

Role of Election Organization at National and Local Levels on Public Opinions to Promote Democratic Society*

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Abstract

This study targets to identify and put into a structure organizing the elements that election organization can exploit to support and enable the public opinions in the election process in order to benefit towards promoting democratic society. The methodology is literature review. The deductive approach of the literature review is a synthesizing mechanism which leads to a simple conceptual framework illuminating the role of election organization in protecting public opinion and inspiring promising democracy. Four elements should be actively pursued to support and enable the roles of election organizations, namely the establishment of ISO Quality Management Systems (QMS), election observations, good educational systems, and normative institutional rule and body. Public opinions form an essential input to a quality election process, as argued for the expressive, normative, prospective, and expectation-oriented information the government and relevant political parties can make use of. The literature review arrives at a simple input-process-output framework that puts a structural guideline for the election organizations to facilitate for a quality and equality of public opinions.

Keywords: Election Organization; Public Opinions; Democratic Society

Introduction

‘It is an axiom in my mind that our liberty can never be safe but in the hands of the people themselves, and that, too, of the people with a certain degree of instruction. This is the business of the state to effect, and on a general plan.’ (Thomas Jefferson)

The word “public” has its origin from the Latin word “poplicus”, meaning “pertaining to the people.” Public opinion is simply understood as “the voice of the people”, which plays an important role in multi-dimensional society. Public opinions can be broadly defined as “the expression of beliefs, ideology, and sentiments within a citizenry with regard to the conduct of human affairs” (Freeland, 2015), and express the underlying evaluative attitude, normative constituent, prospective information, as well as expressive behavior (Shamir & Shamir, 2000) of the majority of the public. Being an expression of underlying attitudes and sentiments (Freeland, 2015), public opinions convey and imply also the expectations of the public, which governments would benefit by being prudent to heed (Key, 1961).

In a democratic society, public opinion is communicated primarily by the citizens to the government and secondly among the citizens. To achieve higher democratic quality, equality of input among the participants and the public are important, which is a fundamental operating principle in a democratic governance system. Christiano (2015) outlines numerous normative theories applicable to justify and argue for the role of public opinion in promoting democratic society. For instance, it can be argued based on instrumental grounds, which explains democracy in terms of qualities that are inherent in the method itself to which public opinion, promoted through public participation, is an instrumental method. Public opinions are also a means to evaluate and assess whether laws and policies are legitimate to the extent that they are publicly justified to the citizens of the community (Christiano, 2015) and have significant effect on political campaigns during election (Bevan and Krewel, 2015).

Election is one of the legitimate mechanisms for the citizens to exercise their freedom and right of their voice or opinion. Elections, whether open, free or fair, are the essence of democracy, the inescapable sine qua non. Although elected government may be inefficient, corrupt, shortsighted, irresponsible, dominated by special interests, and incapable of adopting policies demanded by the public good, which could undermine

the democracy quality of a country, election process is, nevertheless, important and should be innovatively facilitated to the expected quality. Towards this end, the study of the roles of election organizations becomes important in ensuring the prevalence of democracy as the public virtue (Huntington, 1991). The following research objective is established:

What are the elements that election organization can exploit to support and enable the public opinions in the election process in order to benefit towards promoting democratic society?

Research Methodology

The study is a literature review, which is arranged to provide a simple structure delineating the important elements to support and enable election organization to conduct its roles that aim to promote democratic society. To accomplish this task, the review starts with the overall context that describes the role of public opinions in the promotion of democratic society, and is followed by outlining the roles of election organization at both the national and local levels. To put the discussion in the context of ASEAN, an overview of election management bodies in ASEAN is presented. Being deductive in nature, the overall literature review should lead to a conceptual model framework illuminating the elements election organization can exploit to promote democratic society.

Results

Public Opinion Promotes Democratic Society

Public opinion is what the public thinks about a particular issue or set of issues at any point in time (O'Connor and Sabato, 2008). It expresses a general or common opinion of the public on such particular issue. In a democracy, it is one of the political tools whilst denoting political issues and impacting in political as well as policy decision-making. What then is democracy? Democracy is an arrangement or system that power or authority is given to the people. This word originates from two Greek words: "demos" meaning the people and "kratia" meaning power or authority. Democracy is governed by "rule of law". Therefore, although people are given with

power, they are governed by the principle of ethics which can shape up the government. The government, similarly, must conduct also under the principles of good governance. If the government somehow with any means denies the citizens' opinions on public policy-making or political will, or averts the right and liberty of such expression of opinions, public opinion will no longer exist.

Poor public opinion can occur when the politicians influence and interfere with citizens' opinions, or act as intermediates, or give vote-buying. Interest groups may combine their interest into the public opinion for political and policy making. The interest group pluralism or known as pluralism is formed to represent different viewpoints. In contrast to the interest groups is the elite who dominates all the actual power for special interest in the policy, despite a small number of interests.

Competent public opinion comes from capabilities and competence of citizens. The citizens have to be knowledgeable, should be equipped with adequate comprehension of political processes, and have access to information and communication resources so that they can base their will and rationality on.

The heart of democracy depends considerably upon the aggregation of the will of the public through periodic and transparent elections. It demonstrates the basis of government authority, sovereignty and ownership. As there is no one size fits all, so also there is no single model of democracy.

An election comes to play a critical mechanism to form a modern democracy as a broader view at the national level and a smaller one at the local level. Elections are a formal decision-making process by which a population chooses an individual to hold public office (Encyclopaedia Britannica) in the executive, judiciary and legislature offices. From the publication of International Institute for Democracy and Electoral Assistance (2012) expressed an impact of elections: "Troubled electoral processes and their fall-out in recent years have challenged the credibility of democracy. While recognized fair and free elections have resulted in a peaceful transition of power, other electoral processes that were deemed fraudulent, violent or manipulated, resulted in, if not exacerbated, political instability."

Ensuring the credibility, as well as protecting and sponsoring the integrity of electoral processes are everyone's duty of all the nations. Each nation is also commissioned to contribution such duty to the regions and internationals underlying

principles of democracy. Internationally, the International Foundation for Election Systems (IFES) has been devoted for more than two decades to provide technical assistance to election management bodies. Regionally, Asian and ASEAN Observers, for instance, have established an Asian Charter for 'Democracy & Free and Fair Elections'. The credibility of a democratic election is reported by a resolution of electoral complaints which primarily ensures the legitimate transfer of power.

Election organization under the operation of the election commission has direct responsibilities to manage, oversee, and regulate the electoral process for all kinds of government elections. What would be the role of election organization at the national and local levels on protecting public opinion and inspiring promising democracy in ASEAN as a whole?

Role of Election Organization at the National Level

ASEAN has focused on the "three pillars" of security, socio cultural integration, and economic integration. Regional cooperation has progressed in forming an ASEAN Economic Community (AEC) by 2015. Two components that were adopted at the 13th ASEAN Summit in November 2007 and can be interrelated to democratic election with respect to public opinion are: 1) adherence to the rule of law, good governance, the principles of democracy and constitutional government; and 2) respect for fundamental freedoms, the promotion and protection of human rights, and the promotion of social justice. The national election commission is deemed to work closely with the region's electoral management body (EMB) in term of technical support and cooperation. However, the nature and tradition of such support and cooperation have altered towards the implementation of solutions which requires transformation of structure and operations. The new, innovative and feasible tool is quality management systems (QMS) which is certified under international ISO quality standards for continual improvement of operational performance, operating costs, reliability, standardized procedures and processes, awareness of employee, and citizen's satisfaction as the end result. Adopting QMS, the election commission can exhibit its openness and transparency to the public, increase the citizens' confidence toward the institution, align efficient processes with established objectives, and provide external auditors to be periodically evaluated.

Promoting election observation is an impactful tool for the election organization. In the respect for human rights, democracy, good governance and the rule of law, the Organization for Security and Cooperation in Europe (OSCE) has emphasized election observation as the important pillar of long-term security and stability for genuinely democratic elections, and defines it as a civilian activity (OSCE, 2010). Using a process-oriented approach, election observation would provide long-term engagement to promote reliability, accountability, transparency, increasing public confidence in an electoral process, and protecting the right to vote. Among the AEC, there is ASEAN Observers who perform an independent and neutral assessment of electoral implementation, and compliance of electoral process and national legislation with ASEAN commitments and other international standards for democratic elections. Basis for planning, deployment, implementation, and follow-up activities are provided to its community as a whole, to governments of participating States, to political parties, to candidates, to voters, to media and civil society, and perhaps to other international organizations. After assessment of election observation, recommendations are delivered for future improvement of democratically electoral practices and national legislation. The cooperation would eventually attain to the goal of ASEAN Political Security Community.

Good education system is a solid foundation to build public participations and create genuine democracy. Public ignorance and scarcity of ideal expression of public may arise from “lack of knowledge, insufficient cognitive ability and inadequate comprehension of political processes, and limited access to information and communication resources” as listed by Vincent Price (Arnold, 2010). One solution to the problem of an incompetent public is to provide good education system that should be laid ground from kindergarten to graduate schools of democracy, ethics, good governance, human rights, and public participation. Election organization should enable citizens to find and comprehend relevant information of periodic election through such education system as proposed by John Dewey. It is what Walter Lippmann suggested to “take political decisions out of the hands of ‘ordinary’ citizens and install a system of experts to take over” (Arnold, 2010). The other solution is to be free from what Habermas called re-feudalization of the public sphere that is to be limited by a mutual dependence of political system, economy, and mass media. As a result citizens have access to the public sphere that might lead to better political voting decisions.

Role of Election Organization at the Local Level

The election commission is also responsible for the administration of local government elections. Such responsibility may carry out by the local election officers to obtain nomination documents, declare candidates and election results, oversee voting opportunities, and count ballots (Ministry of Community, Sport and Cultural Development, 2014). The commission has to provide the local election officers practical knowledge, expertise and training of addressing the incidents of non-compliance, and monitoring compliance with election rules and regulations. To protect public opinion and inspire promising democracy, the election organization has to create an effective election campaigns to the candidates and the citizens with comprehensive and detailed information concerning local government election process. The candidates would have to follow election rule of law and regulations strictly while the citizens are encouraged to exercise their voting right in free and fair manners. Furthermore, the election organization has to enforce the disclosure of campaign financing and election advertising, and to investigate them.

The concept and practicality of election observation can be applied in the local electoral process and implementation. Each local community, political parties, candidates, voters, media and civil society can involve in the election observation and provide assessment to the national and local election organizations.

In the same manner, the local election organization has to ensure that good education system is implemented through the promotion and enforcement of local governments.

Overview of Election Management Bodies in ASEAN

It is remarkable phenomena to have some overview of the role of the election management bodies in some of the countries in ASEAN like Thailand, Philippines and Indonesia in the electoral process.

The Election Commission of Thailand (ECT) was instituted in 1992. It is an independent institute with the constitutional role under the 1997 and 2007 Constitutions. Four important roles are central administration, election administration, political party

regulation, and participation. The ECT is obliged to administrate the national and local elections, set out the election rule and referenda, govern the election campaign, define the qualification of individual candidates and election inquiries, and tackle electoral malpractice. Shall there is any proof of electoral wrongdoing the ECT is empowered to give a ‘yellow card’ for a re-election for any member of the House of Representatives or Senate, or give a ‘red card’ prohibiting five-year political engagement of the candidate. This latter role of investigative and quasi-judicial powers of the ECT requires technical complexity to investigate of such malpractice in term of financial fraud, vote-buying, evidential documents and even summon of persons.(The 2007 Constitution; Organic Act on the Election Commission 2007) Therefore, the ECT is granted for assistances from other agencies such as the National Audit Commission, the Anti-Money Laundering Office, the National Counter-Corruption Commission, and an electoral commission for each province. In the recent election, the ECT employed a ‘Reconciliation Election’ project nationwide to lessen the electoral disputes and problems.(Extracted Report of the ASEAN Election Management Bodies’ Forum, 2011)

The ECT also has a major role to regulate the financial spending of the contestants in the election – limited amount of devotion for their campaigns and contribution to the political parties. If there is any evidential violation, the ECT has the power to investigate the account of the contestants and seize such amount of money or property.

For the last role of promoting participation of the citizens, the ECT provides an education concerning the democratic propagation, participation and election for pre-voters and new voters. The programs so provide simulations of elections for the voters to experience the electoral process, materials relating to the elections to the schools and media, and technological resources. The ECT also formed a Democratic Learning Center to promote public awareness on democratic election.

The credibility of the ECT has been dubious in the deficiency of exercising power to fulfill the given mission. It also is required to expand into the execution of QMS in order to have a continual improvement and performance, as well as the election observation in order to become more international practice.

Philippines has the Commissioner of the Commission on Elections of the Republic of the Philippines (COMELEC). The country entered into a major electoral reform in 2007. The COMELEC has major functions of quasi-judiciary, administration,

report and recommendation. In their quasi-judicial functions, the COMELEC controls the elections and qualifications of all elective regional, provincial and city officials. Administrative functions involve in the enforcement and administration of electoral laws and regulations. Election reports are submitted to the President and the Congress while recommendations are provided to the Congress for minimizing election spending and to the President for any disciplinary action or violation. The electoral reform also successfully supported the automated elections for new procedures to resolve election disputes, express lanes for elderly and pregnancy, biometric registration, and citizens' arms accredited to observe.

Indonesia started the reform in 1999 to enable free and fair elections and open party competition under the control of The Commissioner of the General Elections Commission of the Republic of Indonesia (KPU). Under the KPU is the Indonesian Election Committee or called Panitia Pemilihan Indonesia (PPI), which is established down to the village level and has responsible for conducting the election. The KPU has similar role as the other election management bodies. However, women's right in Indonesia is discriminated. To provide the women with equal right and freedom, the KPU has given education, health, and access to female leadership to the women in order to increase women's representation. The total number of female representatives being elected into the parliament is, nevertheless, minimal.

Indonesia has made some improvements for the role of election management bodies, despite being a newly democratic country. Tackling the hurdle of gender equality remains a challenge to the KPU.

Discussion

In the era of considerable problems of public opinion and questioning of citizens' exercise for periodic and democratic election, there is a substantial demand for innovation role of election organization at the national and local levels on protecting public opinion and inspiring promising democracy in ASEAN as a whole.

At the national level, election organization would bring in the new, innovative and feasible tool of QMS which is international ISO 9001certified. The end goal of QMS is the continual improvement of effectiveness of an organization that the election

commission may demonstrate its openness and transparency to the public, increase the citizens' confidence toward the institution, align efficient processes with established objectives, and provide external auditors to be periodically evaluated. QSM is evident by a documentation system by specifying responsibilities, procedures, processes, inputs and outputs. Thus, it permits the election organization to identify, monitor and measure the electoral processes.

Election observation is another process-oriented approach for civilian activity. The Observers which can be ASEAN, States, political parties, candidates, voters, media or civil society, perform the independent and impartial assessment of electoral implementation, and compliance of electoral process and national legislation with ASEAN commitments and other international standards for democratic elections. It is then followed by the recommendations for future improvement of democratically electoral practices and national legislation.

Through good education system and abstaining from re-feudalization of the public sphere, the election organization should enable citizens to find and comprehend relevant information for them to exercise their free and fair right in electing their political leaders.

At the local level, election organization may apply the aforementioned national roles at local scales. Meanwhile, complicate and non-compliance incidents with election rules and regulations must be provided with practical knowledge and expertise. The election organization would come up with innovative and effective election campaigns for the candidates and the citizens, provide comprehensive and detailed information concerning local government election process, impose the disclosure of campaign financing and election advertising, and investigate such campaigns and process.

The role of election organization must be revolutionized at both national and local levels so that public opinion can be protected and genuine democracy can be promoted.

Based on the aforementioned discussions of the literature review results, a simple framework can be used to explain how the role of election organization can support and enable the public opinions in the election process in order to benefit towards a democratic society. Figure 1 presents the outcome of the literature review.

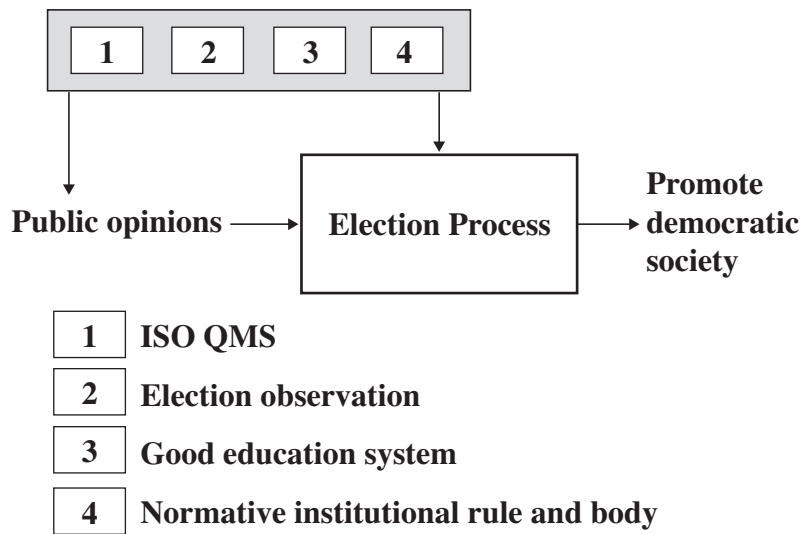


Figure 1. Elements in Support of Roles of Election Organizations

Specifically, Figure 1 presents public opinion as the key input to the election process, while the four elements support or enable the role of election organization in facilitating both the input and the election process.

Summary

This study arrives at a simple input-process-output configuration depicting how election organizations can make use of innovative and feasible tools to facilitate the election process which includes public opinion as the key input. Public opinion is an important input to the election process for it has the expressive, normative, prospective, and expectation-oriented information the government and relevant political parties can make use of. Without these quality or equality of input (that is, public opinion), an election process would be reckoned to not benefiting from the public opinion. To support and enable the quality and equality of public opinions, four elements should be exploited by the election organizations at both the national and local levels. These elements could be reckoned as innovative and feasible tools. The four elements are ISO Quality Management Systems (QMS), election observations, good educational system, and normative institutional rule and body. Overall, this study arrives at a simple input-process-output framework that puts a structural guideline for the election organizations.

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