Minister overcame the ordeal, but his Party and government were sullied and did not completely recover—the power of Cabinet was demystified, and an aura of “*distrust of the government*” was sustained by opponents through to the 2008 Elections (www.channel5belize.com, August 12, 16 – 21, 2004). The strikes and civil unrest were soon politically infiltrated. For example, a leader of one of the Unions (Association of Senior Public Officers) later resigned from the Public Service, was endorsed by the UDP as the Mayoral candidate for the 2006 Belize City Council Election and won the election (Palacio 2009). The President of the Public Service Union, in an unsuccessful coup attempt, demanded that the Prime Minister “*Reform, Resign or be Removed*”, and a letter to the Prime Minister from the National Trade Union Congress called for his “*immediate resignation as Prime Minister...as well as the resignation of the entire government of Belize*” (www.7newsbelize.com, April 19, 2005). The 2004 mass resignation was seen as “*most fascinating*” to the then Leader of the Opposition, and the 2005 period was seen as the “*most turbulent*” year ever to the Journalists of Channel 7 (www.channel5belize.com, August, 2004; www.7newsbelize.com, December 30, 2005). Whatever the views, these actions were demonstrable of a new development, a new era in Belize’s democracy, and one which the UDP and others used to their full advantage all the way to D-day (www.channel5belize.com, August 27, 2004).

Effect on 2008 Election Management

This was a taxing time for Public Officers, the most challenging being the period December 2007 to February 7, 2008 leading up to Belize's Parliamentary Election. The tensions of 2005 and then again in early 2007, escalated with precise subtlety. Public Officers with responsibility to coordinate and manage the 2008 Election were intimidated through character assassinations by political operatives and on the daily Talk Shows of one Media house in particular. It was clearly election thuggery and even terrorization in action. While the bullying was baseless and unfounded, it was extremely effective, as several Public Officers opted out of performing duties assigned to conduct the Elections,

primarily due to fear and trepidation. This level of aggression was tantamount to direct attacks on an important institution of democracy in Belize, namely the Electoral Management Body. The Department as the primary EMB was the main institution under attack and even coming from some members of the Commission. As a result the Department was forced to operate under tenuous circumstances and was seriously vulnerable to breakdown on several fronts in the organization and conduct of the 2008 Election. Due to the existing institutional and legal frameworks abovementioned, the Department was not insulated from such personal assaults.

Last minute recruitment and training of new Election Workers was conducted under tremendous hardships. Trained Election Workers are crucial to election integrity on the Election Day itself and the election aggression is a violation of that integrity and a threat to Belize's democracy. The new Recruits along with the Officers who remained demonstrated much restraint and professionalism; and Belize as is our political culture, again experienced a free and fair election (Palacio 1993). Notwithstanding the threats from political operatives, voters turned out in large numbers, which demonstrated confidence that the election will be free and fair, all else being equal (<http://www.essex.ac.uk/government/electoralmalpractice>). Democracy should not be taken for granted though, and two areas of policy and law can be developed from this experience, namely, strengthening democratic institutions and building capacity for public engagement.

Augmenting the tense political atmosphere effected by the bullying, was that the Chief Elections Officer (CEO) as the head of the primary EMB responsible for electoral matters had only been in Office for approximately three months, at the time of the election call. So that the Department was faced with a major knowledge gap, when the CEO lacked the necessary experience and largely unprepared to deliver and guarantee a credible and efficient election management essential for a free and fair election. Senior Public Officers from other Departments were enlisted to buttress the Department's management and leadership during this crucial period. While it was customary to expand the staff of the Department from other Government Agencies to assist in the administration and conduct of elections, this was usually accomplished under normal circumstances. With political thuggery, terrorization of Election Workers and inexperienced leadership, these were most challenging times for Belize's democratic institution.

THE ELECTION OBSERVER EFFECT

Observing the Observer

As Election Day drew closer, Belize was undergoing something of a crisis, whereby anything goes in the Media. It resembled more a feeding frenzy, and prompted one to question the role elections play in the consolidation of democracy. In the midst of all this the Government of Belize undertook the bold step to invite International Election Observers to the 2008 Election. International election observation has become an important mechanism for ensuring election integrity and enhancing the credibility and

legitimacy of elections (ACE, September 2006). While it enjoys almost universal acceptance, international election observation is conducted during an exceedingly sensitive period in the existence of that country and its people, and due to limitations only a snapshot of the political culture is observed (Brahm, Sept. 2004). This was the first election observer mission to Belize and the Commonwealth Secretariat was the Observer Group so invited. The Commonwealth Team consisting of five persons including two staff persons were deployed on a short term mission, arriving approximately four days prior to Election Day.

The outcome of the Mission came in the form of a Report some five weeks after the 2008 Election. The Commonwealth Observer Team's Report concluded that "*Belize enjoys a mature democracy and a well-functioning electoral process*" that "...voting and counting were carried out efficiently ..." and that "...the 2008 General Election were credible." The Report offered seven bullet-point recommendations "...for improvements to the electoral structure, process and environment..." Three of these are directly related to the status of the election management bodies. The recommendation is for one expanded, independent body with the Chair being appointed from among the members. Three observations on the Report merit highlighting, looking at the broader expanse of competitive electioneering, election management bodies, and the practice of election monitoring in deepening democracy in Belize.

Firstly, the Report's release some five weeks after a fiercely competitive Election was untimely for three primary reasons as listed below.

- Election Observer Missions are perceived as one arbiter in the outcome of an election
- Information becomes less relevant with the passage of time
- Timeliness is an element of good governance

Good governance principles mirror many essential elements of democracy and one aspect of transparency is timeliness. Nation states such as Belize invite independent monitoring bodies primarily to witness the legitimacy of the election and to determine such or not, must be conveyed in a timely manner. As a result of the tardiness of the Report, coupled with Belize's election history, the statement of credibility by the Commonwealth Observers was a non-statement and quickly became politically irrelevant (Palacio, 1993; Election Reports 1999 to 2003).

Secondly, the challenges with the EMBs have been publicly highlighted from 2005 at a conference sponsored by the Commonwealth Secretariat (Palacio 2005); and while improving on Belize's electoral management body is nothing short of a legal and administrative transformation, the Commonwealth Observer Report made some specific recommendations. To date, and mid-way into the term of the current government, these recommendations have been disregarded. Having more than two-thirds majority in the House of Representatives, this government has the political power to make the transformation, even for reasons of rectifying what they modified in 1988/1989. Instead the election management bodies are now wholly politicized as asserted above. But why ignore the recommendations of the Observers and politicize the election management

bodies, when the UDP as opposition campaigned for and won the 2008 Election on a platform of good governance practices? This leads on to the third observation.

Thirdly, the Report singled out the Association for Concerned Belizeans (ACB) a relatively new NGO, as the organization that “*mounted a very strong campaign for a fair and transparent election*”. The only justification made in the Report was that the ACB pushed to ban cell phones from the Polling Stations to deter bribery. Bribery is defined as the offering, promising or giving of something in order to influence a public official. On assuming power, the new Government afforded positions, awards and contracts to the Leader and other members of the ACB. For example, one member was appointed Governor of the Central Bank, and the Leader was appointed Chair of the Social Security Board. Later, there were more appointments and awards to the Leader, which included: Corporate Secretary to Board of the now Government owned Belize Telemedia Ltd., with the son as Board member; awarded with an unusually large number of Government’s high profile cases to the tune of approximately \$1.5 million dollars to date (House Meeting, February 19, 2010; www.channel5belize.com, Feb. 10, 2010). Is this bribery? As defined, the term “promising” is futuristic, and bribery can come in many forms, pecuniary or non-pecuniary. Also according to the literature non-pecuniary forms can involve favourable publicity to one side versus the other. Was this the case in Belize with the ACB? Or were the actions of the ACB a clear example of political assignation for future consummation? While the answers to these questions are outside the scope and objects of this Paper, these represent food for thought in the continuing dialogue of building on Belize’s democracy. Worthy of mentioning is that one member of the ACB has since publicly claimed to have been the National Campaign Manager for the UDP and founder of the ACB (www.7newsbelize.com, May 17, 2010). These however do cast a cloud of uncertainty over ACB’s good intentions and objectives. But more importantly for purposes of this Paper, the Commonwealth Observer Report by so distinguishing an organization that demonstrated some inclination towards partisan politics reveals some deficiencies in its observation and therefore the Report.

Criticisms

Criticisms have been levied on international election observation and monitoring by scholars as well as participants. One participant in his paper has determined that international election monitoring can be a useful tool, but that “too often it is a charade” when Missions lack the tools “to transcend the superficial and empirically baseless assertions of fairness or fraud that are often found in monitoring delegations’ report” (Munson Jr., 2008). Some indictments surround the duration of the mission, quality of observation, the experience of Observers in areas such as democracy development and electoral management, and preparation of Delegates; a few of which are highlighted below (Pereira, October 2006).

- It has become an opportunity for “electoral tourism”
- Observers tend to arrive at conclusions that contradict their observations
- Inadequate size of the mission and/or time span too short compared to the complexity of the electoral exercise
- Misunderstanding the observed nation’s political culture and circumstance

- Relying on media to gain information about electoral atmosphere
- Lacks the necessary attention to details required of quality election monitoring
- Lacks uniform international standards that define what constitutes a free and fair election

The scholars looked at the political role played by Observers, the standards and methodologies employed in the coverage of the election. One critic was a member of an International Observer Team and surmised that the Team lacked knowledge of history and culture of the country under observation (Munson Jr., 2008).

Utilizing content and narrative analysis of the Report as research techniques, an opinion on the Expert Team Report on Belize's 2008 Election was communicated to the Head, Political Affairs Division at The Commonwealth Secretariat (Palacio, 2008; www.belize-glessimaresearch.org). The Communiqué pointed out with justifications, biases and inaccuracies in the body of the Report which is not reflective of the conclusion and some of the recommendations. This along with the deficiency in observation and reporting highlighted above, demonstrate some weaknesses. While the flaws of Observer Missions have been publicized, election observation is still highly valued as a democracy development initiative, if for no other reason than the viewpoint that competitive elections remain the most important element of a liberal democracy. To be effective in ensuring election integrity Observer Missions' Reports must be beyond intractable. Missions should submit a code of ethics to each observed country which can be utilized as one basis for appraisal, and be held accountable, if nothing else to satisfy good governance principles on all Parties concerned and not only the State being observed.

WHERE-FORTH BELIZE?

Democracy is built on a foundation of rights and virtues and while the right to challenge political authority is fundamental so is the right to respect others and adhere to the rule of law. Belize can be viewed, as did the Commonwealth Observer Report, as enjoying a successful and functioning democracy--it has experienced well conducted electoral contests that reflect the will of the people, equality in voting, and opportunities for effective participation. Underlying this perception is the real threat to the quality of Belize's democracy through, terrorizing democratic institutions, bribery via assignation, and disregard for the rule of law by some members of the Election Commission, politically inspired civil unrest which included the Association of Senior Public Officers; and in addition unsuccessful coups. With two major elections looming in the horizon, Belize needs to seriously strengthen its democratic institutions, its electoral systems and build capacity for public engagement. Municipal Elections are due in 2012, and the date for the next Parliamentary Election rests in the hands of the Prime Minister, as referenced above, and can be called anytime between now and 2013. The strengthening is nothing short of a management and legal re-engineering of sorts and may be time consuming. Some suggestions at effecting change are offered below.

Strengthening of the electoral management system starts with reforming and restructuring the electoral management body. This will require amending the legal framework which will give direction to the institutional framework. It is certainly achievable if the present Government has the will to do so. Some two-thirds majority (75%) in the House of Representatives is what is required to introduce amendments to Section 88 of the Constitution, and the members on the government side comprise of 80%. Views on change can be solicited through a participatory manner, by engaging Partners, namely, political parties, civil society, and interested individuals; as well as looking at best practices within the region. Along with improving on the institutional framework is advancing the electoral systems, such as, more transparent voting and registration systems, clear processes for the enforcement of wrong doing such as bribery and terrorism in all aspects of electoral matters. This can be done in the same manner with consensus through consultations prior to any legal amendments. The effective and efficient registration of Electors is crucial to competitive elections and due to the custom of frequent movements of persons, the Electoral Lists should be cleaned via regular re-registration exercises, at least every twelve years. The last re-registration exercise was conducted in 1997/1998, so that one is due before the next scheduled municipal and parliamentary elections. Electoral Lists are the lifeblood of our voting system and when current give all Political Parties including Third Parties equal access to Electors in each Electoral Division.

Knowledge is power and effective participation requires knowledge. In this light voter education on the laws, rights and obligations should be continuous. This can be institutionalized for example: within the Public Service as it is the pool from where Election Workers are drawn, tertiary level institutions so as to bring awareness to potential new voters, and public fora for the benefit of the wider public, particularly members of Third Parties. The increasing emergence of Third Parties at Election is a paradigm that must be effectively embraced in the administration of elections. To efficiently do so, and for purposes of planning and transparency, political parties need to be identified within a reasonable time before an election is called, and can be accomplished through legislation. While all political parties will be recognized, the emerging Third Parties can have equal opportunities of recognition as the two large political parties. At the same time the election administration will benefit with effective and efficient planning towards the election.

The Election Observers came and went with very little or no impact on Belize's democracy development to date—the issue of governance of the election management bodies remain, and the recommendations for change ignored by the new Government. But at the same time the Observers' Report did not withstand scrutiny as demonstrated above, and just fizzled partly due to its untimely appearance. However there is ample political fire to improve on Belize's democratic institutions and electoral processes. The present Government enjoys absolute power, having obtained super-majority in the House of Representatives along with the administration of all eight municipalities, and so has the political clout to move our democratic institutions and electoral processes in the forward direction (Palacio 2009). To reiterate, Belize has moved from an independent election management body to some sort of government model, depending on the Party in

power; to terrorization of Election Workers; and the politicization of the election management bodies. Electoral integrity is a precondition for any meaningful competition and participation at the Polls, and competitive elections are the building blocks of Belize's democracy. While partisan politics is not a phenomenon in Belize, politicizing democratic institutions and terrorizing Election Workers take this to its highest point and are actions not conducive to democracy building, particularly due to the question of electoral integrity. It is a slippery slope which need not be traversed by reforming democratic institutions and electoral systems before the next election is announced.

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