

Discussion with Grace Githu and Pierre Cornillon

The U.S. 2000 Presidential Election

Elections Today:

To have an international perspective on this U.S. election as viewed by election professionals from various regions of the world, we submitted the following questions to Grace Githu, Executive Director, Institute for Education in Democracy and member of the IFES International Advisory Council from Nairobi, Kenya, and to Pierre Cornillon, Honorary Secretary General of the Inter-Parliamentary Union and member of the IFES International Advisory Council.

1

Describe your perception about the administrative and procedural voting and vote-counting issues faced in the 2000 Presidential Election. How would the issues have been handled in your country?

Grace Githu:

In Kenya the ballot for presidential elections is uniform throughout the country and those voters who have been exposed to voter education will be familiar with its design. The rules are clear as to what constitutes a spoiled vote. A voter has to put an "X" in a square next to the candidate of his or her choice. An illiterate voter marks the square with a thumbprint. Any slight deviation from this procedure renders the vote invalid even if the voter's intention is obvious. In Florida much valuable time was spent trying to determine the real intention of the voter, something that would not have happened here.

Pierre Cornillon:

The crisis stemming from the [2000] Presidential Election did not come as a total surprise for me. I am, by no means, an expert on the American electoral system, but familiar enough with it to have felt that, "one day, something odd could happen." I remember a talk on the subject among members of the IFES International Advisory Council where I expressed some doubts about the complexity, heterogeneity, and weaknesses of the American electoral system. I mentioned also my fears that citizens at large might be surprised if an American President were elected although winning less votes than his or her opponent; I was indeed not quite sure the people were really aware or had a real understanding of the system of indirect election of the Electoral College nor that they would be ready to cope fully with all its implications.

I remember a distinguished American expert guest-speaker answered: "You should have no fear; our system has been working perfectly for decades to the extent that the rest of the world takes lessons from us and wants to copy us...." With that statement – that was it. However, my personal thinking is that electoral systems should never be taken either for perfect or for

granted, because none is perfect, anywhere, and the lesson to be drawn is that sometimes a crisis comes in a timely manner for triggering a necessary – yet overlooked – endeavor to review.

The electoral system and administration in France are so different from the American ones that it is impossible to extrapolate how an issue would have been handled which could not have occurred – not even in identical much less in only somewhat similar terms. This does not mean that the French system is immune to problems and crises!

2

Did you have confidence in the fact that the election dispute would be resolved administratively or did you think the U.S. Supreme Court would resolve it? Why?

Grace Githu:

I had no confidence in the election dispute being resolved administratively. The Florida State Secretary had been too involved in the Republican campaign to be seen as neutral. The voters' confidence must have been totally eroded because of the position held by governor Bush as well. The two may well have been impartial, but in sensitive election matters, what they were perceived to be was even more crucial.

Besides, the Democrats believed recounts of the vote would lead to victory and that they were a sufficient remedy regardless of how many times this was done or how long it took. And on the other side, the Republicans believed that an end to the counting, followed by sealing and declaring results, would end it all. The two conflicting views obviously meant recourse to some form of arbitration.

I had confidence that the result would be resolved by the Supreme Court of the State of Florida. But after watching the proceedings, I had my doubts as to their impartiality (and I say this with utmost respect). Hope, then, had to lie elsewhere - with the U.S. Supreme Court.

Pierre Cornillon:

Cannot answer.

3

Do you think there is a need for the U.S. Congress to impose standards and regulations on the 50 states in terms of running and certifying federal elections? If so, why?

Grace Githu:

My view is that federal election standards ought to govern the federal electoral process. My reasons for this are, first,



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American society seems to be fairly mobile with people relocating all the time, and secondly, what happened in Florida may well recur elsewhere. It is important to have standard rules as to what constitutes a spoiled ballot and who is supposed to certify results and at what stage. It would be easier to manage such elections.

Pierre Cornillon:

Indeed the matter should be thoroughly studied in the U.S. and be given serious consideration by the U.S. Congress. In a federal system, it is quite normal for each State to choose freely and independently the procedure for electing the State Legislators and even the persons who are to represent the State at the Federal Parliament (or Congress in the U.S.). However, I do think that those who are to represent the views and interests of the citizens of the whole nation at the federal level should be elected on a uniform basis all over the country. In my view, this principle applies not only to the representatives to the lower/popular Chamber (the House of Representatives in the U.S.) but even more to the President who, being a single person, takes his mandate from the whole country.

4

What, if any, effect did the credibility of the election have on the elected President's ability to manage and promote the foreign policy agenda of the U.S.?

Grace Githu:

The 2000 American Presidential Elections have been ridiculed by many all over the world and credibility has suffered a dent. But because America is a leading power in economics, technology, and military might, the U.S. president will be accepted without question.

However, America is a leading crusader for human rights and democracy in the world – and elections are key to this area. The U.S. seeks to impart its democratic ideals and practices throughout the world on the valid basis that these ideals are universal. The Presidential Elections provided a deviation, as it were, from those ideals and practices. As a result, many will not want to hear the President dwell on this topic, they will be thinking surely, "practice what you preach."

Apart from that, those like myself involved in promoting good electoral practices as an important benchmark in the democratization process have now to contend with the enemies of democracy constantly justifying their actions by saying, after all, it is worse in the leading democracy.

Pierre Cornillon:

Rather than answer the question as it is put, I can offer the following comments:

Since the Presidential Elections, I have been traveling to a number of countries, particularly in Africa, where the U.S. advocates and supports free and fair elections. I could measure the damage caused by the "U.S. elections saga." All those who are reluctantly taking part in the democratic process are not short of criticism, saying that those who give lessons should first put them into practice themselves. I could see a clear loss of credibility in this regard.