

# Beyond Free and Fair

Monitoring Elections and Building Democracy

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popular legitimacy. But free and fair elections can and do present an essential opening for broader change. Indeed, for many societies, a free and fair election provides the bridge from repression to freedom, and election monitoring helps countries succeed in crossing that bridge.

In this important book, Eric Bjornlund traces the evolution of international and domestic election monitoring. He draws on his own broad experience, access to key players, and extensive review of publicly available and unpublished materials to get at key questions about the effectiveness of foreign aid, technical assistance, and the sustainability of democratic reform. And he shows how election monitoring evolved from modest roots in the 1980s to become the international community's most established and high-profile action in support of democracy around the world.

Just as democracy cannot be imposed at the tip of a gun, it cannot be imposed through the monitoring of an election. Ultimately, countries must build and embrace their own systems. But as this book demonstrates, significant lessons can be learned about effective collaboration between established and emerging democracies in holding elections and moving forward. The international community, nongovernmental organizations, and even concerned individuals can bring expertise to bear, and send a message of international concern and solidarity as countries grapple with new freedoms and responsibilities. Often, this assistance can make the critical difference between the success or failure of an emerging democracy.

Making the world safe for democracy has proven to be long and difficult work. But Wilson's message still sounds prophetic some eighty-five years later: "A steadfast concert for peace can never be maintained except by a partnership of democratic nations." It cannot, and the democratic nations of the world have a responsibility and an interest in aiding the spread of peace and freedom. This book sheds light on the patient work of many individuals and institutions in both the developed and the developing world—activists and diplomats, academics and politicians—all of whom struggle out of sight to move the world closer to Wilson's vision. In its own way, this narrative contributes to the ever-growing dialogue of democracy and momentum of freedom.

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This project was a long time coming, and in many ways I have drawn on ideas and insights from literally hundreds of people I have met in a decade and a half of work in more than twenty-five countries. Many of them have been democracy activists from around the world who have inspired me with their own courage, passion, and creativity. Others have been dedicated government officials and politicians. Still others have been policymakers, aid officials, diplomats, and democracy professionals from the United States, Europe, Asia, Canada, Australia, and elsewhere. I have been fortunate to rub elbows with so many important, talented, and creative people, and I could not help but to have gathered at least some good ideas along the way. I cannot begin to name all of the individuals who have influenced my thinking, given me information, and taught me things that have formed the foundation of this book.

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I am lucky as well to have had the opportunity to spend more than a decade at the National Democratic Institute for International Affairs, an or-

## Acronyms and Abbreviations

|           |                                                                                                                                                                                                  |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ANFREL    | Asian Network for Free Elections                                                                                                                                                                 |
| BAFE      | Bulgarian Association for Free Elections                                                                                                                                                         |
| BMNA      | Bangladesh Movement for Free Elections<br>(Bangladesh Mukto Nirbachan Andolan)                                                                                                                   |
| CCHRB     | Coordinating Council for Human Rights in<br>Bangladesh                                                                                                                                           |
| CEPPS     | Consortium on Elections and Political Processes<br>Support                                                                                                                                       |
| CeSID     | Center for Free Elections and Democracy<br>(Yugoslavia)                                                                                                                                          |
| CETRO     | Centre for Electoral Reform (Indonesia)                                                                                                                                                          |
| CIVITAS   | Crusade for Democracy (Chile)                                                                                                                                                                    |
| COFFEL    | Coalition for Free and Fair Elections (Cambodia)                                                                                                                                                 |
| COMFREL   | Committee for Free and Fair Elections (Cambodia)                                                                                                                                                 |
| CSCE      | Conference on Security and Cooperation in Europe                                                                                                                                                 |
| EAB       | Elections Assistance Bureau (Guyana)                                                                                                                                                             |
| EAD       | Electoral Assistance Division (UN)                                                                                                                                                               |
| EMO       | election monitoring organization                                                                                                                                                                 |
| EU        | European Union                                                                                                                                                                                   |
| FEMA      | Fair Election Monitoring Alliance (Bangladesh)                                                                                                                                                   |
| FUNCINPEC | National United Front for an Independent, Neutral,<br>Peaceful and Cooperative Cambodia                                                                                                          |
| GERDDES   | Groupe d'Etudes et de Recherches sur la Democratie<br>et le Développement Economique et Social, or<br>Study and Research Group on Democracy and<br>Economic and Social Development (West Africa) |

that called for \$90 million in international contributions for the elections, including support for election administration, voter education, and election monitoring.<sup>1</sup> Dozens of international advisers descended upon Jakarta from Australia, Europe, Japan, North America, and elsewhere. The elections eventually took place on June 7, 1999, under the watch of the Indonesian nonpartisan monitors and nearly 600 international election observers from about thirty countries, including election-monitoring icon Jimmy Carter.

International donors generously and appropriately supported the efforts of national election-monitoring organizations (EMOs) to improve the quality of the election process, for example by educating voters and mobilizing pollwatchers. The broad-based international support for these worthy purposes marked a considerable improvement from the past, in which foreign aid had been largely restricted to government recipients, even aid for transitional elections involving governments with a questionable commitment to democracy. In Indonesia, with government approval, donors channeled a large portion of available funds for the elections to nongovernmental groups.

While international support was appropriate in principle and generous in practice, it was also largely misguided. Foreign donors and advisers focused too much on the elections themselves—particularly on mobilizing pollwatchers—while largely failing to recognize an even more fundamental purpose of their support for domestic election monitoring: using the elections as a catalyst to the ongoing process of building democratic practices and institutions. Because donors were so concerned about how to get information about the quality of the process on election day, they largely failed to support longer-term democratization. In fact, donor obsession with election day inadvertently hampered the new civic organizations and the momentum for reform. Foreign assistance to domestic monitoring had unintended consequences, such as spurring the establishment of dozens of new monitoring groups, discouraging monitoring organizations from joining forces, downplaying the importance of professionalism, and encouraging an inordinate focus on money issues rather than substance. In short, the funding that poured into domestic election monitoring in Indonesia before the election was a mixed blessing at best.

The experience of domestic election monitoring in Indonesia is simultaneously a success story and a cautionary tale. In just three years, domestic election monitoring in the country grew from an activity viewed with suspicion, not only by Indonesian authorities but also by many in the international community, to one that became so popular that it lost its edge. This story highlights some paradoxes and pitfalls raised by foreign assistance for

## Chapter 12

### Foreign Support for Domestic Election Monitoring in Indonesia: Missed Opportunities and Unintended Consequences

Suharto pretends to hold elections and we will pretend to monitor them.

—Goenawan Mohamad, chair, Independent Election Monitoring Committee (KIPP), 1997

For crucial transitional elections in Indonesia in 1999, nongovernmental groups organized the most extensive nonpartisan domestic election-monitoring effort in the world to date. Working with substantial international support, civic organizations, university-based networks, and religious groups collectively mobilized more than a half-million pollwatchers on election day. But the effort was also deeply flawed, as a large number of inadequately prepared groups came to the effort at the last minute, money was poorly spent, and domestic groups and their international supporters largely wasted the opportunity to build a foundation for further democratic reform.

After the longtime autocrat Suharto was forced from office in May 1998, Indonesia moved to organize competitive elections as a critical step away from authoritarianism. The international community—recognizing the profound importance of an opportunity to establish genuine democracy in the world's most populous Islamic country, a nation of more than 200 million people—moved to support Indonesia's political transition with technical assistance and substantial funding. In early 1999, the United Nations Development Program (UNDP) and the government of Indonesia developed a budget

the Suharto government, KIPP's chair, Goenawan Mohamad, quipped, "Suharto pretends to hold elections and we will pretend to monitor them." As in the Philippines in 1983, there was clear recognition in Indonesia in 1996 that democracy activists would have to begin the difficult process of building networks. They had to start somewhere and be prepared for changes when they came. At the time of the elections in May 1997, few Indonesians or foreign observers expected that Suharto would be gone within a year. But, as in the Philippines at the time of the congressional elections of 1984, a nonviolent democracy movement could look to elections as an opportunity to gain some political traction and build its capabilities. As Goenawan Mohamad explained:

The idea was not to legitimize the election, which was not fair anyway. The idea was to invite citizens to participate in organizing themselves to protect their rights. Over the last 30 years we have lost the capacity to organize ourselves at the grass roots. The other thing was to generate a framework for joint effort for organizations committed to democratic change. We didn't want to follow the Chinese debacle after Tiananmen, when democratic forces were scattered to nothing.<sup>3</sup>

Ultimately, the official reaction to KIPP was relatively muted, perhaps because the government did not see the organization as more than a minor annoyance. In early 1997, apparently seeking to preempt KIPP, the government itself established an official monitoring body, the Committee for the Supervision of the Implementation of Elections (Panitia Pengawasan Pelaksanaan Pemilu), which included government-appointed representatives from the three official parties.

NDI began working with KIPP soon after the organization was formed in 1996. NDI provided ongoing consultations and organized study missions to Bangladesh, the Philippines, and Thailand. Meanwhile, the U.S. Agency for International Development (USAID) arranged for the translation into the Indonesian language of NDI's well-regarded handbook on election monitoring, *How Domestic Organizations Monitor Elections*. NDI also sponsored and helped organize KIPP's first national meeting and workshop on domestic election monitoring in Bangkok in October 1996 and arranged for the participation at that meeting of advisers from Bangladesh, Egypt, the Philippines, Thailand, and the United States to share their experiences and offer advice to Indonesians seeking to organize an election movement. In

the first months of 1997, an NDI representative worked in Jakarta with KIPP organizers, and NDI dispatched a small team for elections in May of that year to offer advice and moral support.

NDI also provided financial support for KIPP's pollwatcher training and election-day deployment around the country. Much of that money was never satisfactorily accounted for. Because KIPP indeed carried out the activities the funds were intended to support, however, sloppy record keeping rather than misappropriation seemed largely to blame. The experience nevertheless made NDI leery about funding KIPP in the period 1998–99.

Before the 1997 elections, KIPP monitored media coverage of the campaign and election-related intimidation and violence. On election day, May 29, more than 9,000 KIPP volunteers monitored the polls in various locations across the country, a remarkable achievement given the obstacles the organization confronted. KIPP focused its efforts on certain geographic areas, particularly where it had strong local chapters or where there was a history of election-related conflict. Where possible, KIPP volunteers also monitored the counting of ballots on election day. They were not able to observe the tabulation of votes at the provincial and national levels and did not cover polling places systematically enough to check the results.

Although in 1997 KIPP was unable to affect the electoral system's inherent bias toward the ruling Golkar Party, its public, independent assessment of the electoral process called attention to the process's flaws and advanced the debate on political reform. KIPP's courageous determination to organize a monitoring effort was an important development in its own right. Its modest success established a precedent and began to popularize the idea of domestic monitoring. Although limited, these efforts made possible the later acceptance of citizen participation in the electoral process.

### Planning for the 1999 Elections: University-Based Monitoring and More

After the Asian financial crisis of 1997–98, popular protest in Indonesia erupted into violence in May 1998 and forced longtime president Suharto to resign. He had come to power after presiding over a bloody purge of communists in 1965 and forcing aside Sukarno, the country's founding father. Suharto's regime, known as the New Order, suppressed political dissent but also presided over three decades of rapid economic growth. His vice presi-

funds (including the Asia Foundation, NDI, and the American Center for International Labor Solidarity) also provided funding, encouragement, and advice to particular Indonesian monitoring organizations.

In the months leading up to elections, NDI continued to support the leading domestic monitoring groups. In February 1999, NDI sponsored consultations in Jakarta between the leaders of several Asian domestic monitoring groups and the three national monitoring organizations. Leaders of election-monitoring organizations from Bangladesh, Cambodia, Nepal, the Philippines, and Thailand participated, including several who had advised KIPP since 1996. For the next several months leading up to election day, NDI continued to advise all three groups on technical monitoring issues, including sponsoring a joint public education and recruiting effort, placing the Bangladeshi monitoring expert and longtime KIPP adviser Feroz Hassan in KIPP's offices, and working closely with the Rectors' Forum on a parallel vote tabulation. In early May, about a month before election day, the European Union and the British government likewise provided technical advisers to UNFREL, the Rectors' Forum, and KIPP.<sup>5</sup>

The new election law established an official monitoring body, similar to the body the government had established in 1997, known as the Election Oversight Committee (Panitia Pengawasan Pemilu, or Panwas). Although a subsequent supreme court decree expanded Panwas's mandate to oversee the entire election process and the investigation of disputes, this body was neither an independent monitoring group nor a real electoral body, and its exact role and powers were never satisfactorily defined. Nevertheless, demonstrating how much more acceptable independent monitoring had become, the government invited the leaders of KIPP and UNFREL, Mulyana Kusumah and Mulya Lubis, respectively, to serve as the two vice chairs of Panwas. (A supreme court justice, Sudarko, served as chair.) In 2001, Mulyana was appointed to the reconstituted election commission.

### The Performance of Principal EMOs

Although a coalition would undoubtedly have been preferable, many of the Indonesian groups had their own constituencies, objectives, strengths, and methodologies. By itself, the participation of diverse groups was a strength, and collectively the Indonesian EMOs performed admirably on election day. Each of the three largest groups ultimately organized genuinely national networks and mobilized more than 100,000 pollwatchers.

Before the elections, KIPP advocated a fair election framework and monitored voter registration and the campaign environment. It organized a nationwide pollwatching effort of about 125,000 for polling day.<sup>6</sup> Throughout the process, KIPP maintained a high profile in the media and a commitment to political action.

The Rectors' Forum conducted long-term monitoring and education programs and reportedly mobilized more than 200,000 students, alumni, teachers, members of NGOs, and other citizens as pollwatchers on election day.<sup>7</sup> As is discussed in chapter 13, the Rectors' Forum also carried out a highly successful parallel vote tabulation (PVT) to independently verify the vote count. This PVT, based on statistically valid samples of actual polling site results from each province, allowed domestic and international observers to assess the accuracy of the official tabulation of election results.

UNFREL also monitored voter registration and the campaign and mobilized an estimated 105,000 university students and faculty members as election observers in twenty-two of the twenty-seven provinces.<sup>8</sup> It sought to constructively engage students, who had led the call for change, in the political process. Of all the EMOs, UNFREL was perhaps the best organized and most professional in its pollwatching effort.

### Unintended Consequences of Foreign Funding and Advice

Nevertheless, the Indonesian EMOs ultimately were not as effective as they might have been. Though they proved that they could mobilize large numbers of pollwatchers, many of these volunteers were deployed with little training or direction. The collection and reporting of information about balloting and counting at polling places was not always systematic. Parallel counts were either incomplete or poorly explained. And, in general, the domestic groups never fully earned the confidence of the election authorities or the donor community.

Many Indonesians involved in domestic monitoring suggested that the large number of groups and the failure to gain the confidence of the authorities was partly a legacy of the Suharto era. In the words of one, people "don't trust each other." Egos and personal ambitions certainly played a role as well. At the same time, inadvertent, but perverse, incentives from donors exacerbated the problem.

Foreign donors and advisers were themselves largely responsible for the more fundamental failure of the Indonesian domestic monitoring effort to

politically safe, but by then they were or should have been well under way, not to mention sufficiently well funded. The European Commission itself later concluded, "the technical assistance team arrived too late to have the expected input."<sup>17</sup>

Most donors failed to make funds available to the UNDP until shortly before or even after the elections. Indeed, four countries contributed a total of \$4.6 million within five days of election day, the European Union deposited \$5.0 million actually on election day, and an additional \$8.2 million was not received until after election day.<sup>18</sup> In other words, 43 percent of the pledged funds were not received by election week; and 32 percent were not transferred until election day or later. Moreover, the UNDP reports, "there was often uncertainty about what financial resources were available at times when disbursements had to proceed quickly."<sup>19</sup>

Accordingly, the UNDP and other donors disbursed much of the funding for election monitoring just days before the polling, which impeded planning, caused considerable logistical difficulties, and made it difficult for the funds to be well used. This also meant, of course, that such funds did not support preelection monitoring or pollwatcher training.

Concerns about financial controls and accountability also contributed to the delay in the availability of funding. There were legitimate reasons for concern about the financial accountability of the Indonesian groups. Because KIPP had failed to fully account for the grant it had received in 1997, NDI advised USAID and UNDP to carefully review the organization's accounting capabilities and financial controls before providing funds. Being new, many other EMOs had no track record or experience at all with handling foreign funds. To their credit, USAID and UNDP invested heavily in assessing and trying to improve the financial management and reporting capabilities of their grantees. The UNDP assigned financial professionals to most EMOs to oversee financial reporting,<sup>20</sup> and USAID conducted capacity audits and provided training on accounting systems to its grantees. But because the amounts involved were so great, the groups were so new, and the time was so short, the problem was significant.

The availability of substantial funds also distracted EMO organizers from important issues. Leaders of EMOs spent enormous energy on funding proposals, budgets, and other money issues rather than on election-monitoring strategies and tactics. Just three weeks before election day, for example, provincial and national leaders of UNFREL met for three days at the University of Indonesia in Depok, outside Jakarta. Yet in this final national planning meeting, they found themselves mired in debates over budgets and

money. Rather than discussing such pressing organizational and substantive issues as volunteer recruitment and training, communications systems, election-day deployment plans, or local political conditions, the young leaders from around the country spent much of the time complaining about inadequate budgets for provincial chapters, criticizing the headquarters for hoarding the available money, and even, in a few cases, making apparently specious allegations that funds had been diverted. The university faculty members who had founded this national monitoring network out of idealistic notions of building a more democratic political system and providing a vehicle for university students to constructively channel their political energies admitted their frustration.

The availability of foreign funding for the remuneration of pollwatchers sometimes had anomalous consequences. In North Sumatra, for example, "volunteers" for the Rectors' Forum, who were generally university students, received not insignificant "per diem" allowances of 20,000 rupiah a day (about \$2.50), double the amount provided to regular polling station officials, who were typically much older teachers or other civil servants.<sup>21</sup> Even given that polling officials were often already government employees and pollwatcher per diems had to cover transportation costs, it was odd that the student observers—who were supposed to be volunteer activists for democracy—were better compensated for their polling day efforts than the officials.

In these ways, the considerable funds available actually hampered the development of networks of politically active citizens. "If you hire one hundred thousand people," reflected one Indonesian activist sometime later, "they don't really volunteer in a real sense." Although acknowledging that some EMOs were well organized and made an important contribution, this unaffiliated observer argued that "without money to Rectors' Forum or to UNFREL from USAID and UNDP, nothing would have happened." (He dismissed KIPP altogether because it "didn't really do good monitoring.")

After the elections, in part because of their frustration with managing financial relationships with provincial chapters, the principal national leaders of UNFREL decided to disband the network and found a new, Jakarta-based policy research and advocacy organization called the Center for Electoral Reform (CETRO). Though CETRO has been extremely influential and effective in advancing the agenda for electoral and constitutional reform in the ongoing political debate since 1999, it is unfortunate that its leaders found it untenable to manage a national political organization committed to democratic elections and reform. UNFREL did not lead, as it

Several smaller donors funded newly established election-monitoring groups in the provinces with little demonstrated monitoring expertise. The availability of funding for groups formed outside Jakarta, on the well-intentioned idea that political activity outside the nation's capital was worthy of support, encouraged the creation of autonomous regional groups. By having their own separate identity, these regional groups could attract funds and international attention and thus had no incentive to join existing national networks.

Nor can indiscriminate funding of new groups, regardless of their motivations or professionalism, be justified on grounds of encouraging participation. If election monitoring is worth doing, it is worth doing well. Participation motivated by availability of funding without any expectation of professionalism in return is not sustainable, and thus ultimately not a significant step toward greater democracy.

### Poor Advice from International Organizations and Donors

Even as they inadvertently encouraged separate efforts around the country, some donors tried to force the national-level domestic monitoring groups to join forces in ways that were neither effective nor sensitive to local institutional prerogatives and personalities. Donors insisted, for example, that EMOs divide responsibilities for election-day pollwatching along geographical lines before they could receive funding. This unfortunately forced the EMOs to negotiate which organization's pollwatchers would be dispatched to various locations. This was really a waste of time because there was no obvious or logical way to divide responsibilities by province, for all major groups had potential volunteers in virtually all the country's then 27 provinces if not in most of the 327 districts. Dividing responsibility for which organization's pollwatchers would go to which of the country's more than 300,000 polling stations was exceedingly time consuming, not to mention almost impossible to do much in advance of election day. As one EMO leader put it later, the coordination of deployment on election day proved "impossible," because the organizations involved were "very different." This meant that, despite donor efforts, there was duplication in many polling places and no coverage in others.

The EMOs would have been better served by dividing the constituencies that they sought to mobilize or the specific monitoring activities they planned to carry out. Thus, for example, some groups planned to recruit stu-

dents while others drew on NGO, professional, or religious networks. One group might concentrate on verifying the accuracy of the vote tabulation process, while another might monitor preelection complaints or the adequacy of the legal framework.

In any event, beginning in January, long before donors introduced a focus on dividing election-day responsibilities, the three principal national monitoring organizations were already working together on a common effort, using the media and the Internet, to recruit volunteers and to educate the broader public about the importance of election monitoring. They also had already agreed to develop common monitoring materials, such as training materials and polling day checklists, and had committed to coordinate their election-day deployments.

The joint volunteer recruitment effort included a national media campaign to encourage citizens to join election-monitoring efforts in their regions and to raise awareness about the election and the role of monitors. NDI sponsored the production of advertisements for television, radio, newspapers, and the Internet. The ads included information on how to volunteer to be a pollwatcher and included the names, addresses, and logos of the three national monitoring groups.

Other advice from international sources similarly diverted Indonesian groups from the task of building their own political movement. Rather than allowing the Indonesian groups to set their own priorities and make their own mistakes, some donors pushed much too hard to expand the numbers of pollwatchers and to standardize the election-monitoring methodology without regard to inherent trade-offs. Supported by other donors, the UNDP expressly and more or less arbitrarily set a goal of two pollwatchers at every polling place, which motivated it late in the game to fund several new EMOs.<sup>24</sup> The excessive focus on how many polling stations would be covered on election day tended to overshadow concerns about the training, quality, or motivations of observers and overemphasized the administration of the process on election day to the detriment of efforts to monitor other parts of the process.

International actors also pushed to standardize the information to be collected on polling day. Although it was a good idea in theory to have all pollwatchers collect the same information, donor insistence on the use of a common reporting form to gather comparable information ended up forcing each group to use a lowest-common-denominator checklist. Even as seven leading EMOs sought to develop a common form, one foreign adviser developed his own and proposed that all EMOs use it. The pollwatching ques-

their preliminary statement, the two American democracy groups urged attention to the statements of domestic EMOs in the weeks after the election. In their partnership with the Rectors' Forum, NDI and the Carter Center consciously attempted to establish a precedent for more profound and meaningful collaboration with domestic EMOs. Among other things, NDI and the Carter Center called attention to the existence of the Rectors' Forum PVT, which provided some reassurance that any potential manipulation of the vote tabulation process would be detected and thus may have deterred manipulation of the vote count. This became increasingly important over subsequent weeks as the vote count was delayed.

### Calibrating International Assessments in Response to Domestic Concerns

Upon the close of polling, well before the process was completed, international observers and foreign leaders hailed the elections. On election night, the chief EU observer, the British diplomat John Gwyn Morgan, announced the EU team's conclusion that "the conduct of the election in Indonesia was sufficiently free and transparent to guarantee a voting result which will reflect the democratic will of the Indonesian people."<sup>26</sup> New Zealand foreign affairs minister Don McKinnon said the elections were "free, fair and peaceful." Australian prime minister John Howard called the poll "remarkable" and "a real celebration of democracy" and added, "instead of people whingeing [complaining] about it being slow, why don't they applaud the fact that after 40 years of a pretty authoritarian government, a very authoritarian government, we now have democracy, or the beginnings of democracy, in Indonesia."<sup>27</sup>

Former U.S. president Carter likewise appeared ready to declare that democracy had come to Indonesia. Carter sought to tell the world how much Indonesia had changed. Even before the elections, he emphasized how open and competitive the process was. After visiting polling stations on election day and spending a number of hours the following day listening to the reports of other international observers who had returned from all over the country, he was enthusiastic and was prepared to offer a considerably upbeat assessment. "So far, this has been an excellent election," he told reporters.<sup>28</sup>

The leaders of several domestic monitoring groups, however, found Carter's early press statements too positive. They worried that the ballot count might still be manipulated or that forces opposed to reform might yet

otherwise interfere or refuse to respect the results. UNFREL's Smita Noto-susanto appealed publicly to Carter and other observers not to come to final conclusions too hastily:

The actual voting process . . . is only the beginning of the whole election process. The vote counting [is] not finished yet, and we still have to determine whether the counting process is totally transparent, totally monitored, and free from intimidation. . . . We still have no report on that level of the election yet, and I might want to ask foreign observers to also refrain from making such an evaluation.<sup>29</sup>

In an open letter, UNFREL coordinator Mulya Lubis appealed to Carter to "refrain from making a general evaluation that the entire process has been free and fair, due to the fact that the process is still in progress." The letter pointed out that the "counting and tabulation process [which] is still being undertaken . . . is the part of the election that most Indonesians are most concerned about." The letter closed with the admonition that "as you depart from our country we would like to ask you to bear in mind that what will happen in the next few weeks will have an enormous impact on the lives of the Indonesian people who will have to live with the consequences."<sup>30</sup>

Only hours before he would address a huge press conference, Carter agreed to a last-minute meeting with leaders of Indonesian monitoring groups. UNFREL and Rectors' Forum representatives told the former U.S. president frankly that they believed that a premature certification of the election might make Indonesians somewhat less able to expose any subsequent manipulation. Impressed by their directness and professionalism, Carter listened. He went before the television cameras shortly thereafter with a somewhat different message than he had previously planned. Though he praised the process to that point and expressed optimism that it would turn out well, he emphasized the need to pay attention in the days ahead as the votes were counted, the president was selected, and the new government took power. "Until some allegations have been made that have some foundation I think we need to believe that the process is orderly," he said. But he added, "Election monitors will have to be vigilant from now on. I don't think we'll know until November, when a final choice for President is made, whether democracy has indeed come to Indonesia in its fullest form."<sup>31</sup>

The approach of foreign donors and advisers in Indonesia was not unusual. Assistance to domestic election monitoring and other foreign support for civil society in developing countries often suffers these kinds of weak-

This chapter reviews and assesses vote-count verification techniques, including statistically based parallel vote tabulations (PVTs), quick counts, exit polls, and comprehensive counts. Using case studies from Macedonia and Indonesia, I argue that quick counts or PVTs based on statistically significant samples are generally more reliable and appropriate in transitional and postconflict elections. Exit polls or comprehensive tabulations, although they may serve very particular objectives in carefully chosen situations, are generally a bad idea for such elections. Beyond these important but somewhat technical questions, the unresolved debate about vote-count verification reveals troubling competition among election-monitoring organizations and disagreement among experts that has confused donors and hampered the larger cause of supporting democratic elections and democratization.

### Quick Counts and PVTs

Effective means to verify election results are essential to successful election monitoring. Without such means, as Jimmy Carter explains,

there's no way to ascertain the accuracy of the vote count. You can detect fraud [at polling places], and you can see if people have actually gone to the polls or if they've been intimidated. You can examine the voting list in advance, . . . see if the laws are accurate and that sort of thing. But there's no way to tell the results of an election, whether they're honest or they're manipulated by the ruling party without some sort of [parallel] vote tabulation or PVT.<sup>2</sup>

A PVT or quick count can deter or detect fraud in the aggregation (adding up or "tabulation") of local election results after the ballots are counted at polling stations. Like opinion research or exit polls, PVTs can use statistical sampling to project results or to assess the accuracy of reported results, within statistically significant margins of error. Thus, its organizers can verify the integrity of the tabulation of results. A PVT differs from opinion research or an exit poll in that it is based on actual results, as counted by election officials and witnessed by monitors, rather than on what individual voters report to interviewers about how they voted. In addition, because they are designed to project results as quickly as possible, exit polls are generally conducted based on historical experience using much smaller sample sizes than do PVTs.

Quick counts and PVTs have their roots in the pioneering work of the National Citizens' Movement for Free Elections (NAMFREL) in the Philippines in the mid-1980s. Though not definitive, NAMFREL's quick count, as we have seen, exposed the Ferdinand Marcos regime's vote tabulation fraud in the critical 1986 presidential election.

For the 1988 plebiscite in Chile on President Augusto Pinochet's continued tenure, the nongovernmental Committee for Free Elections added an important innovation to the quick-count methodology. With advice from Glenn Cowan and Larry Garber of the National Democratic Institute for International Affairs (NDI), the Chilean group decided that, rather than trying to obtain comprehensive results from the entire country, it would instead use random sampling. An independent count drawn from a statistically significant sample would be both faster and more accurate than an attempt to obtain the results from all 22,000 polling places in the country. An analysis of a representative sample of 10 percent of those polling stations revealed well in advance of the official results that the "No" vote had won handily. This preempted the regime from attempting to declare victory on the basis of a doctored vote count.

Garber and Cowan coined the term "parallel vote tabulation" in lieu of "quick count," which they thought better reserved for an independent verification designed to project results quickly rather than to verify the results later. (A quick count, in this lexicon, could be either comprehensive or based on samples.) They chose the term "parallel" to distinguish the operation from the official vote tabulation conducted by relevant authorities. They settled on the word "tabulation" to refer to the aggregation or summing of ballots rather than "count" to avoid any connotation of reviewing and recording individual ballots.<sup>3</sup> Nevertheless, many donors, advisers, and observers continue to use the term "quick count" regardless whether the objective of the exercise is to project results quickly or verify them later and regardless whether the analysis is based on comprehensive or sample-based data.<sup>4</sup>

After the pioneering quick counts or PVTs in the Philippines and Chile, election monitors in other countries recognized the importance of having effective means to deter or detect ballot count fraud in transitional elections by independently collecting election results to compare them with official results. PVTs based on sampling made pivotal contributions, often in tense circumstances, to important transitional elections in several different ways.

Some PVTs exposed vote-count fraud. In Panama in 1989, for example, a church laity group conducted a PVT, based on a representative, statistically significant sample of polling stations, that definitively revealed the

Skepticism about statistics occasionally even has motivated foreign donors and advisers to prefer the vastly more expensive and daunting task of attempting to conduct a comprehensive parallel canvass of results.

A comprehensive independent tabulation can serve constructive purposes, such as providing an organizational focus for volunteers, deterring vote-count fraud, and providing a basis for later investigation of claims of cheating in particular localities. But it generally cannot provide a basis for an assessment of the accuracy of the official vote count, for two important reasons.

First, monitors can never collect results from all the polling stations in a country, even under the best of circumstances. It is generally more difficult to obtain results from more rural or harder-to-reach areas, which might have different voting patterns than other parts of the country. Because the missing data are not random, it is not possible, if the election is close, for a comprehensive tabulation to assess whether the reported vote count is accurate. Even collection of a large percentage of the results will be statistically skewed and potentially misleading.

Second, civic groups using a comprehensive methodology generally cannot process and interpret such an enormous amount of data in a reasonable time after the elections. This is enough of a challenge for the government and the election authorities, with all the resources and authority they command. It is generally impossible for a civil society network of volunteers organized shortly before election day.

Thus, effective vote-count verification necessarily must rely on methods that use statistical sampling. Both sample-based PVTs and exit polls rely on such sampling. Yet in most internationally monitored elections, as the experience in Macedonia in 2002 demonstrates, exit polls are not the answer either.

### Limitations of Exit Polls in Transitional or Postconflict Elections: The Experience of Macedonia

Although some donors and foreign advisers have criticized sample-based PVTs for drawing conclusions from too little data, a few others apparently believe, in contrast, that it is possible to draw conclusions from even smaller samples based on voter interviews as opposed to actual results. Yet exit polls can be problematic and controversial even in the United States, where they have a long history. First, they may not be reliable in extremely close con-

tests. In Florida in 2000, for example, television networks relying on exit polls first forecast an Al Gore victory and then reversed this judgment a few hours later, only to conclude finally that they did not actually know the results. There also continues to be concern in U.S. elections that the early release of exit polls will influence those yet to vote.

The experience of an exit poll in Macedonia in 2002 suggests even greater reasons for caution about this technique in transitional or postconflict elections. On September 15, 2002, Macedonia held parliamentary elections in the uncertain political climate lingering from brief but violent ethnic clashes the year before. Sixteen hours after the polls closed, before the national election authorities or other Macedonian organizations could release even preliminary election results, the International Republican Institute (IRI) announced the results of its own exit poll, which it touted as "an important step forward in the country's democratic development."<sup>8</sup> Yet the exit poll was inappropriate and almost certainly flawed.

First, the validity of any exit poll relies on the willingness of voters to tell a stranger how they voted. In Macedonia, violence, intimidation, and extreme nationalist rhetoric had plagued the preelection environment. In the three weeks before election day, two police officers were murdered, security forces physically blocked opposition supporters from entering the capital of Skopje, and party rallies had to be canceled for fear of violence. The interior minister publicly threatened to arrest the leader of the most popular ethnic Albanian party, and many politicians and voters expressed fears about special security forces and paramilitaries. In part because of pervasive intimidation, despite the country's population of only 2 million, the international community mobilized the largest traditional international election observation effort ever, including about 800 observers from the Organization for Security and Cooperation in Europe.

Even the Macedonian election law reflected concerns about intimidation and protecting the secrecy of the ballot. It provided, "Nobody is allowed to call the voter to account for his voting, or ask him to say for whom he has voted or why he has not voted."<sup>9</sup> Though this provision seemed to prohibit the exit poll unambiguously, organizers nevertheless requested and received a ruling from the election commission that allowed them to go ahead.

In an effort to encourage voters to respond to the exit survey and to mitigate the effect of intimidation, pollsters asked voters to fill out a facsimile ballot and deposit it in something resembling a ballot box. This provided no real guarantee of anonymity, however, and could not be expected to reassure anxious citizens who might be reluctant to participate. Ironically, in an oth-

At the same time, international actors should resist the temptation to scoop local actors and gain publicity by making unofficial or polling results public. Even if the results of an exit poll or PVT are accurate, this does not require international observers to go public even before election authorities or domestic organizations do so. Public preemption of national actors generally is unnecessary to deter or expose vote-count fraud and does little to build local capacity.

Having compared comprehensive counts, PVTs, quick counts, and exit polls, and considered the problems with an exit poll in Macedonia, I now will examine conflicting efforts to verify the election results in Indonesia in 1999. Though the transitional election was in many ways successful, foreign donors and advisers failed to build confidence in the vote aggregation process. Collectively, they advocated and supported both comprehensive and sample-based vote-count verification, neither of which prevented the ballot tabulation process from becoming the most contentious part of the whole election process. And, apparently for the first time, some donors and technical advisers actually questioned the intellectual basis of a statistically based PVT.

#### Monitoring the Vote Count in Indonesia: Too Much of a Good Thing

On election night, Monday, June 7, 1999, hundreds of journalists, diplomats, international election observers, and Indonesian political elites jammed into the marble lobby and large, ornate ballrooms of the five-star Aryaduta Hotel in central Jakarta. They came to watch the unofficial election returns collected by the Joint Operations and Media Center (JOMC). But the JOMC had virtually no election results to report. As of 7:45 the next morning, the JOMC was reporting the results of just 226,906 votes out of more than 100 million cast, or less than 1/4 of 1 percent.<sup>14</sup> This number was meaningless. Over the next few days, election results trickled in. Even by Thursday, three days after the elections, the JOMC could report only 7.8 percent of the vote count,<sup>15</sup> still too small to support any conclusions about the outcome of the elections.

Milling about the lobby of the Aryaduta Hotel on election night and in the following days, hundreds of journalists and observers, politicians and diplomats, Indonesians and foreigners waited in frustration, trading rumors and sharing suspicions about why the election results were taking so long. "Two days after the national election," reported the *New York Times*, "the

talk of the town [Jakarta] Wednesday was not about who won or lost but about the fact that nobody had any idea of the outcome."<sup>16</sup>

#### The Joint Operations and Media Center

Ironically, although international funders and advisers had anticipated the problems with the vote count, they actually contributed to the confusion. One of several internationally supported schemes to build confidence in the vote count, the JOMC raised expectations that it failed to meet and ended up competing with other unofficial and quasi-official vote tabulations.

The JOMC was a parallel process to collect and report comprehensive election results in real time. It was established before the elections on behalf of the Indonesian election commission with funding and technical assistance from American, Australian, and Japanese organizations and the UN Development Program (UNDP). With great fanfares of publicity in the last weeks before election day, the JOMC's organizers had promised to provide "early/indicative results for the election" by quickly collecting actual results from each of Indonesia's 3,800 subdistricts, spread across the country's 6,000 inhabited islands. At a grand, ceremonial unveiling of the JOMC three weeks before election day, one of the international organizers had invited journalists and observers to come to the JOMC on election night, promising a "facility . . . capable of reporting reliable results of the elections at the earliest practical moment."<sup>17</sup> The UNDP resident representative lauded plans for the JOMC because it would bring "together modern technology and cross-country expertise to enhance the transparency and openness of the electoral process." In remarks that unfortunately would prove prescient, he added "I cannot underline enough the importance of swift and transparent reporting of results for enhancing the credibility of the process."<sup>18</sup> A series of international experts, diplomats, and Indonesian officials spoke enthusiastically of the large numbers of fax machines, computers, cell phones, data entry operators, and other elements of the elaborate infrastructure being built to rapidly collect the results.

Organizers of the JOMC promised that, thanks to the \$2 million operation, Indonesians would start getting results within hours after the close of polls. The results would be continuously updated, fed directly to the national television networks, and released immediately via the Internet. The JOMC's spokesperson told the media he hoped that 50 percent of the results would be known by Tuesday evening, the day after polling. The aim, he said, was "to try to get reliable information as early as possible to the people so

sibility of vote-count fraud. Indeed, PVT advocates ultimately were proved correct about the potential for problems in 1999, as many smaller parties alleged tabulation fraud in the weeks following election day. These (largely unsupported) allegations delayed certification of the results for weeks and seriously threatened the credibility and acceptability of the entire process.

In addition, even though Indonesian election authorities and their international advisers doubted the capacity of an Indonesian civic network to organize such a complex project or to handle the information responsibly, they would have ample opportunities to influence and check the PVT. The organizers from the Rectors' Forum clearly brought professionalism and seriousness of purpose to the task, and, in NDI, the Rectors' Forum had the assistance of an experienced international organization. Moreover, though election officials might oppose the release of early results as a challenge to their authority, the Rectors' Forum was eager to cooperate and willing to consult with the authorities before announcing its results after the elections.

Many of the PVT's critics lacked a sound understanding of statistics. Some claimed, for example, that random statistical sampling would not work in the absence of extensive baseline demographic data or could not be used for proportional representation elections. These claims were incorrect. The UNDP's international experts and Indonesian advisers recommended that donors support only verification programs that did not rely on statistics. Instead, they insisted that any independent vote tabulation be comprehensive.

Representatives of NAMFREL sought to work with Indonesian partners to conduct a comprehensive quick count. NAMFREL's founder, José Concepción, traveled to Jakarta twice in the first few months of 1999. NAMFREL—justifiably proud of its many accomplishments, even though its pivotal 1986 quick count in the Philippines had collected results from only about 70 percent of the polling stations—did not acknowledge the methodological limitations of comprehensive parallel tabulations.<sup>23</sup>

But Indonesia's size and geography and the complexity of its election system made collection by civic groups of results from the entire country essentially impossible. In Indonesia, as in the Philippines, it was more difficult to get results from rural communities and from smaller, outlying islands, which might have different voting patterns than other parts of the country. A comprehensive quick count would be even more difficult in Indonesia's 1999 elections, because there were forty-eight parties vying for seats in separate elections in twenty-seven different provinces rather than one national race with just two competitors.<sup>24</sup> Significant gaps in the results that could be collected were inevitable.

Moreover, monitors would not be able to process and interpret the enormous amount of data in a reasonable time after the elections. The quick count would need to add up and tabulate results from 300 polling stations for each of forty-eight parties.<sup>25</sup> In addition, this was not just one national race; each province was a separate electoral district. Even with a large number of computers and data-entry operators, the volume of data that would be generated would take more than a few days to process.

By early 1999, Jimmy Carter also was planning to monitor the Indonesian elections. When he learned of the opposition to a statistically based PVT, he fired off a letter of complaint to Gus Speth, then administrator of the UNDP, in New York. Though UNDP officials in Jakarta were initially annoyed that Carter and Speth back in the United States had been drawn into a technical disagreement in the field, NDI subsequently persuaded them of the importance of the statistically based PVT. By spring, the substantial opposition of the UNDP and others in the diplomatic community had largely waned.

Meanwhile, USAID agreed to fund the sample-based PVT planned by the Rectors' Forum. The UNDP agreed not to oppose the PVT, and UNDP representatives began to run interference for the PVT organizers with Indonesian government and election officials. Nevertheless, while the Rectors' Forum PVT went ahead as planned, other donors and democracy organizations planned and funded their own parallel tabulation of election results: the JOMC.

Ultimately, there were at least five independent tabulations in Indonesia, each of which used a different method: the JOMC, which collected and added up results from subdistricts; the Rectors' Forum, which analyzed random samples of results from polling stations (as further explained below); the election commission's separate, unofficial "bank system," which collected and added up results from village election authorities; a comprehensive tabulation of polling station results in selected locations conducted by the nonpartisan election-monitoring organization Komisi Independen Pemilihan Pemilu (KIPP); and a tabulation by the state news agency Antara of unofficial results reported at the provincial level.

### *The Project Design and Implementation of the Rectors' Forum PVT*

With only a few months to prepare, the organizers of any unofficial vote count in Indonesia confronted enormous obstacles. There were more than

mation public. The organization's inadequate public relations and media strategy prevented the PVT from achieving its larger political goal, that of reassuring the parties and the public (not to mention the international community) that any fraud in the tabulation process would be detected. The Indonesian and international press reported the PVT results, but these results failed to reassure those worried about the integrity of the vote count.

After election day, the agonizingly slow official count and brewing controversy prompted the Rectors' Forum to announce its findings. On Thursday, June 10, three days after election day, a Rectors' Forum team of experts, including executive director Sapi'e and project director Tampubolon, addressed a crowded press conference (held, ironically, at the JOMC at the Aryaduta Hotel). They spoke initially in Indonesian but, dissatisfied with the interpretation of this complicated subject, switched to English to explain their results more clearly to the foreign press and other representatives of the international community. These Indonesian academics-turned-political organizers announced the definitive PVT results for the eleven provinces for which they had accumulated enough data by that point to allow a high degree of statistical confidence.<sup>29</sup>

Together, these eleven provinces encompassed about 152 million of the country's 209 million people, or about 73 percent of the population. At this point, the JOMC and unofficial election commission counts were still only able to report results from less than 10 percent of the electorate, still too small a sample from which to draw any conclusions.<sup>30</sup> The Rectors' Forum reported that its results had a 1.5 percent margin of error. The PVT showed the results for the largest fifteen parties.

At this point, four days after polling day, the JOMC was still reporting data for the country as a whole, not by province, even though the national numbers revealed relatively little about the election's outcome. There was no direct election for president. Only data reported by province had any real meaning, and the national aggregate numbers reported by the JOMC and the election commission, even if they had been complete, actually had little value.<sup>31</sup> The Rectors' Forum, in contrast, was reporting results by province. This made it possible to project how many seats each party had won in those provinces.

A week later, on June 18, 1999, the Rectors' Forum reported the results of nine more provinces, which together with results reported on June 10, made a total of twenty of the twenty-seven total provinces. Together, these twenty provinces encompassed about 193 million of the country's 209 million people, or 92 percent of the population.

The Rectors' Forum announced the completion of its projections from the PVT on July 2, 1999, still three weeks before the election commission finally released its own complete results. At that time, the Rectors' Forum was able to report statistically significant results for twenty-three provinces, representing 199 million people or 95 percent of the population.<sup>32</sup> This was an extraordinary accomplishment.

The Rectors' Forum was never able to obtain reliable results for four provinces—Aceh, East Timor, Irian Jaya (later called Papua), and East Kalimantan. In Aceh and East Timor, social and political unrest prevented collection of sufficient data to reach a statistically supportable PVT analysis. (East Timor voted less than three months later for independence from Indonesia in a United Nations-supervised referendum.) East Kalimantan and Irian Jaya had an unusually large number of virtually inaccessible polling stations, making it impossible for the volunteers to obtain enough information on local results. Together, these four provinces represented less than 5 percent of the Indonesian population. Given the time, resource, geographical, and other constraints, the inability to obtain statistically reliable results in these provinces was understandable and did not detract from the significance of the overall effort.

The results of the PVT in Indonesia provided strong statistical support for the provisional election results, which many small-party representatives on the election commission refused to certify, and thus discounted the possibility that any significant manipulation of the results occurred during aggregation and tabulation of vote tallies at the local, district, and provincial levels. The PVT had answered the key political questions of the immediate postelection period: how well each party had done and whether any fraud was possible during the drawn out tabulation process. Yet the PVT had failed to assuage concerns, perhaps because it was lost in the cacophony of reported numbers.

### *Controversy over Slow Tabulation of Ballots after the Election*

In the days immediately following the election, while confusion reigned about what was happening with the vote count, the PVT organizers failed to explain the project well enough. At the postelection press conference to explain and report the results of the PVT, for example, the Rectors' Forum executive director Sapi'e distracted attention from the PVT itself by promising that the group would dispatch monitors to districts all over the country to oversee the data entry process. The PVT, however, was a much more