

Elections in the Muslim World, 1990-2002

Ahmed Abdul Wahid A. Al-Zandani*

Abstract: Aggregate data analysis of elections held between 1990 and 2002 in the Muslim world show that most of these elections belong to the non-democratic category and these elections were mostly non-competitive. Approximately, 98% of the Muslim world people do not enjoy full political liberty. About 96% of the people in the Muslim world enjoy the right to vote, but their votes hardly result in transfer of power. However, there are four countries in the Muslim world, Bangladesh, Iran, Malaysia and Mali, where elections are relatively free and fair.

Elections are one of the important institutions in modern political systems, and the right to vote is almost the only universal right in the world today. Election results determine who will govern and who should stay in office. Elections, as Norman Palmer points out, open up channels between the polity and society, between the elite and the masses, between the individual and the government.¹ Elections have two functions: they offer the losers a chance to govern in the future and they issue an authorisation to rule.²

Therefore, elections are better viewed as an exchange of influence between governing elites and voters. Elites gain authority in exchange for responsiveness to the voters; voters gain influence in exchange for obedience to decisions they only partly shape. Elections expand the authority of government while reducing the likelihood of that authority being misused.³ Accordingly, many analysts, time and again, confirm that most of these functions could be performed only in

*Ahmed Abdul Wahid A. Al-Zandani is a Ph.D candidate at the Department of Political Science, International Islamic University Malaysia. E-mail: zendani@hotmail.com

free competitive democratic systems. In non-democratic systems, elections are blunt and rather inadequate instruments for political choice.⁴

This study examines the procedure of electoral democracy in the 47 Muslim-majority countries and evaluates the extent to which they can be categorised as free and fair. The focus of this study is on elections held between 1990 and 2002, the period that witnessed, according to Samuel Huntington, the era of the “third wave of democracy.”⁵ Though this study uses library materials such as books, periodicals, magazines, newspapers, and journals, the most important sources were three annual reports: the *CIA World Fact Book*, the *Freedom in the World Survey*, and *Regional Surveys of the World*.

The Framework

Elections, to be free and fair, according to Inter Parliamentary Council, must satisfy the following conditions:⁶

1. They must be held at regular intervals on the basis of universal, equal and secret suffrage.
2. Every adult citizen must be granted the right to vote in elections, without discrimination.
3. Everyone should be given the right to take part in the governance of their country and have an equal opportunity to become a candidate for election.
4. States should guarantee the rights and institutional framework for periodic, free and fair elections.

Clearly, there are seven essential elements for a free and fair election. These are: voting rights, voting practice, election schedule, candidature rules, political liberties, election supervision and power transfer. These seven elements, therefore, constitute the indicators of a democratic electoral process. The indicators are operationalised as follows.

Voting Rights means that all adults, regardless of race or religion, should enjoy the right to vote.⁷ This right of suffrage is usually enshrined in the constitution or in a legal document. On the basis of suffrage, a state can be categorised as giving “no-voting right,” “limited-voting right,” that is, with some conditions or limitations,

“full-voting right,” without any limitations. Zero point is assigned to no-voting rights, one point to limited voting, and two points to full voting right.

Voting Practice refers to the opportunities available to cast ballots freely and secretly, without intimidation or subsequent redress.⁸ This can be assessed by looking at the rate of civil rights in each Muslim-majority country. Civil rights imply that the state has a positive role in ensuring all citizens equal protection under the law and equal opportunity to exercise the privileges of citizenship – one of which is voting practice – to fully participate in national life, regardless of race, religion, gender, or other characteristics unrelated to the worth of the individual. Thus, the rate of civil liberties indicates the extent to which people practice their right to vote. The *Freedom House Report 2002* is used to measure the status of civil liberties.⁹ Zero point is awarded to “Not free,” while one and two points are assigned to “Partly free” and “Free” countries, respectively.

Election Schedule means that elections are held regularly within prescribed time limits and in accordance with constitutional rules.¹⁰ This is measured through questions that ask if elections are held regularly and on time or if they are held irregularly or in response to political unrest. Two points are given to countries that hold their elections on time; one point to the “irregular” elections which are held irregularly or as a result of political unrest or riot, and zero point for “none” category that is, countries that never held elections.

Candidature Rules refers to the full freedom of the community to put forward candidates, form political parties, and openly campaign.¹¹ This indicator is measured by looking at the nature of the political systems that Muslim majority countries have adopted. Accordingly, zero point is given to a political system without political parties or operating on a one-party system which is labelled as “One or no political party”; one point to the political system based on a dominant-party, military dominated, and conditional multi-party system and is given the label “Conditional or dominated political systems;” and two points to a “Multi-party system.”

Political Liberties refer to guarantees of freedom of speech, press, or religion; due process of law; equal access to the media, and other liberties that states should guarantee to their citizens.¹² The more

these political liberties are guaranteed in a given state, the better the people can prepare and exercise a successful election campaign. This study uses the scale designed by Freedom House to measure political liberties world-wide using a one-to-seven scale. Freedom House classified the states as follows “Free,” “Partly free,” and “Not free.”¹³ As with other indicators of democratic electoral process, countries categorised as “Not free” are given zero point, “Partly free” one point, and “Free” two points.

Election Supervision is related to the campaign and counting of the ballot which should be supervised by an impartial administration, with an independent body available to adjudicate in electoral disputes.¹⁴ This indicator is operationalised by looking at the presence of observers to oversee elections. This is for many reasons. First of all, the legitimacy of the electoral process is enhanced by the presence of neutral observers. Outsiders who were present and actually saw what happened during voting, counting and determining the results can tell the world the process was transparently free and fair. The opinion of an impartial witness carries a great deal of weight. Second, respected outsiders can contribute greatly to the propriety of the process. Their presence would have a stabilizing effect on would-be troublemakers and ensures that everyone concerned is on their best behaviour. Third, international observers from such organisations as the Organisation of African Unity (OAU) and the Commonwealth often have vast experience in elections in various parts of the world and are able to give invaluable information. Accordingly, there can be only two categories: “Support,” those countries that allow international observers, and “Oppose,” those who reject international observers to overseeing the elections. One point is given to those who allow international observers and zero to those who reject observation.

Power Transfer refers to the handing over of power to the successful party or parties within a prescribed time and, indeed, acceptance of the adjudged results by all parties and candidates.¹⁵ This indicator requires examining two features of the political system: the acceptance of the declared results of elections by major parties and peaceful transfer of power to the winning party after the elections. Countries in which all its main parties accept the election results and hand over the power peacefully to the winning party are labelled

“Good” and receive 2 points each. Countries labelled “Middle” are those whose election results have not been accepted by the main political parties in the country; nevertheless, the power was transferred to the winning party, but the transfer of power resulted in violence. These countries receive 1 point each. “Poor” countries which have never witnessed transfer of power during the period under study receive zero point.

Thus, the “electoral process” has seven indicators, each with 3 categories except “election supervision.” Thus, a country can obtain a maximum of 13 points signifying a free and fair election. To remove the subjective element from the study, countries whose ratings average 0-5 are judged “Not fair and free,” countries with average rating of 6 to 9 are considered “Partly fair and free,” and those with average rating of 10 and above are categorised as “Fair and free.”

Voting Rights

The right to vote transforms people from mere subjects to citizens. The rulers are subjected to the rule of law and made accountable to parliament, the courts and civil institutions. The right to vote enables people to establish institutions of civil society independent of the state.

Muslim-majority countries, in terms of voting rights, can be divided into three categories. The “No-voting rights” includes Afghanistan, Brunei, United Arab Emirates, and Saudi Arabia. Afghanistan, operating according to the Bonn Agreement of 2001, granted no voting rights to the Afghan people. The other three states are monarchies, and their constitutions or legal documents do not recognise the people’s right to vote. These states are oil-rich and their GDP is considered high compared to those of the third world states. Saudi Arabia’s GDP per capita purchasing power parity (PPP) is US\$10,600 (2001 est.), Brunei’s GDP PPP is US\$18,000 (2001 est.), and that of the United Arab Emirates is US\$21,100 (2001 est.).¹⁶ People in these countries are unconcerned about their right to vote as long as their governments satisfy their material requirements. Paradoxically, these states, especially Saudi Arabia, claim the Islamic nature of their political systems, yet Islam decidedly grants all citizens the right to vote.

The second category, "Limited voting rights," contains four states: Kuwait, Oman, Qatar and Lebanon. In Kuwait, the right to vote is granted only to adult males and to males who have been naturalized for 30 years or more, or have resided in Kuwait since 1920, and their male descendants. Given these restrictions, only 10% of all citizens were eligible to vote in the 1996 elections. In the Omani elections of 2000, voting was limited to approximately 175,000 Omanis (Oman's population is 2,713,462 including 527,078 non-nationals, July 2002 est.) chosen by the government to vote in elections for the *Majlis al-Shūrā* (the Parliament), elected by limited suffrage for a three-year term. Suffrage in Qatar is limited to municipal elections. In March 1999, Qatar held nationwide elections for a 29-member Central Municipal Council which has consultative powers aimed at improving the provision of municipal services. Suffrage in Lebanon is allowed for adults of 21 years of age and above, and is compulsory for all males. For women, they must be 21 and above and must have elementary education. Kuwait, Qatar and Oman, are monarchies and oil-rich states whose population enjoy good economic conditions. In these states, the monarch can, by law, disband the parliament or suspend the constitution. For instance, Kuwait's first National Assembly was elected in 1963 with follow-up elections held in 1967, 1971 and 1975. From 1976 to 1981, the National Assembly was suspended, and later dissolved following the elections in 1981 and 1985. The *Amīr* held new elections for the National Assembly in 1992, fulfilling a promise made during the period of Iraqi occupation. On May 4, 1999, the *Amīr* once again dissolved the National Assembly and new elections were held on July 3, 1999.¹⁷ Lebanon is economically a poor republic with a GDP per capita PPP of US\$5,200 (2001 est.) It is interesting to note that, before 1952, Lebanese women were deprived of their right to vote. They succeeded in getting their right to vote but with a stipulation that they must possess an elementary education.¹⁸

The third category, "Full voting right," includes the remaining 38 countries.¹⁹ They give their people the unconditional right to vote. The great majority of their constitutions refer to voting on the basis of universal adult suffrage which, in simple terms, means the right of all adults to cast their vote. However, the age of voting varies and, although 18 is the most common, in Malaysia, Maldives, Mali, Morocco and Pakistan, it is set at 21 years. However, in Iran and

Indonesia the age of voting is 15 years. Sudan is next at 17, and in Jordan and Tunisia the required age to vote is 20 years. Finally, it is essential to note that more than 99% of the Muslim world population has the right to vote.²⁰

Voting Practice

In a democracy, it is the responsibility of the state to secure a free atmosphere for its citizens to exercise their political rights as equal citizens. Under the rule of law, people should not fear any kind of intimidation in exercising their rights. They should rather enjoy the protection of law irrespective of their choice. On this basis, following *Freedom House*, the Muslim world is categorised as: “Not free,” “Partly free,” and “Free.”

During the 12-year period under study, the Islamic Republic of Iran is the only Muslim country that could be categorised as “Free.” The Iranian polity is categorised as Presidential-parliamentary type and all its elections, since 1980 (the first elections after the Iranian 1979 Revolution with its “Islamic” constitution), were free of irregularities, intimidation or rigging.²¹ Under the category “Partly Free,” Muslims enjoy some sort of freedom. They can work for their welfare within a context or a framework on the basis of not crossing some red lines. In other words, they should not work in a way to change ruling elites or the ruling ideology.

Twenty-nine (29) Muslim countries fall in the “Partly free” category.²² In these countries, when exercising their right to vote, people suffer from many kinds of intimidation, harassment, and threat mostly by the incumbent government in order to prevent any attempts at crossing the lines of the drawn framework for its political system. For instance, the 1995 and 1998 elections held in Azerbaijan were criticised by international observers as flawed, undemocratic, and full of irregularities. The 1997 elections in Morocco were marred with widespread frauds. In Mauritania’s 2001 elections, there was harassment of some opposition members as well as ongoing repression of opposition parties. In Gambia’s 2001 elections, opposition leaders, journalists, and human right workers, were detained after the polls.²³ The elections, however, serve the purpose of not letting the country fall into a bloody confrontation during or after elections. For example, in the Yemeni parliamentary election

of 1997, the incumbent party won overwhelmingly through legal and illegal means. Yet, its competitor Yemeni Islah Party (YIP) declared that its participation, in such rigged elections, was only to keep the democratic process alive.²⁴ However, in other Muslim countries the fear of government reaction constrains opposition even from declaring their real attitudes toward elections. For example, in the 1994 election in Tunisia, there were complaints from opposition parties about the fraudulent conduct in the poll. One of the opposition leaders, Boujamaa Rmili, condemned the elections as “a scandal.” For this, he was quickly detained for a week.²⁵ Elections in Malaysia are free from violation and rigging. However, there are various legal restrictions imposed during elections, like a short time for campaigning, which makes Malaysia partly free.

The third category, “Not free,” refers to a situation where people’s freedom is suppressed and their civil liberties are abused by their respective governments. There is no real freedom for people to meaningfully cast their votes. In addition, there are no checks on governmental intervention in people’s affairs since these countries lack an independent judiciary or effective civil societies to defend people’s rights.

There are sixteen countries, most of which are governed by authoritarian regimes or dictatorships, and hence they are categorised as “Not free.”²⁶ Two of these states, Saudi Arabia and Brunei, deny their people the right to vote, while two others, Afghanistan and Somalia, did not hold any elections, during the period under investigation, due to internal problems (civil war). In Oman and Qatar, with heredity systems, two elections were held: the 1999 municipal elections in Qatar and the 2000 parliamentary elections in Oman. Voting in both states were conducted peacefully, but their votes could neither change their governments nor influence public policies. The elected representatives enjoy only a consultative power. The legal documents or constitutions give the last word to the monarch who arranges elections in a way that satisfies him. Thus, there is no need to use force to influence the public’s choice.

In the case of Oman, the government has the right to choose and determine the number of voters and the Sultan makes the final selections regardless of the result of the elections, as it happened after the 1997 elections. In Qatar, the 1999 elections gave people

the right to choose a 29-member Central Municipal Council, which has consultative powers, aimed at improving the provision of municipal services. Thus, the *Amīr* of Qatar does not need to resort to violence to enforce his will. In contrast to the rule, elections in these “Not free” countries are conducted without intimidation and subsequent redress. For most of the countries in this category, the people, by law, have the right to change their governments by using their vote, but during most of the elections held between 1990-2002, the authorities resorted to all kinds of influence (military, media, and money) to prevent the realisation of their people’s choice. For example, in Sudan on December 12, 1999, President al-Bashir dissolved the parliament and declared a state of emergency on the eve of the parliamentary elections because of his disagreement with the speaker of the National Assembly, Hassan al-Turabi.

In the Egyptian 1995 parliamentary elections, over 25 people were killed weeks before the elections and more than 1000 arrested. This could explain unbelievable numbers of votes secured by the leaders of these states. Thus, for example, the leaders of Turkmenistan, Iraq, Uzbekistan, Maldives, Egypt, and Syria secured 99.5%, 100.0%, 91.9%, 90.9%, 99.0% and 99.5%, respectively, during some elections or referendums held during the period under study.

Election Schedule

Timing is an important factor in elections as it reflects many important trends of electoral process. Ideally, elections should not only be held regularly but also on time. A country may experience many kinds of political, economic and social circumstances. These circumstances could play, to some extent, a major role in influencing the outcome of a country’s elections. For instance, the ruling party can manipulate the time of elections by forwarding or postponing it to serve the interests of the incumbent party. Such an action will affect the fairness of the elections. On the other hand, elections could be held out of their scheduled time due to an economic crisis or a political unrest. These kinds of elections are mostly oriented to settle problems rather than concentrate on a fair and free electoral process which may produce a negative impact on the fairness of the elections.

In terms of election schedule, Muslim countries fall into three categories: “None,” “Irregular” and “Regular.” There were 5 Muslim

countries that did not hold any elections during the period under study. These are Afghanistan, Brunei, Saudi Arabia, Somalia, and the United Arab Emirates. Brunei, Saudi Arabia and the United Arab Emirates did not give their people the right to vote. Somalians have the right to vote but the civil wars in the country did not allow elections to be conducted.

The Afghans did not enjoy the right to vote. The coup against King Zahir Shah, the Soviet occupation of the country, the civil war that erupted after the eviction of Soviet troops and the invasion of United States and British troops to topple the Taliban government in 2001, hindered any serious attempt at formulating a constitution to determine the people's rights and duties. The country was under an interim authority sanctioned during the Bonn Agreement of 2001.²⁷ No elections were held in Afghanistan during the last three decades including the period under investigation in this study.

Thirty five Muslim countries are listed in the "Irregular" category because of their failure to conduct elections on time. The reasons for the failure are many and vary from country to country. Qatar held its elections for the first time in March 1999 and thereby granted its people the right to vote.²⁸ Even though Bahrain suspended its legislature in 1975, a new election took place on 9 May 2002.²⁹

Four countries, Iraq, Syria, Turkmenistan, and Libya, blatantly breached election schedules. They held elections whenever they wanted or turned them into referendums only. For instance, the President of Turkmenistan's tenure as president was extended to an additional five years until 2002 by a 1994 referendum, which exempted him from having to run for presidency in 1997 as originally scheduled. In Iraq, the election schedule was not taken into consideration due to the country's political problems and the oppressive nature of Saddam Hussein's (the former Iraqi president) regime who, in 2002, garnered 100% of the votes in the referendum.

The rest of the Muslim countries in this category did not meet the time schedule due to political and economic problems. In general, there was no political stability to enable these countries to run their elections on time. Sometimes, the change of the election schedule is caused by military coups. General Pervez Musharraf of Pakistan staged a coup on 12 October 1999 and declared a nationwide state

of emergency suspending the constitution, the National Assembly, the Senate, the four provincial legislatures and all political officials.³⁰ In Kuwait, the head of the state disbanded the parliament in 1999 and dissolved the National Assembly over sharp confrontations with the government. In Jordan, King Hussein unexpectedly dissolved the House of Representatives in 1993.

In Morocco, in 1998, King Hassan responded to the criticism of widespread fraud in the 1997 parliamentary elections by appointing a coalition government led by an opposition socialist leader. The breach of election schedule may be due to a constitutional amendment. President Ṣālīḥ of Yemen proposed several amendments to the constitution such as extending the parliamentary term from four to six years and the presidential term from five to seven years in November 2000.³¹ In general, some 76% of the Muslim countries suffered from instability which perhaps constrained the ability of the government to hold elections on time.

Only 6 Muslim countries, Egypt, Iran, Oman, Lebanon, Malaysia and Tunisia, conducted their elections regularly and on time, as stipulated in their constitutions. Oman is a hereditary political system that grants people limited voting rights (the government chooses the voters). The elected representatives have no legislative duties, just consultative roles. Elections are held peacefully and on time since it has no influence on the status quo of the government. The incumbent parties in Egypt and Tunisia guarantee success in elections to the degree that the factor of time is of no importance, since it has no real influence on the election's outcomes. The incumbent parties in these two countries won all the presidential and parliamentary elections with an unbelievable 99% majority.

In Lebanon and Malaysia, elections are held on time. In these multi-religious states, the contest is very intense and the ghost of a possible civil war forces these governments to avoid any agitations especially on sensitive issues like the election. Iran, the country considered by many as an example of Islamic democracy, is under challenge from the West and Western-oriented nations to prove the success of the Iranian model of democracy. Therefore, the Iranian government has no other choice but to meet the challenge and to act properly in most of its political decisions, one of which is to hold elections on time.

Candidature Rules

Candidature rule is determined by looking at the nature of the political systems of states being studied. There are 10 countries i.e., Afghanistan, Brunei, Iraq, the United Arab Emirates, Libya, Qatar, Maldives, Oman, Saudi Arabia, and Somalia, that belong to the “One or no political party” category. These countries do not permit people to form parties or, in case of elections, choose their own candidates. Campaigns, if any, are also arranged and fully controlled by those in power. Five of the 10 countries are monarchies; Iraq, Libya, and Maldives are ruled by a one-party system in which the candidates belonging to the same party compete against each other in campaigns operated, controlled and observed by the party members themselves.

The constitutions of Iraq and Maldives did allow political pluralism but, in reality, party pluralism did not exist. Thus, though the Iraqi government had introduced legislation providing for the establishment of a multi-party political system in September 1991, the Ba’ath party retained its leading role in Iraqi political life. Accordingly, in May 1996 elections, held to fill 220 of the 250 seats in the National Assembly, just the Ba’ath party and independent candidates contested and won the elections handsomely.³² As stated earlier, Afghanistan and Somalia, did not hold elections because of civil strife.

Most Muslim countries belong to a dominant-party, military dominated, and conditional multi-party systems.³³ In the “dominant party,” the ruling elites control almost everything in the country. Hence, in elections, they permit a pale picture of party competition in order not to threaten the pre-eminent position of the major party. Accordingly, people can form political parties, put forward their candidates, and run an open campaign, but they have no real chance to get their candidates elected. The main opposition parties in these countries have boycotted elections during the period of the study. In Yemen, for example, President Ṣālīḥ found no one to contest him in the presidential election of 1999. He managed to push Alshabi, one of the incumbent party members, to nominate himself. The result was, as expected, 96.3% of votes for Ṣālīḥ and 3.7% for Al-sha‘bī. Sometimes, people succeed in choosing their representatives other than those preferred by the dominant party. In a situation like this, rulers intervene to maintain the status quo. Many examples can be

cited including Nigerian elections in 1993 when the ruling party ordered the National Election Commission not to release the final results and subsequently annulled the election.³⁴

Malaysia also belongs to the dominant party category. In this system, 15 political parties join and form the coalition and is opposed by the splintered opposition that occasionally succeeds in forming a united front against the ruling coalition. The coalition system suits Malaysia perhaps due to the ethnic make-up of its population. In Malaysia, Malays constitute about 50.7%; Chinese 27.6%; Indians 7.9%; others 13.8%.³⁵ About 53% of the population is Muslim and for most the dominant ruling party is their choice.

In the same category, there are 5 Muslim countries that are military dominated. These countries are: Pakistan, Sudan, Turkey, Algeria and Indonesia. People in this category have the right to choose their own candidates, form their political parties, and run open campaigns. But the military has the last word. Then, there is the occasional coups to keep control as exemplified by the case of Pakistan, or suspend constitution and ban political parties as was the case of Sudan, or impose its views to be implemented by force upon the civilian leaders as was the case of Turkey. In Turkey, the Military-dominated National Security Council on 28 February 1997 led to the publication of an 18-point memorandum setting out recommendations to ensure the protection of secularism in Turkey. On March 5, 1997, under intense pressure, Turkish Prime Minister Erbakan reluctantly signed the memorandum whereby the government was obliged to increase the duration of compulsory state education from five to eight years, to close unauthorised Islamic schools and to act against Muslim brotherhoods (*Ikhwān*), halt employment of soldiers expelled from the army for fundamentalist activities and to reduce cooperation with Iran. Erbakan unwillingly resigned in the same year.³⁶

A group of Muslim countries in this category are constrained by some conditions to run their political systems. These countries are Bahrain, Jordan, Kuwait, Morocco, Oman, and Lebanon. In these countries, people can choose their own candidate and some can form political parties as well as run an open campaign. But their rights are limited. In the hereditary countries, people cannot overstep a specific point in the hierarchy of the political system, which are parliaments or consultative councils with limited authorities.

Lebanon, the only republic in this group, has political parties that are established according to religious bases. Thus balloting is conducted according to religion rather than political party. Hence, the Lebanese president is a Maroon Christian, the prime minister is a Sunni Muslim, and the speaker of the parliament, a Shi'ite Muslim.³⁷

The last category under Candidature rules is countries with “multi-party systems.” In this category, people, to a great extent, can participate in competitive elections, put forward their own candidates, form political parties, run an open campaign, and influence their government’s policies. They have the power to change their leaders from time to time. These are the emerging democracies and include Albania, Bangladesh, Mali, Niger, Senegal, Sierra Leone and Iran. In general, there are nearly 85% of the Muslim world populations controlled by political systems in which they have no say on the choice of rulers.

Political Liberties

Political liberties such as freedom of speech, the press, religion, association, due process of law, and equal access to the media are main characteristics of a just and balanced political system. If ordinary citizens enjoy a situation in which their lives, properties, and dignities are protected, they undoubtedly would play an active role in politics. The states’ role in giving and protecting political rights is quite essential. In Islam, the second caliph ‘Umar emphasized the role of the state in securing these rights by advising his lieutenants to “Render unto the Muslims their rights; beat them not, lest you humiliate them; praise them not lest you make them undisciplined. Do not shut your doors against them, lest the strong among them devour the weak ones.”³⁸ Is this the state of political liberties in contemporary Muslim world?

Following Freedom House, about 26 Muslim countries are found to be “Not free” as they deprive their people of most of their civil and political rights.³⁹ In 3 countries (Afghanistan, Somalia and Algeria) people enjoyed no liberties due to a vicious civil war during the period under study. In Somalia, there are no laws or central government. It is ruled by warlords, fiefdoms, militias, clans, or regional governments. This category also contains 5 absolute monarchies (Brunei, United Arab Emirates, Oman, Qatar and Saudi

Arabia) where political liberties are subject to the will of the rulers. The media is fully owned or controlled by the government. Thus, public criticism of leaders and policies are censored, although observers have noted that media outlets enjoy increasing latitude in covering sensitive subjects such as unemployment or domestic violence.⁴⁰

Seven of these countries operate only a one-party system and, in terms of political rights are quite similar to the absolute monarchies. Maldives, Libya and Iraq infringed political liberties. In Iraq, Uday Hussein, son of deposed President Saddam Hussein, was the country's media magnate. He owned 11 of the 35 newspapers and was the director of television and radio stations. He also headed the Iraqi Journalists' Union. As a result, the government controlled most news and information available to Iraqis.⁴¹ This category also includes Egypt, Chad, Guinea, Sudan, Syria, Tajikistan, Tunisia, Turkmenistan and Uzbekistan. All these countries run a dominant-party system and strictly control all media outlets. In Turkmenistan, for instance, the media are state-owned and subject to President Niyazov's diktat. A cabinet-controlled committee exercises censorship over all print and electronic media. The presidential press service issues guidelines for political content. Party officials hold key positions in the main publications and broadcast outlets. Reports of dissenting political views are banned, as are even mild forms of criticism of the president.⁴²

Finally, Indonesia, Lebanon and Nigeria are in the "Not free" category. Indonesia, up to 1998, was ruled by President Suharto who suppressed Indonesian political liberties and private commercial television stations were owned or managed by his family. However, the private press, freed from Suharto-era controls, reports aggressively on government policies, corruption and other formerly tabooed subjects. Licensing of the press has ended, and a new press law prohibiting press bans and censorship has been issued.⁴³ In Lebanon, political rights are influenced by two factors: First, the nature of its population is multi-religious and, secondly, a part of its territories was occupied by Israel, while some 20 thousands Syrian troops were deployed in the country. These two factors constrain the Lebanese political rights. Nigeria, another multi-religious country, fall into this category due to its military dictatorship which governed

the state during most of the 1990s. However, the country under President Olusegun Obasanjo, struggles toward creating a free press. There are several private radio and television stations and numerous newspapers, including some sensational and not always accurate, providing a wide spectrum of views. Nevertheless, the government still uses force to threat and thwart the freedom of press. For example, armed police entered the offices of one magazine, fired guns to disperse the staff, and arrested the publisher on charges of defaming the president who was a former general.⁴⁴

The category “Partly free” contains 18 Muslim countries where people enjoy a good deal of political liberties.⁴⁵ Although restrained by a framework designed by their governments, they can influence their public policy in the context they are allowed to work within. In these countries the constitution protects political liberties. In Burkina Faso, for instance, the constitution and Information Code protect the press freedom. On this basis, the people have established some 50 private radio stations, a private television station, while many independent newspapers and magazines have appeared with little government interference.⁴⁶ Likewise, in Albania, private companies owned more than 75 television and 30 radio stations.⁴⁷

However, despite constitutional provisions for free expression and the press, the governments occasionally resort to the creation of many ad hoc laws to restrain their people from taking the freedom too far. In Morocco, for instance, ten lengthy articles in the Press Code which describes acts of defamation punishable by up to 20 years in prison and fine of more than US\$100,000 for journalists, or confiscation and censorship of publications. The law restricts offensive reporting on national security and the monarchy.⁴⁸ Iran also belongs to this category. Here, people enjoy political liberties and do influences public policies. However, there are some restrictions imposed by the clergy in the name of Islam.⁴⁹

Finally, in the “Free” category, only two Muslim countries, Bangladesh and Mali are listed. In these two countries, people exercise their political rights to the degree that there are some negative impacts on the people themselves. For example, in Bangladesh, many institutions wrongly exploit the granted political liberties. Violence against journalists by assailants with ties to political parties and local leaders mounted before and after the national elections in October, 2001. Journalists could not

visit some parts of the country because they received repeated assaults and death threats.⁵⁰ Nevertheless, the press and the media in the two countries are free. In Mali, the news media are among the most free in Africa. There are at least 100 independent newspapers that operate freely, and there are more than 120 independent radio stations, including community stations, broadcasting in regional languages across the country. The government operates one television station and many radio stations, but all carry diverse views, including those critical of the government.⁵¹ Also in Bangladesh, the print media are diverse and often critical of the government. In July 2001, the Bangladeshi parliament voted to grant autonomy to the state-run electronic media.⁵²

Election Supervision

The importance of a third party to observe elections at different stages and procedures stems from the fact that the observers have no interest in the elections and are non-partisan. Accordingly, political systems serious in conducting free and fair elections, desire that international organisations observe the democratic procedure in action. Observation saves the government from allegations of malpractices and restores people's confidence in the government and in elected institutions. In terms of "Election supervision," the Muslim world is grouped into two categories: (a) Opposing and (b) Supporting observation. Countries that do not permit observers to oversee their elections and those which do not hold elections during the period under study are classified under the (a) category. Countries which allow international observers to oversee the elections held during the period under investigation are grouped under the (b) category.

In the Muslim world there are 14 countries that fall into the (a) category.⁵³ They include the 4 monarchies that do not hold elections (Brunei, Qatar, and Saudi Arabia, and the United Arab Emirates)⁵⁴ and Afghanistan and Somalia (due to civil wars). Maldives, Oman, Egypt, Kuwait, Iran, Iraq, Libya and Syria did conduct elections but without the presence and supervision of international observers. In the Kuwaiti elections of 1992, the Minister of Justice and Legal Affairs excluded the possibility of foreign observers to monitor the elections. Likewise, in the 1995 Egyptian elections, the government officially announced its refusal to receive international observers.

The second category includes the remaining 32 Muslim countries.⁵⁵ These countries receive foreign observers either from international organisations or regional ones such as those of the UN, the Organisation of the Arab League and the Organisation of African Unity (OAU).

It is essential to point out that the reports of observers often do not tally with the reality. In other words, observers occasionally give erroneous reports. For example, in the 1999 presidential elections in Tunisia, the opposition parties accused the government of rigging the elections but the international observers declared the elections to be fair and free. A close analysis of the results of the elections in Tunisia would lend evidence to the opposition's accusation. The incumbent President Ben Ali won 99% of the vote, while his competitors collected less than 1%. Likewise, the international observers severely criticised Burkina Faso's November 1998 elections, Chad elections in May 2001, Gambian elections of October 2002, Mali elections of April 1997, and the Nigerian elections of 1993, and these elections were contested by opposition parties and other civil societies.

Power Transfer

It is known that the primal and primary purpose of elections in any polity is to choose rulers and to help transfer power from the losing to the winning party. This is one of the important indicators of free and fair elections. Using power transfer as a basis, countries could be classified into three: some countries are labelled "Poor" because elections are assigned legitimating function rather than that of power transfer. In the second category, labelled as "Middle," are countries where power transfer is accompanied by a temporary outburst of violence and civil disorder. The third category labeled as "Good" contains countries where power transfer is smooth and the government and the opposition accept the verdict of elections.

About 33% of the Muslim countries are "Poor," as they do not allow transfer of power. Most of the ruling elites in these states refuse to accept even the idea of transferring power. According to their constitutions or legal documents, the power must be restricted to only one group. This category includes 9 hereditary systems (Bahrain, Brunei, the United Arab Emirates, Jordan, Kuwait,

Morocco, Oman, Qatar and Saudi Arabia) in which the transfer of power is carried out according to the rules inherent in the hereditary political system. For instance, the constitution of Saudi Arabia defines the country as a monarchy ruled by the male descendants of ‘Abd al-‘Azīz ibn ‘Abd al-Rahmān al-Faiṣal al-Sa‘ūd. The King is the head of the Council of Ministers and the Commander-in-Chief of the Armed Forces who appoints the Prime Minister and other Ministers.⁵⁶

This category also includes Iraq and Libya. The political systems in these countries were based on a one-party system in which the power, by law, remained in the hands of members of the only party in the country. In Libya, for instance, there is the General People’s Congress (GPC) that handed over power to Col Muammar Al-Qaddafi, the Revolutionary Leader and the Secretary-General of the GPC, who has been mandated by the GPC to run the country.⁵⁷

In the same category is Lebanon. Power in Lebanon is divided between Christians and Muslims. With the incorporation of the Ta’if agreement into the Lebanese Constitution in August 1990, executive power was effectively transferred from the presidency in which the president must be a Maronite Christian, to the Cabinet in which the prime minister must be a Sunni Muslim.⁵⁸ Thus, transfer of power is but within the same group. Turkmenistan belongs to this category as well. President Niyazov, who was elected as president in 1990 in the first direct elections, was unanimously approved as President for Life by the Assembly on 28 December. President for life made Turkmenistan the first Commonwealth of Independent States (CIS) country to formally abandon presidential elections. Finally, in this category there are the two war-weary countries, Afghanistan and Somalia. Thus, in terms of power transfer, 15 out of the 46 Muslim countries covered by this study are ruled by either uncompromising ruling elites or unbending rules.⁵⁹

The category “Middle” contains 29 Muslim countries, about 63% of the 46 Muslim states covered by this research.⁶⁰ Most of these countries were introduced to political pluralism in the 1990s. Previously, they were governed by revolutionary command council systems such as Chad, Comoros and Yemen, or they were part of the Eastern block which was part of the Soviet Union such as Albania, Azerbaijan, and Uzbekistan. Power gets transferred but with

a good deal of agitation, election boycott and the like. In some countries, the military plays a very crucial role.

In Turkey, Sudan, Algeria, Indonesia, and Pakistan, intervention of the military in the political life makes the transfer of power uncertain and precarious. This has a negative impact on the probity of elections. For instance, in Algeria, the surprising first round success of the FIS (Islamic Salvation Front) party, in the December 1991 balloting, caused the army to intervene, crack down on the FIS, and postpone subsequent elections. The FIS's response has resulted in a continuous low intensity civil conflict with the secular state apparatus, which nonetheless has allowed elections featuring pro-government and moderate religious-based parties.⁶¹

In general, the only thing that these countries have in common is that power is never, during the period of the study, transferred to the winning party peacefully. Transfer of power was always associated with political instability. In some of these countries, although elections were held, the peaceful transfer of power never took place even in the case of a normal death of the head of state. Syria is a good example. After the death of President Hafiz al-Assad in 2000, the People's Assembly unanimously voted to amend the Constitution to lower the minimum age required to be attained by President from 40 to 34 years, to accommodate Hafiz al-Assad's son Bashar who was 34 when elected to Presidency.⁶² In Egypt, the constitution was amended to allow President Mubarak (President since 1981) to stand for election without limit.⁶³

There are only two countries that belonged to the "Good" category: Iran and Malaysia. In Malaysia, for example, after the 1999 elections, the then Prime Minister Mahathir declared: "In an election it is always possible to lose as much as we can win, so we accept that we have lost the states of Kelantan and Terengganu...."⁶⁴ In the case of Iran, it is a Republic which fulfills the transfer of power as its main characteristic in the republican systems. Malaysia is the only constitutional monarchy in the Muslim world. Here, the Yang di Pertuan Agong or the King is elected by fellow monarchs for a period of five years. The Constitution constrains the power of the King by requiring him to seek the advice of the Prime Minister and the Cabinet.

Concluding Observations

This study analysed the performance of Muslim countries on various indicators of free and fair elections. These indicators could now be summed to get an overall picture of the Muslim countries. Countries whose ratings average 0 to 5 will be judged “Not fair and free”; countries with an average rating of 6 to 9 will be considered “Partly fair and free”; and, those with an average rating of 10 to 13 will be considered “Fair and free.”

There are 14 countries that fall in the “Not fair and free” category.⁶⁵ These countries have poor record in terms of civil and political liberties. One can take Iraq as a case. Iraq had leaders who suppressed their people and deprived them of their rights. The Iraqi people suffered and, eventually, after the Anglo-American invasion of Iraq, the country was colonised.

In the “Partly fair and free” category, there are 29 countries.⁶⁶ Approximately 63% of Muslim states conducted elections and the people enjoyed some civil and political liberties. These countries have codified and established the rights in their constitutions. In actuality, people did not exercise the rights granted in the constitution. Consequently, some of these countries suffered from social disorder and political instability. Algeria, to cite but one example, is a case in point. The elections held in Algeria in 1991 were free and fair but they were nullified. The reason was that the people chose representatives who were not liked by the ruling elite. Thus, either there was no transfer of power or power transfer was accompanied by violence. The result was a brutal civil war in which more than 100,000 people were killed.

Finally, there are 4 Muslim countries that fall in the “Fair and free” category: the Islamic Republic of Iran, the People’s Republic of Bangladesh, Federation of Malaysia, and the Republic of Mali. These countries had free and fair elections, as people enjoyed reasonable level of civil and political liberties, their choice in elections was respected and power transfer took place relatively peacefully.

The data provided by *Regional Surveys of the World* and other institutions concur with the findings of this study. The only disagreement is with respect to Iran. *Freedom House Survey* considers Iran as “clergy dominated” and hence not “free.” This contradicts the reality. People in

Iran enjoy most of the liberties found in the West. However, if these liberties contradict *sharī'ah*, then they are not permitted. This is due to the fact that *sharī'ah* is the supreme law of the land. To substantiate the argument, two examples from Iran may be cited. The first, elections took place in 1997 and Khatami who belonged to a rival party was elected the President without any violence or disagreement. The second, in April 1998, the mayor of Tehran, Ghulamhossein Karhaschi, was arrested on charges of fraud and mismanagement. He was a prominent supporter of President Khatami. Nevertheless, the President could not and did not intervene on his behalf. His trial, broadcasted in full on Iranian television, commenced in early June 1998 and achieved unprecedented publicity. The mayor was convicted and imprisoned. He was also fined and banned from holding public office for 10 years. This shows the existence of civil and political liberties in Iran and the existence of an independent judiciary that could convict a mayor with strong ties to the president and other high-ranking leaders in the government.⁶⁷

It is clear from the above analysis that most countries in the Muslim world do not practice free and fair elections. Their people do not enjoy civil and political liberties. The probity of the electoral process in the Muslim world, in general, is shaky. It is thus not surprising that political struggle in Muslim countries are becoming intense to move their countries toward fair and free elections.

Notes

1. Norman D. Palmer, *Elections and Political Development: The South Asian Experience* (London: C. Hurst & Company, 1975).
2. Adam Przeworski, Susan C. Stokes Bernard Manin, *Democracy, Accountability, and Representation* (London: Cambridge University Press, 1999), 22.
3. Martin Harrop and William L. Miller, *Elections and Voters: A Comparative Introduction* (London: Macmillan, 1990), 245.
4. Norman D. Palmer, *Elections and Political Development: The South Asian Experience*, 52.
5. See Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Okla: University of Oklahoma Press, 1991).

6. The Declaration Criteria for Free and Fair Elections, Inter-Parliamentary Council, the 154th Session, Paris, 26 March 1994.
7. J. Denis Derbyshire and Ian Derbyshire, *Political Systems of the World* (New York: Helicon, 1996), 81.
8. *Ibid.*, 81.
9. Countries for which civil liberties fall between 1.0 and 2.5 are designated “free”; between 3.0 and 5.5 “Partly free” and between 5.5 and 7.0 “not free.”
10. J. Denis Derbyshire and Ian Derbyshire, *Political Systems of the World*, 81.
11. *Ibid.*, 81.
12. See Abdul Rashid Moten & Elfatih A. Abdel Salam, *Glossary of Political Science Terms: Islamic and Western* (Singapore: Thomson, 2005), 86-87.
13. Countries for which civil liberties fall between 1.0 and 2.5 are designated “Free”; between 3.0 and 5.5 “Partly free”; and between 5.5 and 7.0 “Not free.”
14. J. Denis Derbyshire and Ian Derbyshire, *Political Systems of the World*, 81.
15. *Ibid.*, 81.
16. See *CIA World Factbook 2002* <http://www.cia.gov/cial/publications/factbook>.
17. “Politics of Kuwait” [Online] available from http://www.wikipedia.org/wiki/Politics_of_Kuwait accessed April 20, 2005.
18. See Muna K. al-Dayn “Woman’s participation in Political Life” [Online] available from <http://www.google.com> accessed March 15, 2005.
19. These countries are: Albania, Algeria, Azerbaijan, Bahrain, Bangladesh, Burkina Faso, Chad, Comoros, Djibouti, Egypt, Gambia, Guinea, Indonesia, Iran, Iraq, Jordan, Kazakhstan, Kyrgyzstan, Libya, Malaysia, Maldives, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tajikistan, Tunisia, Turkey, Turkmenistan, Uzbekistan, and Yemen.
20. It is important to note that Palestine held its first elections in 1996. However, Palestine is under the occupation of Zionists Israel and, therefore, has been omitted from this study.
21. See, *Regional Surveys of the World: the Middle East and North Africa*, 348-376.
22. These countries are: Albania, Algeria, Azerbaijan, Bangladesh, Brunei, Burkina Faso, Chad, Comoros, the United Arab Emirates, Cambodia, Guinea, Indonesia, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Malaysia,

Maldives, Mali, Morocco, Niger, Nigeria, Pakistan, Senegal, Sierra Leone, Tunisia, Turkey, and Yemen.

23. See *Freedom House Reports 2002* [Online] available from <http://www.freedomhouse.org> accessed March 20, 2005.

24. See Malik Hamadi, "Al-Islah Consultative Council Condemns Elections' Violations," *al-Mujtama'*, 5, no. 20 (1997): 1250.

25. See *Regional Surveys of the World: the Middle East and North Africa* (New York: Taylor & Francis Group, 2003), 1069.

26. The countries are: Afghanistan, Bahrain, Djibouti, Egypt, Iraq, Libya, Mauritania, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tajikistan, Turkmenistan, and Uzbekistan.

27. See, *Regional Surveys of the World: The Far East and Australasia 2003* (New York: Taylor & Francis Group, 2003), 76.

28. *Ibid.*, 922.

29. In 1975, the Prime Minister of Bahrain resigned complaining that the National Assembly was preventing the government from performing its functions. The Amir invited him to form a new government, and two days later, dissolved the National Assembly and suspended the constitution. See *Regional Surveys of the World: the Middle East and North Africa*, 217-222.

30. See *The Europa World Year Book 2002* (New York: Taylor & Francis Group, 2002), 3089.

31. See *Regional Surveys of the World: the Middle East and North Africa*, 1214.

32. See *Ibid.*, 446 - 451.

33. The countries are: Algeria, Azerbaijan, Bahrain, Burkina Faso, Chad, Comoros, Djibouti, Egypt, Gambia, Guinea, Indonesia, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Malaysia, Mauritania, Morocco, Nigeria, Pakistan, Sudan, Syria, Tajikistan, Tunisia, Turkmenistan, Turkey, Uzbekistan and Yemen.

34. See *Freedom House Survey, 2002*.

35. See *Muslim Almanac: Asia Pacific, Regional Islamic Da'wah Council of Southeast Asia and Pacific (RISEAP)*, Kuala Lumpur, Berita Publishing Sdn. Bhd., 1996, 107.

36. See *Regional Surveys of the World: The Middle East and North Africa*, 1122.

37. See a brief description of Altaif Accord in *Regional Surveys of the World: The Middle East and North Africa*, 696.

38. See Muhammad A. Al-Buraey, *Management & Administration in Islam* (Dhahran, Saudi Arabia: King Fahd University of Petroleum & Minerals), 248.

39. The countries are: Afghanistan, Algeria, Bahrain, Brunei, Chad, Egypt, United Arab Emirates, Guinea, Indonesia, Iran, Iraq, Libya, Lebanon, Maldives, Mauritania, Nigeria, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tajikistan, Tunisia, Turkmenistan, and Uzbekistan.

40. See Leonard R. Sussman and Karin Deutsch Karlekar, *The Annual Survey of The Press Freedom 2002* (New York: Freedom House, 2002), 44.

41. *Ibid.*, 32.

42. *Ibid.*, 49.

43. *Ibid.*, 32.

44. *Ibid.*, 41.

45. The countries are: Albania, Azerbaijan, Burkina Faso, Comoros, Djibouti, Gambia, Jordan, Iran, Kazakhstan, Kuwait, Kyrgyzstan, Malaysia, Morocco, Niger, Pakistan, Senegal, Sierra Leone, Turkey and Yemen.

46. *Ibid.*, 23.

47. *Ibid.*, 21.

48. *Ibid.*, 39.

49. The Iranian Constitution contains a provision called *Wilāyat al-Faqīh* (supreme religious leader), whose extensive powers accorded him the most important executive influence in Iran, although he is not the President.

50. *Ibid.*, 21.

51. *Ibid.*, 38.

52. *Ibid.*, 21.

53. The countries are: Afghanistan, Brunei, Egypt, Kuwait, Iran, Iraq, Libya, Maldives, Oman, Qatar, Saudi Arabia, Somalia, Syria and United Arab Emirates.

54. Only municipal elections were held in Qatar in 1999.

55. The countries are: Albania, Algeria, Azerbaijan, Bahrain, Bangladesh, Burkina Faso, Chad, Comoros, Djibouti, Gambia, Guinea, Indonesia, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Mali, Malaysia, Mauritania, Morocco, Niger, Nigeria, Pakistan, Senegal, Sierra Leone, Sudan, Tajikistan, Turkmenistan, Turkey, Tunisia, Uzbekistan and Yemen.

56. See *Regional Surveys of the World: The Middle East and North Africa*, 973.
57. *Ibid.*, 793.
58. *Ibid.*, 733.
59. The countries are: Afghanistan, Bahrain, Brunei, the United Arab Emirates, Iraq, Libya, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Saudi Arabia, Somalia and Turkmenistan.
60. The countries are: Albania, Algeria, Azerbaijan, Bangladesh, Burkina Faso, Chad, Comoros, Djibouti, Egypt, Indonesia, Gambia, Guinea, Kazakhstan, Kyrgyzstan, Pakistan, Maldives, Mali, Mauritania, Niger, Nigeria, Senegal, Sudan, Syria, Sierra Leone, Tajikistan, Tunisia, Turkey, Uzbekistan and Yemen.
61. *CIA Factbook 2002* at <http://www.cia.gov/publications/factbook/>
62. See *Regional Surveys of the World: the Middle East and North Africa*, 969.
63. *Ibid.*, 280.
64. Abdul Rashid Moten, "The 1999 General Elections in Malaysia: Democracy vs. Development," *Studies in Contemporary Islam*, 2, no 2 (2000).
65. These countries are: Afghanistan, Bahrain, Brunei, the United Arab Emirates, Iraq, Libya, Kuwait, Maldives, Oman, Qatar, Saudi Arabia, Somalia, Syria and Turkmenistan.
66. The countries are: Albania, Algeria, Azerbaijan, Burkina Faso, Chad, Comoros, Djibouti, Egypt, Gambia, Guinea, Indonesia, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Mauritania, Morocco, Niger, Nigeria, Pakistan, Senegal, Sierra Lion, Sudan, Tajikistan, Tunisia, Turkey, Uzbekistan and Yemen.
67. *Regional Surveys of the World: the Middle East and North Africa*, 365.