LANDMARK ELECTIONS IN BURKINA FASO: TOWARDS DEMOCRATIC MATURITY?

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Executive Summary

A "breakthrough for democracy" is how many observers have described the recent legislative elections in Burkina Faso. The May 2002 parliamentary elections marked the end of an era, as they ended the dominance of the ruling party and saw the emergence of a strong parliamentary opposition. The ruling party, which has monopolized political power since the country initiated its transition in 1991, saw its share of seats shrink dramatically. While it retains a simple majority in the 111-member National Assembly, with 57 of the seats, now the ruling *Congress for Democracy and Progress* will have to share legislative power with the opposition, which saw its share of seats jump from a mere 7 seats to 54.

The results of the elections are as extraordinary as they were unexpected. Although broader factors contributed to the dismay of the ruling party in the context of a protracted crisis of governance since 1998, several technical electoral reforms have played a critical role. These include in particular the reform of the electoral system, the introduction of the single ballot and the strengthening of the independence of the electoral commission. These reforms have allowed a fairer representation of the opposition, thus contributing to legitimize elections as a genuine mechanism of democratic change. Furthermore, the willingness of the political leadership to consider political reform created a unique "window of opportunity" for both domestic and international actors committed to promoting democracy. The assistance provided by International IDEA (the International Institute for Democracy and Electoral Assistance) since 1996 and the *Center for Democratic Governance* since 2000 has focused precisely on those technical electoral reforms now bearing fruit.

These efforts must be sustained in order to further strengthen democratic governance and prevent the new political context of shared governance from becoming dysfunctional. While many challenges remain to anchor democratic governance and the rule of law, the new political landscape holds the promise of changes in the style of government and the emergence of more consensual modes of governance. In particular, strengthening the political party system will be critical.

Introduction

The recent parliamentary elections in Burkina Faso represent a stepping-stone in the consolidation of democracy in this landlocked West African country, which has known five military coups since independence in 1960. The ruling party, the *Congress for Democracy and Progress* (CDP), saw its majority shrink from 101 to 57 seats in the 111-member lower house of parliament, the National Assembly, while the opposition increased its share of seats from a mere 7 to 54.

The unexpected gains made by the opposition in the parliamentary elections of 5 May 2002 constitute a transformation of Burkina Faso's political landscape, which has been mired in a crisis of governance since 1998. The elections have ended, possibly permanently, the dominance of the CDP, which has tended to behave as though Burkina Faso were a single-party state since the country initiated its transition towards democracy in 1991. The election results significantly reconfigure the political scene and alter the traditional balance of political power between an omnipotent ruling party and an anaemic opposition, creating the necessary conditions for shared governance. Governing in Burkina Faso will now require radical changes in the style of government and the way politics are conducted, making the search for compromise inescapable.

That the elections were conducted freely and fairly is in itself a considerable achievement. That they produced the results they did is extraordinary. This is the first time three consecutive parliamentary elections have been held without the country being disrupted by a military overthrow of power. There have been five coups since independence, most recently in 1987. The majority of domestic and international observers described the recent poll as free and fair, despite a few irregularities. Logistical confusion obliged the electoral commission to postpone the vote by a week, from 28 April to 5 May, in order to allow for the adequate registration of most eligible voters. The outcome of the elections may open the way for a peaceful alternation of power.

The elections and their results are promising developments in the arduous consolidation of democratic governance in Burkina Faso, contrasting with recent experience in the sub-region. Democracy is struggling to consolidate and take root in francophone Africa, where states are plagued by recurrent crises of governance and persistent conflicts.[1] A decade of democratization has resulted in disappointing results and unfulfilled expectations, frustrating the democratic promise of peace and development and giving rise to an increasingly wider range of "hybrid regimes".[2] In promising emerging democracies, progress has been uneven, fragile and all too often reversible. Despite being electoral democracies, francophone countries in Sub-Saharan Africa tend to be dominated by one particular party acting as a *de facto*, if not *de jure*, single party in the context of presidential systems of governance. While francophone African countries have achieved the forms of democracy, they have thus far failed to anchor its substance.

Nevertheless, democratization has been advanced by the peaceful alternation in power in Senegal in 2000 and the resolution of the institutional crisis in Côte d'Ivoire in 2001. In May 2002 democracy further progressed in Mali, with the defeat of the long-standing ruling party, the *Alliance for Democracy in Mali* (ADEMA) and the election of Amadou Toumani Touré to the presidency. He will be succeeding Alpha Oumar Konaré. As these cases demonstrate, free and fair elections remain a pivotal step on a country's long road to democracy.

After a decade of international assistance to the volatile and fluid processes of democratization throughout Sub-Saharan Africa, the new democratization paradigm recognizes that transition does not necessarily lead to consolidation and in particular that elections are not sufficient to anchor democracy.[3] Yet, elections are critical junctures in a nation's political development and offer decisive pressure points to advance democratization. While there can be elections without democracy, leading

to a new breed of political regime affiliated with "competitive authoritarianism",[4] there cannot be democracy without elections.

The case of Burkina Faso demonstrates that technical improvements in the electoral system can yield positive results, albeit after a delay. These improvements have multiple causes and can have critical consequences, as they alter the incentive structure within which politicians operate and may lead to unexpected outcomes. Obviously, other factors were at play in Burkina Faso, such as public discontent with the government, the low-intensity political crisis and the erosion of the ruling party. Nevertheless, the reform of the electoral system seems to have had an important, if not critical, role. It enabled the opposition and other voices to be fairly represented for the first time. Furthermore, these elections underline the contribution that international assistance can make in transferring knowledge and comparative experiences. Electoral assistance before, after and between elections has been crucial. Technical electoral assistance is less visible than high-powered delegations of international observers. Technical electoral assistance does not require the huge amounts of donor money spent just a few months before the elections to assist the local authorities in the administration of elections. And yet technical electoral assistance has had an important influence on the contents and timing of the reforms adopted.

Causes for optimism are rare in francophone Africa and, more broadly, in Sub-Saharan Africa. Yet, they do occur. The May 2002 parliamentary elections for the Burkinabè National Assembly are such an occurrence. These elections and their outcome constitute an island of optimism in a sea of disillusion. Their causes and consequences deserve to be underlined, as well as the lessons learned from the recent political history of this country, often off the international map and headlines. Although many challenges remain to securing democracy and the rule of law in Burkina Faso, the 2002 parliamentary elections are undoubtedly a step in the right direction. They have ended the dominance of the ruling party and significantly altered the political landscape.

The End of an Era

Burkina Faso is one of the world's poorest countries, with a *per capita* income of only US $230 in 1995, and one of the lowest levels of human development, according to the United Nations Development Programme (UNDP).[5] In 1991 Burkina Faso initiated its transition towards democracy, as did many other francophone countries in Sub-Saharan Africa. Burkina Faso adopted a new constitution, legalizing opposition and allowing multiparty elections. The democratization process was marked by a series of successive elections. Following a return to constitutional rule in 1991, parliamentary elections were held in 1992 and 1997, presidential elections in 1991 and 1998 and local elections in 1995 and 2000. With the May 2002 parliamentary elections, the country has successfully organized seven electoral consultations in 11 years of democratic rule.

However, the democratization process lacked legitimacy, as it remained a restricted affair closely supervised and guided from above. It originated in a gradual opening up of the military regime of Blaise Compaoré who seized power in a military coup in 1987. Resulting from a transition through transaction, the democratization process thus remained largely in check, in the straightjacket of a predominant ruling party.[6] The electoral process lacked credibility as the CDP, a coalition formed by a 1996 merger of 10 parties, has dominated the political landscape. In particular, the electoral system unfairly favoured it. The monopoly on power of this one overwhelmingly dominant party has created an exclusionary political culture and a pyramidal political system.

This dominance ended with the parliamentary elections held on 5 May 2002. The ruling CDP saw its share of seats in Burkina Faso's 111-member National Assembly shrink from 91 to 51 per cent.[7] The results announced by the *Independent National Electoral Commission* (CENI) and confirmed by the

Constitutional Chamber of the Supreme Court gave the ruling CDP 57 seats, while opposition parties took 54 seats. The ruling party obtained 101 seats in the 1997 parliamentary elections, although some MPs from both the majority and the opposition switched parties during the 1997-2002 legislature. Party defections, referred to as *nomadisme politique,* are regular occurrences.

The 3,540 candidates competing for 111 parliamentary seats came from 30 parties, the largest number of political groupings to participate in elections in Burkina Faso. Under the chairmanship of Herman Yamaogo, the *Alliance for Democracy and Federation/African Democratic Rally* (ADF/RDA), has consolidated its position and become the first party of the opposition. It increased its share of seats in the National Assembly from 4 to 17 seats. The *Party for Democracy and Progress/Socialist Party* (PDP/PS), historically the main opposition party and headed by Jospeh Ki-Zerbo, won 10 seats, an increase from the six seats it held previously. This result now gives the PDP/PS second place within the opposition. The remaining 27 seats went to 10 other parties. Thirteen parties will now be represented in the national legislature, compared to four previously. This widening and diversification of the political landscape is a major development, as it enhances the representative nature of the parliament. The results of the elections are detailed in Table 1.

Table 1: Results of the 2002 Parliamentary Elections

Political parties	Number of seats	Percentage of seats
CDP	57	51.35
ADF/RDA	17	15.32
PDP/PS	10	9.01
CFD	5	4.50
PAI	5	4.50
PAREN	4	3.60
CPS	3	2.70
UNIR/MS	3	2.70
CNDP	2	1.80
PDS	2	1.80
APL	1	0.90
FPC	1	0.90
UDPI	1	0.90
Total	**111**	**100%**

Source: *Commission électorale nationale indépendante* (CENI) (www.ceni.bf) and the final results declared by the *Chambre constitutionnelle de la Cour suprême du Burkina Faso.*

These elections have levelled the playing field and increased the leverage of the parliamentary opposition. Although retaining an absolute majority, the ruling party saw its weight greatly reduced in the lower house of parliament and its monopoly on legislative power significantly eroded. Hitherto the CDP's 91 per cent majority (surpassing the two-thirds majority required to amend the constitution) had enabled it to govern alone and uncompromisingly and to change the constitution at will, particularly regarding the president's mandate. In 1992 the CDP obtained almost 73 per cent of the seats in the then107-member National Assembly (78 seats) and, in 1997, 91 per cent (101 seats). Another sign of the dominance of the ruling party was the 87.5 per cent margin with which the incumbent president, Blaise Compaoré, was re-elected in 1998, after having amended the constitution in 1997 to allow himself to run for a third consecutive term. Moreover, voter turnout was high, reaching almost 65 per cent. Voter turnout for the legislative elections of 1992 was 35 per cent and 45 per cent in 1997. For the presidential elections there was 25 per cent voter turnout in 1991 and 56

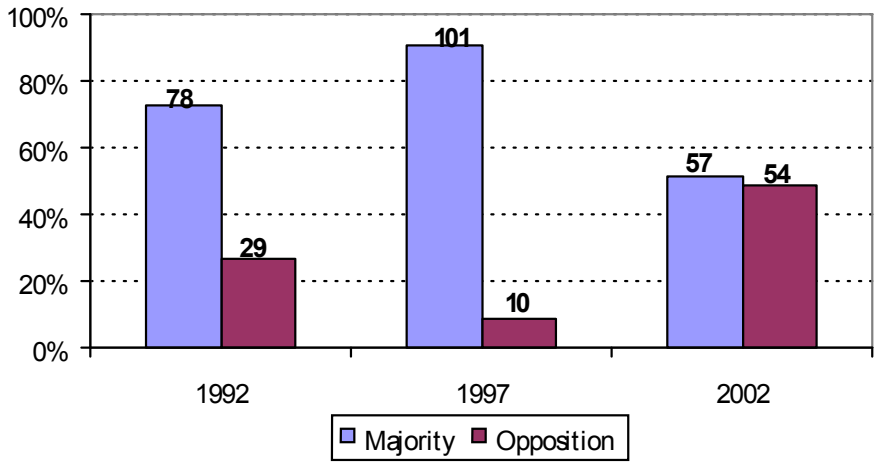
per cent in 1998. Table 2 and Graph 1 put into perspective the new balance of power between the majority and the opposition.

Table 2: Majority and Opposition in Burkina Faso (1992-2002)

	1992		1997		2002	
	Number of seats	*Percentage of seats*	Number of seats	*Percentage of seats*	Number of seats	*Percentage of seats*
Majority	78	*73*	101	*91*	57	*51*
Opposition	29	*27*	10	*9*	54	*49*
Total	107	*100%*	111	*100%*	111	*100%*

Note: For convenience, we consider only the ODP-MT to be the ruling party in 1992 and the CDP (created in 1996 as a coalition centring on the ODP-MT) in 1997 and 2002.

Graph 1: Majority and Opposition in Burkina Faso (1992-2002)
(Percentage and number of seats in the National Assembly)



The results of the May 2002 parliamentary election are as extraordinary as they were unexpected. Only in 1978 during the second democratic experiment of the former Upper Volta (the first occurring between 1970 and 1974) did the opposition perform this well. Then, the ruling party's majority consisted of just one seat.

Both the moderate wing of the ruling party and the opposition welcomed the results that international observers from the *Organisation Internationale de la Francophonie* declared free and fair, despite a few irregularities. They represent a sign of the strength of the democratization process. Upon learning about the results, Salif Diallo, in charge of the "political orientation" of the CDP, declared that "we must embrace the results. Today, the diversity of opinion in our country makes it impossible to have a monolithic assembly. This would be useless." For the first time in Burkina Faso's short decade of democracy, public opinion, the government, the opposition and civil society all expressed their satisfaction with the electoral process and none has contested its results.

The May 2002 elections undermined the traditional predominance of the ruling party democratically, leading to a new situation of shared governance and making alternation in power now not only possible, but also feasible as a strategy for conducting opposition politics and, eventually, conquering power. After the alternation in power in Senegal and the peaceful resolution of the institutional crisis in Côte d'Ivoire, Burkina Faso may gradually be heading towards alternation in power.

Explaining the Unexpected

An inconvenient majority

Although the magnitude of the changes in Burkina Faso may have surprised a few, the electoral outcome is the result of a conscious effort by the president and the moderate wing of the ruling party to gradually open up the political system. The president's desire to increase the regime's international respectability necessarily required radical changes in domestic governance. The alleged involvement of Burkina Faso in regional conflicts such as Sierra Leone, Liberia or Angola, and the president's ambiguous relations with African rebel leaders such as Charles Taylor and Jonas Savimbi had significantly stained the image of Burkina Faso abroad. They have also undermined the president's ambition to position himself as a regional power broker.

Institutional and electoral reform thus became a tactical necessity. The political reforms adopted over the last few years were a response to mounting domestic and international pressure for democratic change, especially since the brutal murder of a leading independent journalist, Norbert Zongo, in December 1998. The murder, which has yet to be resolved, has sparked a mobilization of radical opposition parties and civil society against the abuses of the government, its authoritarian reflexes and the prevalence of impunity.

By 2000, the overwhelming dominance of the ruling party in all echelons of political power had clearly become a hindrance to governability as well as to the president's pursuit of respectability. The ruling party's overwhelming majority in the National Assembly soon came to be described by the president himself and his closest allies as an "inconvenient majority" (*majorité génante*). The opposition, and especially the radical opposition, which coalesced in the *Groupe du 14 Février* (G14) in 1998, began to criticize the government not only for the weakness of its commitment to democracy, the rule of law, and the fight against impunity, but also for the illegitimacy of the regime itself.

In particular, the coalition of radical opposition parties and pro-democracy civil society organizations, organized in a *Collectif*, became openly and vocally critical of the president and the regime. As a sign of defiance, opposition parties boycotted presidential elections in 1998 and the municipal polls in 2000. They started to opt out of the democratic process, undermining the foundations of the political regime and the legitimacy of the president.

The president and his inner circle understood that something had to be done to restoreequilibrium to the political balance and ground the legitimacy of the regime on firmer bases, though without loosing grip of power. They pursued strategies of political dialogue and gradual opening or *ouverture,* breaking with the arrogant unilateralism and "go-it-alone" approach of the past decade. Furthermore, since the end of 1998, civil society and opposition parties have brought intense pressure to bear on the government to open up and reform. In November 2000, following a cabinet reshuffle, a government of national unity was formed, comprising six parties from the moderate opposition. The mission of this government was to consolidate social peace by pushing through key institutional reforms and implementing consensual policies. Over the last two years, a series of political reforms was enacted in a consensual manner, following a process of consultation and *concertation*. While the radical opposition officially boycotted these consultations, it nevertheless forwarded its own reform proposals to the National Assembly during the parliamentary debates. These developments reflect an important change in the political culture and attitude of the CDP, brought about by the mobilization of civil society and opposition parties against impunity and authoritarianism.

Before the 2002 poll, Mr Roch Marc Christian Kabore, Secretary-General of the ruling CDP and leader of its moderate wing, openly called for a more balanced parliament declaring: "I sincerely think our [the CDP's] wish today is that we have a parliament that is much more balanced so that it can

better represent the diverse opinions in the country […] There is need for stability and for strengthening democracy in our country and we hope to have several parties in the next assembly." He stressed that even though the CDP needed a majority to ensure implementation of the president's political agenda, it was important "to have a relatively sizeable opposition representation to allow the expression of the various ideas that are developed in the country." Not only did the government clearly want the opposition to participate in the elections – rather than boycott them as it has in 1998 and 2000; but it also wished for a strong showing of the latter.[8]

The institutional architecture of democratic governance and, at its core, the electoral system lacked credibility and reliability. Political reform thus became a priority and electoral engineering the main instrument of reformers within the moderate wing of the ruling party. The dual objectives of the government's strategy were to isolate, or at least neutralize, the radical wing of the ruling party and to moderate the radical opposition. The re-legitimization of the regime required transforming the radical opposition into a "loyal opposition".[9] This, it was believed, would enhance the regime's standing abroad.

Over the last few years a series of electoral and institutional reforms have been undertaken to improve the credibility of the electoral process. These include strengthening the political independence of the electoral commission, reducing the possibility of electoral fraud with the adoption of the single ballot, and reforming the electoral system to allow for more fairness and a greater degree of proportionality. To these critical reforms must be added the adoption of guidelines for the public funding of political parties and electoral campaigns, a code of conduct for political parties, and new laws regulating media coverage.[10] The new electoral code adopted in July 2001 crystallized these successive reforms.

The reform of the lectoral system

A particular feature of the electoral system used in previous parliamentary elections was its inequity and highly disproportional nature.[11] The system used was a party list system of proportional representation (PR) utilizing a Hare quota (i.e. votes/seats) and a "highest average" rule for allocating remainder seats. This variant, which is considered as one of the least proportional of all PR formulas, resulted in the over-representation of the ruling party. As a result, the ruling party's share of seats largely surpassed its share of votes.

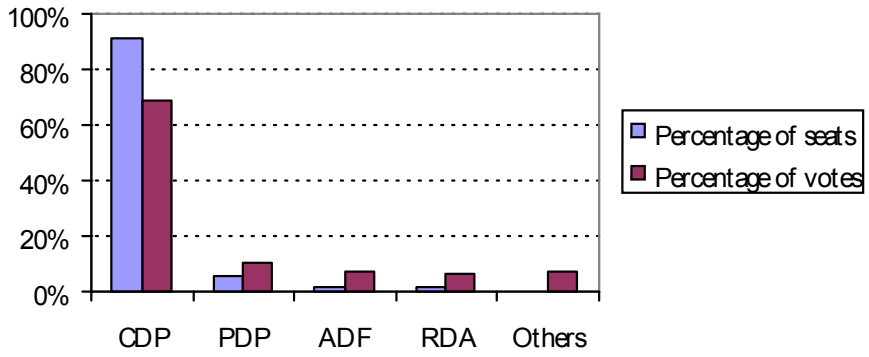
In the previous parliamentary elections of May 1997, the results were particularly disproportional. The CDP won 91 per cent of the seats with about 69 per cent of the votes, , while the PDP, with 10 percent of the votes, won 5 per cent of the seats and the ADF 2 per cent of the seats with over 7 per cent of the votes. This inflationary effect is illustrated in Table 3 and Graph 2, which describe the results of the 1997 parliamentary elections.

Table 3: Results of the 1997 Parliamentary Elections

Political parties	Percentage of seats	Percentage of votes
CDP	91.00	68.61
PDP	5.40	10.11
ADF	1.80	7.40
RDA	1.80	6.44
Others	-	7.44
Total	100%	100%

Source: *Commission Nationale d'Organisation des Élections* (CNOE) and Court Suprême.

Graph 2: Results of the 1997 Parliamentary Elections



This situation has led to a dangerous marginalization of the parliamentary opposition and a radicalization of the extra-parliamentary opposition. The opposition preferred to contest the system by boycotting it rather than participating in it. Considering the inherent flaws of the electoral system, this was the opposition's only viable strategy. The consensual electoral reforms adopted before the 2002 legislative elections restored a minimum of confidence between the ruling party and the opposition.

To increase the proportionality of the system, two main reforms were introduced in 2001, as the result of a process begun as early as 1997. A mixed system was adopted whereby 90 deputies would be elected on regional lists in 13 electoral districts and 21 on a national list encompassing the entire country (previously, there were 45 electoral districts throughout the country). The method of translating votes into seats remains the Hare quota formula, but the remainder of seats are now allocated using the method of the "largest remainder". Redistricting has had an important effect on the proportionality of the results. The problem with the electoral system prior to the 2001 reforms was not the Hare quota (that has remained), it was the fact that the very small district size meant that the proportional representation electoral system did not work in a proportional way. By effectively raising the district size so dramatically (by decreasing the number of constituencies and, in particular, adding a national list), much more representative results became possible.

Taken together, these two technical reforms significantly increase the proportionality of the electoral system. For example, in the national list, with 52 per cent of the vote, the CDP won 52 per cent of the seats, while the ADF/RDA won slightly over 14 per cent of the seats with slightly more than 13 per cent of the vote and the PDP/PS won 9.5 per cent of the seats with slightly over 7 per cent of the vote. This degree of proportionality is to be expected, as the electoral district is the national territory. In the 13 electoral districts, with about 50 per cent of the vote, the CDP won about 51 per cent of the seats while the ADF/RDA won 15.6 per cent of the seats with slightly less than 13 per cent of the votes. With 7 per cent of the votes, the PDP/PS won slightly less than 9 per cent of the seats. The fact that the results of the district lists exhibit a congruency with the share of the seats and share of the votes of the national list tends to confirm the impact of the method for allocating the remainders.

The convergence of the percentage of the votes and the share of seats in the 2002 elections as compared with the 1997 elections is illustrated in Tables 4 and 5 and Graphs 3 and 4 (the results are divided into two categories, one for the 13 electoral districts' lists and another one for the country-wide list).

Table 4: Votes and Seats in the 2002 Parliamentary Elections for the 13 Regional Lists

Political parties	Number of votes	Number of seats	*Percentage of seats*	*Percentage of votes*
CDP	862,119	46	51.11	49.52
ADF/RDA	219,543	14	15.56	12.61
PDP/PS	122,100	8	8.89	7.01
PAREN	47,477	3	3.33	2.73
CPS	45,745	2	2.22	2.63
UDPI	14,438	1	1.11	0.83
UNIR/MS	42,599	2	2.22	2.45
CNDP	34,379	2	2.22	1.97
CFD	61,936	4	4.44	3.56
PAI	63,031	4	4.44	3.62
APL	6,637	1	1.11	0.38
FPC	16,852	1	1.11	0.97
PDS	37,836	2	2.22	2.17
Others	166,345	0	-	9.55
Total	1,741,037	90	100%	100%

Source: Commission Électorale Nationale Indépendante (CENI), résultats provisoires, 12 May 2002 (www.ceni.bf/resultats)

Graph 3: Votes and Seats in the 2002 Parliamentary Elections for the 13 Regional Lists

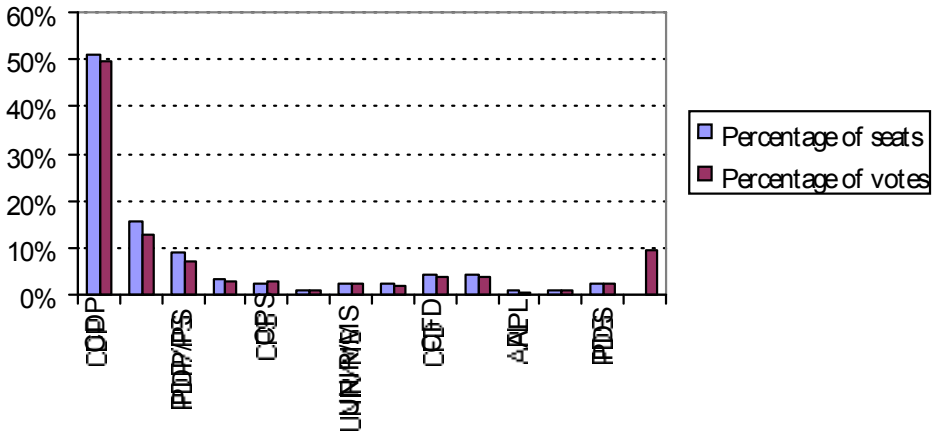
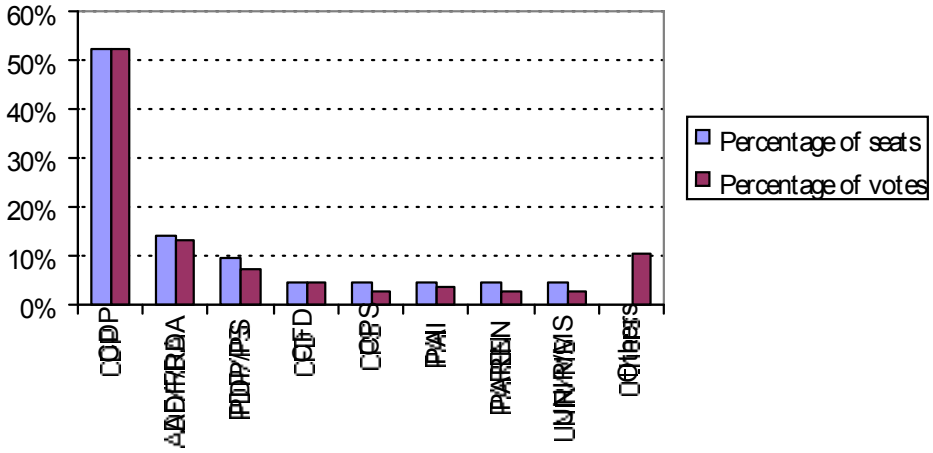


Table 5: Votes and Seats in the 2002 Parliamentary Elections for the National List

Political parties	Number of votes	Number of seats	*Percentage of seats*	*Percentage of votes*
CDP	862,119	11	52.38	52.13
ADF/RDA	219,543	3	14.29	13.27
PDP/PS	122,100	2	9.52	7.38
CFD	76,333	1	4.76	4.62
CPS	45,747	1	4.76	2.77
PAI	63,031	1	4.76	3.81
PAREN	47,477	1	4.76	2.87
UNIR/MS	42,599	1	4.76	2.58
Others	174,889	0	-	10.57
Total	1,653,838	21	100%	100%

Source: Commission Électorale Nationale Indépendante (CENI), résultats provisoires, 12 May 2002 (www.ceni.bf/resultats)

Graph 4: Votes and Seats in the 2002 Parliamentary Elections for the National List



The reform of the electoral system alone does not explain the magnitude of the change that occurred on 5 May 2002. Other important political factors were at play to make a change in the balance of power more likely. These included in particular the fatigue of the regime, which has faced an unprecedented crisis of legitimacy since 1998 as well as the effective mobilization of the opposition and civil society.

If the previous electoral system had been preserved, it is estimated that the ruling party would have retained 87 seats instead of 57, the ADF/RDA 11 instead of 17, and the PDP/PS 3 instead of 10. Similarly, if only the electoral districts of the previous electoral system were preserved, the ruling party would have retained 79 seats, the ADF/RDA 15, and the PDP/PS 6.[12]

These simulations illustrate the inevitable *usure du pouvoir* since the late 1990s and the ruling party's losing grip on power, despite the claims by the ruling party that its relative defeat is mainly due to the recent changes in the electoral system. At the time of the parliamentary elections of May 1997, the CDP could claim approximately 70 per cent of the 2,111,978 total votes (or 1,449,082 votes). Today, out of the 1,741,037 votes in the May 2002 elections, the CDP can only claim to represent less than a million voters (862,119 voters or 49.5 per cent).

The introduction of the single ballot

A second important change in the electoral system is the introduction of the single ballot. Fiercely resisted by the ruling party and strongly advocated by civil society and segments of the opposition, the decision to introduce the single ballot is the result of a long period of debate and recurrent controversies. The National Assembly approved the measure in 2001, after the radical opposition had refused to participate in the 2000 local elections. The use of single ballot papers tends to minimize fraud and the possibility of vote rigging. It also significantly reduces the costs of elections, especially in countries such as Burkina Faso where paper is a rare commodity. As such, the use of the single ballot tends to enhance the credibility of elections as a mechanism for effective participation and fair representation. Neighbouring Benin and Côte d'Ivoire successfully use it.

The introduction of the single ballot was both a political and technical decision. By minimizing the risk of fraud, it has enhanced the transparency and credibility of the electoral process. In political terms, it took away from the opposition an argument for boycotting the elections and provided it with an added incentive to participate in the electoral contest. The opposition recognized that conditions for participating in elections had never been so promising and reliable. Consequently, there were no more objective reasons for the opposition parties to boycott the elections. As Mr Herman Yaméogo recognized prior to the May 2002 elections: "The single ballot is an asset because during the last polls voters were going back with the other ballots just to be given money for voting for one party or the other, but this time it's not possible […] This is a key political reform that will help strengthen transparency."

Nevertheless, the introduction of the single ballot represented significant logistical hurdles, both for voters unaccustomed to such a system (most are illiterate) and for the electoral commission charged with supervising the elections. In co-operation with the *Independent Observatory of Elections* (OIE), the *Center for Democratic Governance* (CDG), a pro-democracy non-governmental organization and policy think tank created in 2000, provided critical assistance to the electoral commission to train electoral supervisors and voters in the use of the single ballot. The Center also trained about 200 trainers of political parties' delegates in polling stations. The OIE had deployed 2,000 domestic observers, and the CENI 44,000 poll supervisors in the 10,902 polling stations. In his 12 May address to the nation to announce the results of the election, the chairman of the CENI, Mr Moussa Michel Tapsoba, acknowledged the contribution of the CGD.

Strengthening the electoral commission

Since the early 1990s strengthening the political independence and technical capabilities of the electoral commission has been a gradual process marred by controversies. It nevertheless acquired renewed urgency in the late 1990s as pressure grew to enhance the legitimacy, credibility and reliability of elections. In 1998, G14 boycotted the presidential elections, claiming that the electoral commission was not sufficiently independent.

The 2001 electoral code increased the independence and representativeness of the commission and expanded its areas of competence and responsibility.[13] The CENI now administers and supervises almost all the electoral process, from establishing the electoral rolls, counting ballots, to proclaiming the provisional results. The Supreme Court resolves electoral disputes arising from contested results and announces the final results.

A particularly sensitive issue in this respect was extending the electoral commission's mandate to establishing and updating the electoral registers, a mission until then reserved for the powerful *Ministry of Territorial Administration and Decentralization* (MATD). The MATD, often suspected of bias towards the ruling party, is progressively being pushed aside from the electoral process. The involvement of the interior ministry is a legacy of the French electoral management system and that of more advanced democracies where the credibility of the electoral administration process is not contested *per se*. In countries where the electoral process lacks credibility, as in Burkina Faso, the involvement of the interior ministry is controversial and most often inappropriate, as the ministry is intimately linked to the ruling party. In such situations, the administration of elections by a genuinely independent and capable electoral commission tends to enhance significantly the credibility and legitimacy of the electoral process.

Despite some logistical and organizational difficulties, the electoral commission succeeded in performing its new tasks. The transfer of competencies nevertheless did create some confusion and resultant delays. Initially slated for 28 April, the polls were postponed to 5 May because of low voter registration. Voter registration had been due to start in December 2001 and end in early March 2002, but only started in February 2002 and extended until late March. Only 1,883,280 votes were recorded on 5 May 2002, that is about half a million less in comparison with 1998 presidential or 1997 legislative elections. This indicates that increasing electoral participation remains a great challenge in Burkina Faso.

Voter registration has been a contentious issue in Burkina Faso since 1991 and an area of conflict (most electoral disputes and allegations of fraud concerned issues related to voter registration and identification). Although this issue is unlikely to be completely resolved in the short term, the principle of the transfer of competencies in terms of voter registration and electoral rolls to the CENI is a major achievement towards ensuring the transparency of elections. The computerization of electoral rolls will be one of the next challenges for the CENI, which agreed, under pressure from the opposition, to undertake this task, but requirs international donors' assistance. When announcing the definite results of the elections, the Constitutional Chamber of the Supreme Court, responsible for certifying the regularity of electoral contests, made a series of recommendations to further enhance the transparency and credibility of elections. Among these recommendations was the need to ameliorate the registration process and improve the training of election supervisors.

Voter registration is likely to remain a sensitive issue. Addressing it appropriately will require strengthening the electoral commission by making it a permanent institution of governance.[14] The tasks assigned to the commission are now wide-ranging and, as a consequence, require sufficient technical capabilities, manpower and financial resources, as well as technical expertise. For the 2002

poll, CENI assigned 44,000 people to the 10,902 polling stations to ensure the polls were conducted properly. The election price tag, according to the commission, was FCFA 5.5 billion (just under US$9.5 million). A permanent electoral commission will also rationalize the administration of electoral hardware, thereby contributing to a reduction in electioncosts.

Tentative Conclusions and Lessons Learned

A "breakthrough for democracy" is how many observers have described the May 2002 legislative elections in Burkina Faso. These elections eroded the dominance of the ruling party and saw the emergence of a legitimate parliamentary opposition. They may help resolve the low-intensity crisis that has dominated Burkinabè politics since 1998 by providing a credible forum for democratic debate, increasing the contribution of parliament to the democratization process. Although democracy is far from consolidated, the new political landscape holds the promise of changes in the style of government and the emergence of more consensual modes of governance. The election outcome also demonstrates the impact of technical improvements on the electoral system and the administration of elections, enhancing the credibility of elections as a genuine mechanism of democratic governance. More fundamentally, these elections clearly demonstrate the centrality of the democratic commitment of the ruling elite (and, in presidential systems, the president), coupled with the intense and persistent pressure from an organized civil society and a mobilized opposition.

Furthermore, election funding in developing countries is a particularly thorny issue. On the one hand, poor countries may lack the resources and expertise to conduct viable and credible elections. On the other hand, dependence on external funding undermines the ability of poor countries to administer regularly scheduled elections or convoke fresh elections in orderto resolve political crises or legitimize new governments, for example. In highly aid-dependent countries, these trends tend to create perverse accountability and unintended political dependence, as developing countries become dependent on outside funding to finance critical expressions of national sovereignty such as elections.[15] Indeed, cash-strapped Burkina Faso had to borrow ballot boxes from neighbouring Benin. A better balance must be found between external and domestic election financing, for instance by integrating the costs of elections into the regular state budget in electoral years. Part of this budget support from international financial institutions and bilateral donors could then be earmarked for election-related activities.

The lessons learned from the Burkinabè experience underline the critical choices confronting opposition parties in political systems dominated by an overwhelmingly strong ruling party, a situation common in many African countries. The choice between, on the one hand, a confrontational strategy of boycott and systematic contestation and, on the other hand, a strategy of constructive engagement and assertive participation largely depends on the incentives facing political parties. Electoral systems decisively shape those incentives. Despite the many flaws of democracy in Burkina Faso a strategy of engagement can indeed pay off, provided that electoral rules are sufficiently fair and parties are willing to form winning coalitions.

Nevertheless, many challenges remain to consolidate democratic governance and stabilize the rule of law in Burkina Faso. Specifically, the fight against impunity, the containment of the role of the military and strengthening the judiciary and other institutions of accountability are all daunting tasks. As yet, the reactions of the hard-line wing of the ruling party and the military are difficult to gauge. The new political landscape will create new confining conditions, which may incite the opposition to become a "loyal" actor in the process of democratic consolidation. To become fully effective, shared governance requires a mutual willingness to negotiate and compromise. Paradoxically, while the previous system tended to over-represent large parties, the current system tends to over-represent small parties. With less than 5 per cent of the vote each, the 10 smaller parties gained 27 seats, between 1 and 5 seats each. So to ensure governability and contain the negative effects of an over-

fragmented political landscape, the next electoral reform to consider is introducing a threshold, for example 5 per cent of the vote, for gaining representation in parliament. This would provide an added incentive to form coalitions.

The system remains one in which the ruling party is dominant and by far the largest party. The opposition has to overcome its own deficiencies. Despite recent mergers, the opposition remains deeply divided and fragmented. The borders between the ruling party and the opposition are sometimes vague. For example, the new president of the National Assembly, Mr Roch Marc Christian Kabore, CDP Secretary-General, was elected by 77 votes, against 22 for Mrs Marlène Zebango whose candidacy was endorsed by her party, ADF/RDA, the leading opposition party. This means that the ruling party's candidate won at least 20 "opposition" votes. Moreover, ADF/RDA and other opposition parties also claimed entry into the new government, but the CDP refused. Some parties represented in the National Assembly have claimed to be members of the presidential majority, *la mouvance présidentielle*. Two of these parties won some portfolios in the new government.

The opposition will only acquire an assertive voice if it forms credible coalitions, either centred on specific policy reform or, more broadly, on an alternative programme of government. Only then will the opposition become a convincing alternative to the ruling party and really hope to gain power. This will be particularly challenging as coalition building contradicts the basic instincts of most Burkinabè politicians. For example, for the 2002 parliamentary contest, the members of the G14, which has positioned itself as an opposition coalition since 1998, were unable to forge any alliances. Of the 30 parties that participated in the poll, five proclaimed themselves to be based on the revolutionary ideals of former president Thomas Sankara, but they did not coalesce. Three Sankarist parties are represented in the National Assembly, totalling seven seats.

Burkinabè experience underlines the critical importance of sustained assistance from abroad. More fundamentally, it demonstrates the crucial role of technical electoral assistance between elections, when the political climate is more ripe for calm discussions and political compromises. Many electoral and institutional reforms adopted in recent years are the result of a long process of dialogue and consensus building, facilitated by organizations such as International IDEA since 1996 and the *Center for Democratic Governance* since 2000.[16]

The assistance provided by International IDEA since 1996 - when its democracy assistance programme started - has focused on achieving the electoral reforms which materialized during 2001. International IDEA's approach via the different targeted activities it conducted was not to engage directly in the political process, but rather to make domestic political actors aware of the potential consequences that apparently technical electoral system changes could make to the balance of political power in Burkina Faso. The Institute's programme in Burkina Faso focused precisely on forging consensus on the need for and contents of electoral reform, the introduction of the single ballot, the strengthening of the electoral commission, civic education and the training of domestic observers and elections supervisors.

International IDEA organized a workshop in Burkina Faso in 1997. The subsequent democracy assessment published in 1998, *Democracy in Burkina Faso*, recommended adopting the "largest remainder" formula for allocating the remainder seats and underlined the urgent necessity of making the electoral commission both more independent and permanent. Similarly, in June and July 1999, in co-operation with the National Assembly, International IDEA organized a series of workshops on electoral and institutional reform. These made it possible for domestic actors to discuss the reform of the electoral system in a dispassionate atmosphere (*à froid*) and from a comparative perspective. In particular, the workshops advocated the introduction of the single ballot. The ensuing report published in September 1999, *La réforme du système électoral au Burkina Faso*, became a reference document for the reformers from both the ruling party and the opposition. According to the

advocates of electoral reform, these initiatives decisively inspired and influenced the 2001 electoral code.

The CDG, formally established in 2000, aims to capitalize on and institutionalize the approach pioneered by International IDEA. It is focusing its attention on the role of political parties, the reform of the electoral system and strengthening electoral administration and supervision. These issues, especially strengthening the democratic party system, are likely to be critical challenges to safeguarding the democratic gains of the May 2002 elections. Efforts must be sustained in order to further strengthen democratic governance and prevent the new political context of shared governance from becoming dysfunctional.

The willingness of the political leadership to consider political reform created a unique window of opportunity for international actors committed to assisting the domestic pro-democracy forces in their struggle. The support of the President of Burkina Faso for this process, together with his far-sighted awareness that a crushing majority for the ruling party was not the best outcome for the country, created the space in which international actors could help to promote real change. This is a particularly important conclusion, as it feeds into a much larger debate about when democracy aid (and other forms of aid) works best.

The May 2002 elections opened a new chapter in the democratization of Burkina Faso. The Burkinabè people now know that alternation is indeed possible. As the local newspaper *L'Observateur* recently wrote: "*Voyez le 'tékré' est possible*!" ("See, change is possible"). The time frame required for change to take root is necessarily long and its cadence irregular and unpredictable. To succeed and have sustainable impact, international democratization assistance must integrate this long-term perspective.

Notes

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1 Christopher Fomunyoh, "Francophone Africa in Flux: Democratization in Fits and Starts", *Journal of Democracy*, vol.12, no.3 (2001), 37-50; Nicolas van de Walle, "Africa's Range of Regimes", *Journal of Democracy*, vol.13, no.2 (2002), 66-80; Lise Rakner and Lars Svåsand, *Elections for Better or Worse: Assessing the Experiences with Elections in Sub Saharan Africa* (Oslo, Norway: Chr. Michelsen Institute, December 2001).

2 Larry Diamond, "Thinking About Hybrid Regimes", *Journal of Democracy*, vol.13, no.2 (2002), 21-35; Andreas Schedler, "The Menu of Manipulation", *Journal of Democracy*, vol.13, no.2 (2002), 36-50.

3 Thomas Carothers, "The End of the Transition Paradigm", *Journal of Democracy*, vol.13, no.1 (2002), 5-21; Carlos Santiso, "International Cooperation for Democracy and Good Governance: Towards a Second Generation?", *European Journal of Development Research*, vol.13, no.1 (2001), 154-180.

4 Steven Levitsky and Lucan A. Way, "The Rise of Competitive Authoritarianism", *Journal of Democracy*, vol.13, no.2 (2002), 51-65.

[5] In 2001, it ranked 159 out of a total of 162 countries assessed by UNDP.

[6] René Otayek, Filiga Michel Sawadogo and Jean Pierre Guingané, eds. *Le Burkina entre révolution et démocratie (1983-1989)* (Paris, France: Éditions L'Harmattan, 1996). International IDEA, *La démocratie au Burkina Faso* (Stockholm, Sweden: International IDEA, 1998).

[7] Alpha Barry, "Législatives 2002: forte participation de l'opposition", *Radio France Internationale Actualités* (www.rfi.fr), 4 May 2002 ; Alpha Barry, "Une percée historique de l'opposition", *Radio France Internationale Actualités* (www.rfi.fr), 14 May 2002.

[8] In its drive to have the opposition participate in the elections, the government secretly enlisted the French Socialist Party and the Guinean opposition leader, Alpha Condé, to convince the opposition to take part in the poll.

[9] Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore, USA: The Johns Hopkins University Press, 1996), pp. 71–72.

[10] The *High Council for Information* (CSI) adopted a strategy to enable all parties to have equitable participation in the media, especially on state radio and television. The state-owned media was required to equitably cover the activities of all political parties. Political parties were also prohibited from buying airtime, a move intended to prevent resource-rich groups, especially the ruling CDP, from enjoying an unfair advantage.

[11] International IDEA, *La démocracie au Burkina Faso*, in particular Annex 1 on "*Simulation électorale*"; International IDEA, *La réforme du système électoral au Burkina Faso* (Stockholm, Sweden: International IDEA, 1999).

[12] *Sidwaya*, 20 May 2002.

[13] The 2001 electoral code also established a *National Observatory of Elections* (ONEL) to observe the electoral process and contest. However, lacking sufficient resources, this institution failed to function effectively.

[14] Rafael Lopez-Pintor, *Electoral Bodies as Institutions of Governance* (New York, USA: UNDP MDGD Technical Paper, 1999).

[15] Marina Ottaway and Theresa Chung, "Debating Democracy assistance: Toward a New Paradigm", *Journal of Democracy*, vol.10, no.4 (1999), 99-113.

[16] Roel von Meijenfeldt and Carlos Santiso, "Democratie et bonne gouvernance: L'expérience d'International IDEA au Burkina Faso", Le *Courrier ACP-UE*, no. 171 (1998), 58-62.

International IDEA's Burkina Faso Project: http://www.idea.int/burkina