Elections and the Probability of Violence in Sudan

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Introduction

Elections are often considered a panacea for conflict-ridden countries. International donors, eager to spread the wings of democracy, frequently assist post-conflict countries only if the recipient countries agree to hold elections immediately following war. Recent studies, however, cast doubt on these democratization plans, showing empirically that countries with post-conflict elections are more likely to return to violence than countries which hold elections many years after conflict has ended. Some scholars, activists and government officials have used these studies and recent events to predict the aftermath of Sudan's 2010 election, arguing that the international community made a mistake when it encouraged warring parties in Sudan to hold elections so quickly. While these prognosticators may prove to be right, the debate over the efficacy of holding a post-conflict election in Sudan is more nuanced than it appears. This paper explores Sudan's electoral system, history and current political structure to demonstrate that while the potential for post-election conflict in Sudan is real, the success and failure of strategies to address it are often more contextual, nuanced and, at times, counter-intuitive than a traditional Western democracy proponent might think.

I.   History of Sudan's Elections

Sudan's first election occurred in 1953, three years before it achieved independence from Britain and Egypt. Similar to what is now happening with the 2010 election, the 1953 election, which was to be held in June, was delayed

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for six months due to logistical difficulties.[1] The international community was skeptical as to whether the elections would be successful, given the substantial obstacles to conducting elections for the first time in a region as large and underdeveloped as Sudan. Regardless, the elections were held, turnout was "creditably high" and the results were accepted by all parties, paving the way for future elections and establishing lower and upper chambers of parliament that would prepare the country for independence.[2]

Since 1953, Sudan has held 15 national elections.[3] As is often the case in burgeoning democracies, a pattern emerged in which the party in power used a variety of electoral strategies, often fraudulent, to maintain its place in power. These strategies included: holding one-party elections, as was the case under President Jafaar Nimeiri in 1971 and President Omar al-Bashir in 1996 and 2000; loosening nationality requirements to expand a party's support base, which occurred under the Umma/PDP coalition government in 1958; and manipulating constituency borders to maintain parliamentary power, which has occurred in almost all of Sudan's elections.[4] Some of these strategies eventually led to coup d'états (1958, 1969, 1985, 1989), but thus far, elections have not been the immediate cause of violence in Sudan.[5]

Since Sudan has boasted a succession of fifteen non-violent elections, one might anticipate that number sixteen would follow this pattern. Much more is at stake in this election, however, especially in Southern Sudan. Due to the heightened potential for systemic political change presented by the 2010 elections, both the Sudanese and the international community have increased their focus on the sixteenth national election. In 2005, leaders of the Sudan People's Liberation Movement (SPLM), the former rebel group and primary opposition party in the South, signed the Comprehensive Peace Agreement (CPA) with the National Congress Party, the nation's ruling party led by President Omar al-Bashir. Al-Bashir has ruled Sudan since he took power following a coup in 1989. The CPA brought an end to several decades of civil war and established an interim constitution, giving the SPLM, and by extension the southern states, more national power and a share of Sudan's new oil wealth. In addition to power and wealth-sharing arrangements, the CPA stipulates that Sudan must hold national elections before a referendum takes

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[1] *Elections in Sudan Delayed*, IRISH TIMES, May 7, 1953, at 5.

[2] *Voting in the Sudan,* MANCHESTER GUARDIAN, Jan. 20, 1954, at 6.

[3] NOHLEN, DIETER, ELECTIONS IN AFRICA: A DATA HANDBOOK 850 (Dieter Nohlen, Michael Krennerich & Bernhard Thibaut eds., Oxford Univ. Press, 2004) (1999).

[4] Atta El-Battahani, *Multi-Party Elections & the Predicament of Northern Hegemony in Sudan*, *in* MULTI-PARTY ELECTIONS IN AFRICA, 273, 255 (Michael Cowen & Liisa Laasko eds., 2002).

[5] *See* NOHLEN, *supra* note 3, at 850.

place in 2011. The referendum will determine if Sudan will be divided into two autonomous states. Therefore, the primary purpose of the elections, according to those present at the CPA negotiations, was to make unity more attractive and avoid the possibility of secession.[6]

Due to this agreement and the aforementioned potential for systemic change in Sudan's political system, all stakeholders, both Sudanese and international, have increased their engagement in this year's election, making the stakes and, in some ways, the potential for violence, much higher. Historically, Southern Sudanese voters have had little engagement in the elections and have mostly been marginalized by the process.[7] By contrast, this year eighty-six percent of southern Sudanese voters registered for the election,[8] compared to less than fifteen percent in the 1986 elections.[9] Interviews with international elections observers who monitored the registration process suggest that Southern Sudanese people had a sincere interest in the process and were eager to vote in Sudan's upcoming elections.[10] A survey taken from the National Democratic Institute before the elections occurred indicated that the turnout in the South would likely be high as "almost all participants" in the survey "intend[ed] to vote" in the election.[11]

In addition to higher engagement, the involvement of the international community is unprecedented in Sudan. A Carter Center employee said that it was the organization's "longest and most expensive" election effort in the organization's history.[12] The National Democratic Institute, the International Republican Institute, the International Federation of Electoral Systems and the United Nations have all launched substantial multi-year efforts to support Sudan's election. Kouider Zerrouk, the United Nations Mission in Sudan's (UNMIS) spokesman in Khartoum, stated that an unprecedented number of

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[6] JOHN YOUNG, SUDAN IGAD PEACE PROCESS: AN EVALUATION 4 (2007).

[7] *See generally* JUSTIN WILLIS, ATTA EL-BATTAHANI & PETER WOODWARD, RIFT VALLEY INST., ELECTIONS IN SUDAN: LEARNING FROM EXPERIENCE (2009) (describing the history of elections in Sudan, with particular focus on voter participation in regions outside of Khartoum).

[8] United Nations Multimedia (UNifeed), Sudan / National Elections Commission Media Conference, http://www.unmultimedia.org/tv/unifeed/d/12661.html (last visited May 20, 2010).

[9] *See* WILLIS, *supra* note 7, at 40.

[10] For this article, I interviewed seven registration monitors from The Carter Center operating in Jonglei, Eastern Equatoria, Khartoum, Kassala, Kordofan, Unity and Darfur states.

[11] TRACI D. COOK, NAT'L DEM. INST. FOR INT'L AFF, FINDINGS FROM FOCUS GROUPS WITH MEN AND WOMEN IN SOUTHERN SUDAN AND THREE AREAS, IMAGINING THE ELECTION: A LOOK AT WHAT CITIZENS KNOW AND EXPECT OF SUDAN'S 2010 VOTE 6 (2009).

[12] Interview with Osama Moftah, Election Observer, The Carter Ctr. (Dec. 12, 2009).

voter education efforts have taken place across the state, including "radio PSA, television and radio programs, posters, stickers, shopping bags, fact sheets, workshops, mobile vans, T-shirts, banners, speakers, outreach to religious leaders, SMS messages and programs of civil society organizations."[13] Due to the level of international interest and heightened engagement in the process, the 2010 election in Sudan has been much more inclusive and has been taken more seriously by the Sudanese citizenry than in past elections. Ultimately, this heightened interest increases the potential for post-election violence and a recurrence of systemic conflict.

At the time of this writing, no significant incidences of violence have occurred in Sudan since the elections began on April 11. Polling lasted for five days and was followed by three days of counting. Regional tabulation and data entry continues and some of the results have already been announced throughout the country. The electoral environment remains tense and the potential for violence continues throughout the region.

II.   The Power of Sudan's Electoral Laws to Combat Violence

Sudan's electoral laws, included in the National Elections Act of 2008, were designed to mitigate violence, curtail election fraud and distribute power throughout the region. Sudan's new electoral design is replete with intricate formulas for distributing power and addressing the systemic causes of conflict in Sudan. However, the addition of these many components has also made the new system difficult to understand and implement. While Sudan's electoral laws are theoretically a legal solution to violence and systemic conflict, their complex nature poses many logistical problems, some of which could easily lead to violence.

Sudan's design for the executive and legislative elections is one of the world's most complicated. It is based on a mixed electoral system, which includes proportional, plurality and majoritarian formulas. Mixed systems are currently used in nine sub-Saharan African countries and three Middle Eastern countries, none of which have experienced violence since adopting the mixed system.[14] However, mixed electoral systems have failed to deter violence in

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[13] Interview with Kouider Zerrouk, Spokesman, U.N. Mission in Sudan, in Khartoum, Sudan (Dec. 19, 2009).

[14] BINGHAMTON UNIVERSITY, INSTITUTIONS AND ELECTIONS PROJECT DATABASE, http://www2.binghamton.edu/political-science/institutions-and-elections-project.html (last visited May 20, 2010); UPPSALA UNIVERSITET, DEPARTMENT OF PEACE AND CONFLICT RESEARCH, UPPSALA CONFLICT DATA PROGRAM, http://www.isn.ethz.ch/isn/Digital-

other regions, particularly in South and Southeast Asia, where countries like Azerbaijan, Pakistan and Sri Lanka have had mixed electoral systems in place for many years.[15]

The reasons for choosing a mixed system are largely based on a country's particular history and political environment. For example, if a country has a high level of ethnic diversity, it may choose an electoral system that distributes legislative power to more parties. On the other hand, a country with a history of politically marginalizing certain regions may adopt a system that allocates legislative seats to many geographic constituencies. In Sudan, the political environment is fraught with difficulties and complications, including ethnic conflict, marginalization, border disputes and religious divisions. Ambitiously, the government has set out to address all of these issues at once by drawing from many of the most commonly used electoral models.

A. The Majoritarian Election System (The Presidencies)

Sudan's presidential elections are based on the majoritarian model, which can reduce the potential for post-conflict violence in several ways. In a majoritarian election, candidates or parties win seats by winning the majority of votes. There are two presidential elections: one for the President of the Republic of Sudan and one for the President of the Government of Southern Sudan. For each race, the candidate who wins more than fifty percent of the votes will win the presidency, as is done in France and Brazil. If none of the candidates wins the majority, there will be a runoff between the two candidates with the highest number of votes. This type of system can effectively prevent violence in several ways. First, it is often used in conjunction with other systems. The results of legislative elections, which are often based on a plurality system, are announced before the executive elections are taken to the second round. This system splits up the electoral results, creating a less defined flashpoint for voters who are unhappy with the results. Due to Sudan's large number of opposition parties, it was possible that no presidential candidate would have won a majority of votes during the first round. The legislative elections, however, did not require a majority vote, which means that the results would have been announced before the presidential run-off, if there was one.

Library/Links/Detail/?ots591=A647C846-E3F9-CF68-A317-42373E9ED3FB&lng=en&ord536=grp2&id=11059.
[15] *Id.*

Second, in the event of a runoff, parties would have likely formed coalitions to compete against each other. This process fosters an environment in which parties work together and compromise on important issues, thereby reducing the possibility of violence between certain groups. Finally, the majoritarian system prevents a party from winning with the minority of votes, which happened in Nigeria in 1979, when Shehu Shagari was elected president with only 33.7% of the vote, much to the dismay of most citizens.[16]

B. *The Proportional Electoral System and the Plurality Formula (National Assembly Elections)*

The proportional electoral system and plurality formula used in the concurrent National Assembly elections likewise offers several avenues for violence mitigation. The National Assembly elections could prove to be the most important and the most controversial because of the potential for manipulation and conflict. To address these problems, Sudan's electoral laws for the legislative elections are unusually complex, designed to distribute power equally to Sudan's regions, as well as to its historically marginalized parties. There are 450 seats in the National Assembly. Sixty percent, or 270 seats, are allocated geographically according to a plurality formula. Each state is allocated a set number of seats based on the size of its population. To win these seats, candidates must receive the highest number of votes in their districts, but a majority is not required. The advantage of this system is that it allocates legislative seats to regions that have historically received no representation in the National Assembly. In theory, it also distributes power so that everyone receives the same amount of representation.[17] Figure 1 illustrates the allocation of National Assembly seats.

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[16] MARTIN MEREDITH, THE FATE OF AFRICA: A HISTORY OF FIFTY YEARS OF INDEPENDENCE 486 (2006).

[17] In Sudan, the population data that is being used is heavily disputed. The recent population census of 2008 has been rejected by the Southern Sudan Legislative Assembly, *see* DARFUR RELIEF AND DOCUMENTATION CENTER, FIFTH POPULATION AND HOUSING CENSUS IN SUDAN: AN INCOMPLETE EXERCISE 16 (2010), and by many opposition groups in Darfur. These groups believe that the populations of south Sudan and Darfur are much greater than they are recorded in the census.

Geographic Allocation of Seats				
States	Population	Seats Won by Plurality (60%)	Proportionally Allocated Seats by Party (15%)	Proportionally Allocated Seats for Women (25%)
Northern	699,065	5	1	2
River Nile	1,120,441	8	2	3
Red Sea	1,396,110	10	2	4
Kassala	1,789,806	12	3	5
Al-Gadarif	1,348,378	9	2	4
Khartoum	5,274,321	36	9	15
Al-Gezira	3,575,280	25	6	10
White Nile	1,730,588	12	3	5
Sinnar	1,285,058	9	2	4
Blue Nile	832,112	6	2	2
Northern Kordufan	2,920,992	20	5	8
Southern Kordufan	1,406,404	10	3	4
Northern Darfur	2,113,626	15	4	6
Western Darfur	1,308,225	9	2	4
Southern Darfur	4,093,594	28	7	12
Upper Nile	964,353	7	2	3
Jonglei	1,358,602	9	2	4
Unity	585,801	4	1	2
Warrap	972,928	7	2	3
Northern Bahr-El-	720,898	5	1	2
Western Bahr-El-	333,431	2	1	1
Lakes	695,730	5	1	2
Western Equtoria	619,029	4	1	2
Central Equatoria	1,103,592	8	2	3
Eastern Equatoria	906,126	6	2	2
Total Population	39,154,490	270	68	112

The other 180 seats are also allocated geographically but are selected according to a proportional representation formula. Two separate ballots were used for these seats, both of which only include a list of parties. The number of candidates elected from each party will depend on the number of votes that party receives. For example, if there are eight seats available in a certain state and a party receives fifty percent of the votes, then that party will send four

candidates to the National Assembly. Each party determines the method by which the candidates on the lists will be chosen. Additionally, twenty-five percent of the remaining seats are to be given to women candidates only. Therefore, one ballot will be for women candidates nominated by their respective party and the other ballot will be for any candidates nominated by their respective party.

While complex, this formula is intended to mitigate violence in several ways. First, by allocating seats regionally, people from every region can elect local leaders that represent them directly. As a result, legislation will be created and passed in the National Assembly with input from leaders across the state. This system will allow leaders to address key issues such as economic marginalization, religion, and cultural issues by crafting legislation that is a product of national compromise. Additionally, the proportional allocation allows smaller, more marginal parties to acquire seats in the National Assembly, expanding representation to parties that are often radicalized by their inability to participate in government.

Another advantage of having the proportional representation system is its ability to limit the extent to which the incumbent government can manipulate election results. By drawing from predetermined party lists, the system makes it impossible for the incumbent government to capture all the seats, even if it manipulates the outcome of the vote. This system helps distribute power to minority parties and prevents sweeping wins by one party, which sometimes incites post-election violence.

Lastly, Sudan's formula is designed to work with Sudan's new constitution, which states that major non-budgetary legislation can be overruled in the National Assembly with thirty percent of the vote and constitutional amendments can be overruled. Due to the seat allocation schema, it will be possible for Sudan's historically marginalized regions to form coalitions and block national legislation that is not in its best interest, thus addressing the primary source of systemic conflict in Sudan.

III.   The Shortcomings of Sudan's Electoral Laws

While many efforts have been made to design a system that will prevent post-election violence and address some of the underlying and systemic causes of conflict, the resulting complexity of the system poses problems of its own. Specifically, it has presented election officials with significant logistical hurdles while also opening up opportunities for the National Elections Committee to manipulate the outcome of the elections. More importantly, it has increased the potential for additional localized violence, conflicts over the creation of

electoral districts and an overly hasty shift of power away from the current ruling party.

The logistical issues are already apparent. After being postponed three times, most of Sudan's opposition parties boycotted the elections, stating that the logistical framework was not adequate. Ballot distribution has been one of the most significant issues. Due to the mixed electoral formula, election organizers had to distribute approximately 100 million ballots in one of the largest, most populated and most conflict-ridden countries in the world. These ballots were complicated and required substantial voter education campaigns to teach voters in Sudan how to understand them, an especially difficult task given Sudan's low literacy rates.[18] Ballot distribution was particularly problematic in West Darfur, where many of the national constituencies received incorrect ballots. In two national constituencies in the regions of Jebel Moon and Jebel Marra, the elections were postponed for an additional two months because ballots could not be delivered on time.[19] In addition to ballot issues, the system has been difficult for election observers and voter outreach programs to understand, making it difficult to train additional election observers and expand educational programs.

A number of problems also arose regarding the creation of electoral districts or constituencies. The decisions for where to draw the boundaries of electoral districts have been highly contentious and still have the potential to lead to post-election violence. The National Elections Commission (NEC), which is appointed by the President of Sudan, was responsible for deciding where the boundaries will be drawn. According to Sudan's National Elections Act, the NEC should be an independent body and should draw the boundaries based on population statistics taken from Sudan's 2008 census, which has been criticized by many as inaccurate.

Each state is allocated a certain number of constituencies based on its population. Within each state, borders must be drawn in such a way as to divide the population as proportionately as possible. Since populations are usually divided unevenly among states, the NEC must use its best judgment, taking into account geographical barriers, ethnic and tribal diversity and

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[18] OFFICE OF THE UN RESIDENT AND HUMANITARIAN COORDINATOR IN THE SUDAN, SCARY STATISTICS: SOUTHERN SUDAN (2006), *available at* http://www.unsudanig.org/docs/APPROVED%20High%20Level%20Scary%20Statistics%20-%20Southern%20Sudan.doc.

[19] Interview with Adam Ahmed El-Tahir, Chairman, State High Elections Comm. for West Darfur, in El Geneina, West Darfur (Apr. 12, 2010).

administrative boundaries.[20] According to the National Elections Act, the NEC can work with fifteen percent variance, indicating that no constituency can have a population that is fifteen percent larger or smaller than the average.[21]

This leeway is important because it gives the NEC the power to manipulate boundaries to benefit the incumbent regime and affect future National Assembly elections that are likely to use the same constituencies. The decision to give the NEC this much power over boundaries is particularly problematic in Sudan, where more than twelve percent of the population has been internally displaced. The NEC could have easily drawn the boundaries in such a way as to box in refugee camps and give more power to nomadic groups or groups more likely to favor the government.[22] Sudan's distinct history of boundary manipulation supports such concerns. Most notably, there were egregious manipulations of constituency sizes in the elections of 1958, when the Umma Party sought to maintain control in the National Assembly by creating unusually large constituencies. In 1986, constituency sizes were inflated by as much as 200 percent.[23] While these manipulations did not lead to immediate violence in Sudan, constituency manipulation has been the cause of violence in a number of countries around the world and the process of creating boundaries in Sudan has already been the source of contention between Sudan's competing parties.[24]

The greatest strength of Sudan's electoral system, its ability to distribute power to Sudan's marginal regions and historically marginalized parties, could also be its greatest weakness. No incumbent wishes to lose a significant share of its power and will therefore be faced with three options. The first option is to dismiss the results. This outcome has plagued elections held in several African countries, including Nigeria, Angola and Niger. The second option is

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[20] Nat'l Elections Act of 2008 (2008) Ch. 5 (Sudan).

[21] *Id*. at Ch.5 § 38(b).

[22] One additional problem is that the government also had control over the census activities used to calculate the populations of each state. This has also been a source of conflict for many Southerners who believe that the Northern government manipulated the census results in order to take away seats from southern states.

[23] GOV'T OF SUDAN NAT'L RECORD OFFICE, FINAL REP. OF THE ELECTION COMM'N: NRO MISCELLANEOUS 1/131/1808 (Khartoum 1986).

[24] The two most notable incidences of violence occurred in Warri, Nigeria, during the 2003 election and in Andhra Pradesh, India, in 2009. For Nigeria, *see* HUMAN RIGHTS WATCH, THE WARRI CRISIS: FUELING VIOLENCE (2003) *available at* http://www.smallarmssurvey.org/files/portal/spotlight/country/afr_pdf/africa-nigeria-2003.pdf. For India, see *Repoll Ordered in 17 Andhra Polling Stations*, THADIAN NEWS, APR. 16, 2009.

to accept the results and lose power, but this rarely happens in developing democracies. The last option is to significantly rig the results so that most constituencies vote for the incumbent party. This appears to be the path chosen by the incumbent government in Sudan, according to recent reports from international and domestic election observers, which indicate "serious technical and procedural violations" in Sudan's historically marginalized regions.[25]

In sum, the electoral design of Sudan's 2010 elections has advantages as well as shortcomings. The proportional formula makes it difficult for the incumbent regime to rig the voting results without employing obvious strategies for manipulation. The geographic allocation of seats within the majoritarian formula helps disperse power throughout the region and gives historically marginalized regions and parties representation in the National Assembly. If elections were held without manipulation, government opposition groups would certainly be given more power in the National Assembly than they have now. However, the sudden dissolution of centralized power often causes incumbent regimes to react irrationally to maintain their authority. This might explain some of the egregious violations detected by both domestic and international election observers during the polling and counting period.

At this point, there has been some indication that the results of the election have been manipulated, but it is unclear whether or not the incumbent government in Sudan has manipulated the results to such an extent as to control the sixty-six percent of seats in the National Assembly necessary for passing legislation unopposed. If the anticipated dissolution of power in the National Assembly does not occur, or the incumbent government gains more seats than it currently has under the current interim constitution, the potential for violence will increase.

Sudan's decision to create a complex electoral system could prevent violence and recalibrate Sudan's political landscape, addressing important issues of power-sharing, political representation and the neglected problems of historically marginalized states. Or manipulations and irregularities could

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[25] OBSERVATION MISSION IN SUDAN PRESIDENTIAL, GUBERNATORIAL & LEGISLATIVE ELECTIONS, THE CARTER CTR., PRELIMINARY STATEMENT ON SUDAN'S ELECTIONS (2010) *available at* http://cartercenter.org/news/pr/sudan-041710.html. *See also* DOMESTIC OBSERVATION GROUPS, SUDANESE GROUP FOR DEMOCRACY AND ELECTIONS & SUDANESE NETWORK FOR DEMOCRATIC ELECTIONS, PRELIMINARY STATEMENT (2010), *available at* http://www.ndi.org/files/SuGDE_SuNDE_Elections_Statement.pdf.

shatter expectations, causing new tensions and exacerbating disputes already in place.

IV.   Post-conflict Elections Data: How does Sudan compare?

An examination of Sudan's current electoral design indicates that the elections could greatly improve Sudan's chance of escaping violence, but that they could just as easily provide the tipping point for Sudan's return to conflict. But how does Sudan compare to the rest of the world? Have other post-conflict states held elections successfully? Are there current electoral trends that may be promising for those trying to envisage Sudan's electoral outcome? Or do elections typically fail in states similar to Sudan? This section explores these questions and examines Sudan's election in the context of electoral trends, both regionally and around the world.

The empirical data on post-conflict elections is not promising. According to Paul Collier's most recent book, *Wars, Guns and Votes: Democracy in Dangerous Places*,[26] a country that holds an election within three years of conflict is more likely to experience a recurrence of violence than a country that does not hold one. Thomas Flores and Irfan Nooruddin's, using a different model, came to a similar conclusion. They found that post-conflict "new democracies" are over four times more likely to experience a recurrence of violence than countries which forgo elections altogether.[27] Additionally, Collier's dataset demonstrates that democracy systematically increases the risk of violence in countries with a per capita yearly income under$2,700.[28] Sudan's income was estimated to be approximately $2,300 in 2009, making it, under Collier's model, a candidate for post-election violence. [29] Therefore, according to these models, Sudan's prospects do not look promising.

While these statistics are discouraging for the prospects of an election in post-conflict Sudan, there are other ways of looking at the same data that show how context is often more important than statistical trends. For this article, I have evaluated the same three datasets used by Flores and Nooruddin to learn more about Sudan's exceptionality and to challenge the use of statistical

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[26] PAUL COLLIER, WARS, GUNS AND VOTES: DEMOCRACY IN DANGEROUS PLACES 81 (HarperCollins Publishers, 2009).

[27] Thomas Flores & Irfan Nooruddin, Voting for Peace: Do Post-Conflict Elections Help or Hinder Recovery? (Aug. 7, 2008) (unpublished manuscript, presented at Political Science Association 67th Annual Conference (Jan. 15, 2010)).

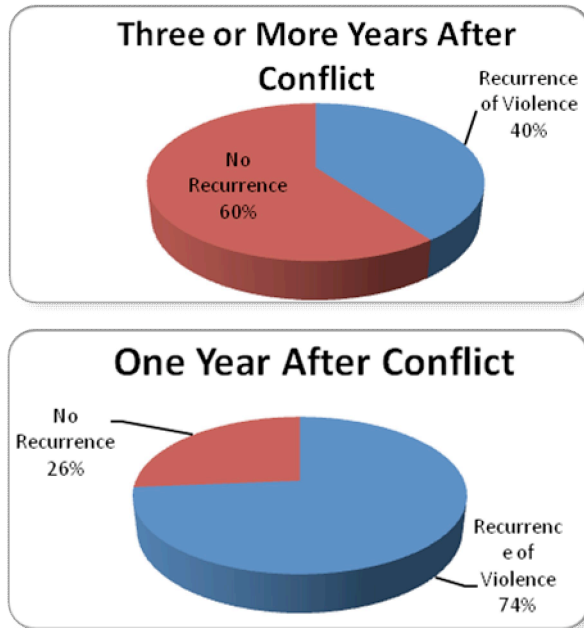[28] *See* COLLIER, *supra* note 25, at 21.

[29] CENT. INTELLIGENCE AGENCY, WORLD FACTBOOK, SUDAN: ECONOMY, https://www.cia.gov/library/publications/the-world-factbook/geos/su.html (last visited May 20, 2010).

analysis in election forecasting. The first dataset, taken from the Uppsala Conflict Database Project, includes the start and commencement dates of every conflict in the world since World War II. Unlike Collier, Flores and Nooruddin, I have stripped the data to only include conflicts with 1,000 casualties or more, which is the typical threshold used when categorizing a conflict as a war.[30] I reduced the data because many countries experience marginal and isolated conflicts that are not necessarily caused by elections or the systemic breakdowns that sometimes follow elections. For example, a tribal skirmish in North Darfur over water resources is not necessarily related to the entire state's trajectory towards peace, war or democracy. The other two datasets come from the "Institutes and Elections Project" at Binghamton University. One includes a list of all elections that have occurred since 1970 and the other includes a list of the systems of government in each country. I chose this database because it also includes the type of electoral system used in each country.

After narrowing the first dataset to conflicts with 1,000+ casualties or more, I was left with 388 conflicts. Of this set, 120 of the conflicts occurred in countries before, during and/or after elections were held. Of the 120 elections, sixty-five were held during a conflict period. Nineteen were held one year after conflict had ended and eleven were held two years after conflict had ended. Twenty-five were held three or more years after conflict had ended. The results were similar to the ones found in Collier, Flores and Nooruddin's studies. Ninety-five percent of elections held during conflict failed, compared to seventy-four percent for elections held one year after and forty percent for elections held three or more years after conflict.

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[30] Flores and Nooruddin use a threshold of 25 casualties for their study. The reason I stripped this data to only include wars is because I thought it was too small to include a 25 casualty threshold.

Three or More Years After Conflict

Recurrence of Violence 40%

No Recurrence 60%

One Year After Conflict

No Recurrence 26%

Recurrence of Violence 74%

As explained by Collier, Flores and Nooruddin, the longer a country waits to hold elections, the less likely it is to experience a recurrence of conflict. There are limitations to the study and difficulties with determining the causal factors. For example, it is possible that elections are more likely to be held in states that are unstable, due to international pressures or frequent changes of power. This would mean that countries holding elections are likely to be more prone to conflict. In other words, political instability may be the impetus for elections, instead of elections being the cause of instability. Regardless, it is clear that elections only occasionally lead to peace in post-conflict countries. Sudan is a particularly interesting case study because it has experienced multiple wars simultaneously. Though intra-tribal fighting continues, war between the North and the South officially ended in 2005, when the CPA was signed. Such an outcome appears to indicate that the odds of Sudan retaining peace are good. That said, the war in Darfur has been underway since 2003, and this will likely be the first year that the conflict will not reach the 1,000-casualty threshold, suggesting that the odds of peace are not favorable. In sum, using Sudan as a case study exposes one of the many variables that weaken the usefulness of statistical analyses.

I next looked at the thirty-three states that successfully held post-conflict elections without a recurrence of violence to see if I could identify similarities that might have contributed to the states' success. The most striking

correlation was that only one successful state, Azerbaijan, had established a mixed system of majoritarian and proportional formulas, like that of Sudan. All of the other successful states had either no elected national legislature or only a proportional electoral system, the most common system among the states that succeeded in deterring conflict. In other words, mixed electoral systems have a poor track record of preventing a recurrence of conflict in post-conflict countries.

I then looked at all states that currently have mixed electoral systems and found that there are forty-nine states in the world that currently use mixed electoral systems. These countries, barring a few exceptions, are either highly developed democracies, such as Japan, Australia, New Zealand, Germany or countries plagued by conflict, such as Pakistan, East Timor, Philippines, Niger and Afghanistan. There were very few states between these extremes. Such an outcome highlights an important pattern in which conflict-ridden countries like Sudan develop advanced electoral systems in an attempt to escape the trap of conflict. This pattern may also highlight the influence of donors and donor countries, which encourage states to adopt electoral systems similar to their own. For example, in Sudan, in early 2008, a handful of National Assembly Members visited Germany on a study tour where they were introduced to Germany's rather complex electoral system. Several of the members were taken by the system and decided to bring it back to Sudan.

The gap between developed democracies and conflict-ridden countries using mixed electoral systems raises important questions about why certain electoral systems are chosen and which countries chose them. As mentioned earlier, Sudan's choice of the mixed electoral system poses many logistical and systemic problems, and therefore may be too advanced for a country lacking experience with democracy. Sudan's experience with the mixed electoral system may provide one explanation for why so many post-conflict or conflict-ridden states chose and struggled with mixed electoral systems. As the data demonstrates, the adoption of a mixed system is popular in many conflict-ridden states, but has generally achieved limited success.

V.   Conclusion

By applying it to the specific case of Sudan, this study exposes some of the shortcomings of using statistical analysis to predict the results of post-conflict elections. Sudan's historical, political and electoral peculiarities demonstrate that local context is the most important factor when analyzing a country's prospects for democratization. However, when viewed as an exercise and not as a predictive tool, statistical analyses can open up important questions and

expose patterns that enrich theoretical understanding. In this case, the data has exposed a divide between developed democracies and conflict-prone states that use the same electoral system. This chasm and Sudan's experience suggest that some states may not be ready to adopt a mixed electoral system. Coupling empirical evidence on post-conflict elections in other countries with an analysis of Sudan's electoral experience exposes a theoretical dichotomy: the progressive advancement of a state's electoral design can be both destructive and essential to the development of democracy.

In this context of uncertainty, Sudan's elections offered hope and promise for democratic change, as well as the potential for a return to devastating conflict. Many political and technical changes have occurred since Sudan's last election. Some have helped the elections process move ahead smoothly and others may be a direct cause of conflict. Given these many variables, it would be premature and possibly counterproductive to dismiss the entire electoral process without waiting to see its impact on Sudan's long-term future. That said, the international community should be equally prepared for a recurrence of nationwide conflict in Sudan.