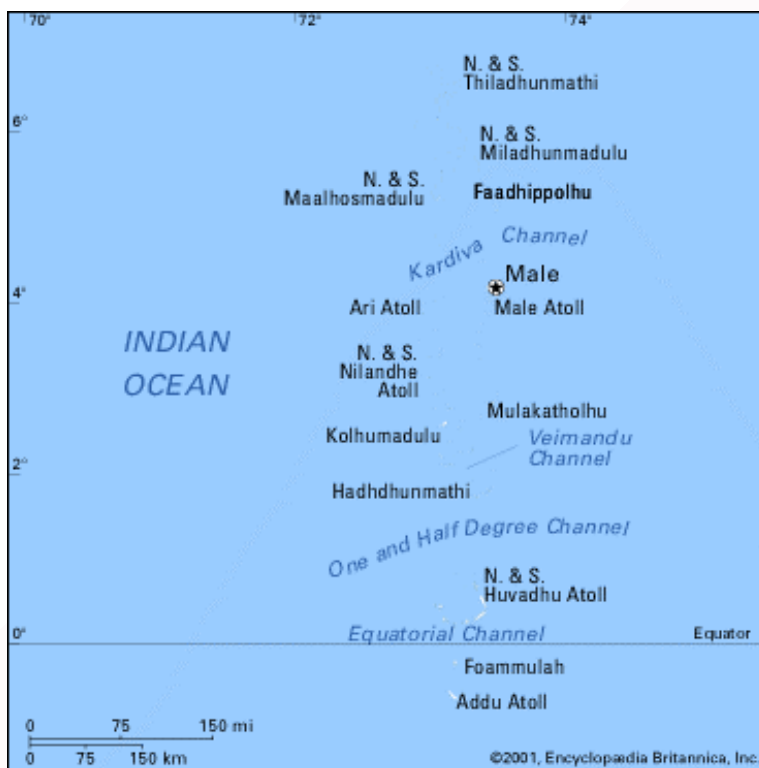


# **Maldives: Democratic Transition in the Offing?**

## Profile

The Maldives are an archipelago off the Indian subcontinental mainland, comprising almost 1200 islands in 26 coral reef atolls. The atolls are not clustered closely and only about a sixth of the islands are inhabited. They were settled over the ages by travelers from various Indian Ocean littoral societies, creating a more or less homogenous people of extremely mixed origin.



Source: [Maldives, Merriam-Webster Atlas Merriam-Webster & New York Times Geography.](#)

1.	<i>Population</i>	285,066 (2003)
2.	<i>Dependency ratio</i>	67 per 100 working population (2003)
3.	<i>Life expectancy</i>	70 male; 71 female
4.	<i>Sex ratio</i>	103 males per 100 females (2003)
5.	<i>Infant mortality</i>	14 per 1000 live births (2003)
6.	<i>Maternal mortality</i>	1 per 1000 live births (2003)
7.	<i>Literacy</i>	98.94% (2003)
8.	<i>Ethnicity</i>	Almost homogenous; Dhivehi-speaking
9.	<i>Religion</i>	Sunni Muslim

Source: Ministry of Planning and National Development–Statistics Section, [Maldives–Key Indicators 2004](#), Government of Maldives.

## History

The history of the Maldives is narrated often as a history of immigration from or interaction with the outside world. Islam replaced animist practices and Buddhism in 1153 CE. This also marks the beginning of the island's recorded history. As the archipelago's cultural identity evolved, geography brought it into friendly and hostile contact with others in the area, like the kings of Cannanore on the one hand and the Moplah pirates on the Malabar Coast on the other.

The Portuguese ruled the Maldives for a short period of fifteen years (1558-73) but were overthrown under the leadership of Mohammad Thakurufaanu. Maldivians succeeded in warding off threats from the mainland to their autonomy until 1887, when the islands became a protectorate of the British colonial government in Sri Lanka.

Around the same time as the Colebrooke-Cameron Reforms in Sri Lanka came the Maldives's first constitution in 1932, which established a parliament (Majlis). In 1953, a shortlived republican state was established, with a Presidential structure. The Sultanate was restored a year later.

In 1965, the Maldives ended its protectorate relationship with Britain, and gained membership as an independent state in the United Nations.

The second Maldivian republic was established in 1968. A new constitution came into force after a referendum, setting up a Presidential form of government, with a unicameral legislature. Each atoll directly elects two members and the President appoints eight members. Islamic jurisprudence is one of the main sources of law. Atoll chiefs who are appointed by the President administer the atolls.

The President is nominated for five years by Parliament and the nomination is ratified in a national referendum. Maumoon Abdul Gayoom became the President of the Maldives in 1978 and has remained in power ever since. He has faced six referenda successfully.

Three significant sources of insecurity may be identified:

1. The geography of the archipelago makes access to and control over the outer islands difficult:
  - a. They are therefore vulnerable to occupation by outside forces.
  - b. They have been used as a staging ground for coups against the state.
  - c. This distance facilitates their use as an entrepôt for illegal trafficking.
2. Global warming and rising sea levels could multiply the impact of the December 2004 tsunami manifold and physically efface the archipelagic nation.
3. The nature of the ruling Maldivian regime poses a threat first to its citizens and then to the state. A centralized, authoritarian government run by a small closely-knit circle under the President's leadership seeks to control information flows, behavior, social change and access to resources in the face of a population that has, ironically, benefited enough from the regime's own development schemes to find this control unacceptable.

Challenges to the state have thrice come from attempted coups d'état in 1980, 1983 and 1988. A Maldivian rival of President Gayoom, who hired Sri Lankan Tamil militants as mercenaries, organized the last attempt. It was foiled with Indian assistance.

In recent years, the demand for democratization in the Maldives has gathered momentum, with exiled and expatriate dissidents moving from web-based critiques to acting as an organized opposition in exile.

## Maldives: Democratic Transition in the Offing?

On June 2<sup>nd</sup>, 2005, the Maldivian Parliament (Majlis) revoked their earlier ban on the functioning of political parties. Does this mark the beginning of the Maldives' democratic transition?

Several factors militate against such a hope.

1. First, both the ban and its reversal followed the instruction of the President. On neither occasion did the Majlis act independently as a parliament that reflects the voice of the people.

In 2001, when the Maldivian Democratic Party sought registration, President Gayoom referred the matter to the Majlis. His view was that political parties and a multiparty system were inimical to the homogenous nature of Maldivian society. The Majlis endorsed this view and effectively banned the creation and functioning of political parties. The MDP continued to function from Sri Lanka but its members, associates and anyone suspected of supporting its activities and views has been under threat since then.

This time as well, the Majlis' action is at the behest of the President. The Attorney General of the Maldives has now said that political parties are constitutional; furthermore, the Maldivian people seem to be ready and eager to have multiparty democracy. The regime's assumption of the right to adjudge readiness for democracy is itself a bad augury and leaves open the possibility of a revision in such judgment.

2. Second, on the same morning as the debate and vote on this change, four opposition leaders were arrested. They were later released and the explanation given for the morning's arrest was that it was intended to prevent unrest in Male during the parliamentary debates.

However, many of those arrested following the protests in August 2004 remain incarcerated and if there is a grain of truth to reports on dissident sites, many are brutally tortured. Several of the prisoners were associated with the Maldivian Democratic Party; many were arrested under suspicion of such association.

If the Maldives were moving towards multiparty democracy, it would be logical to expect the release of arrested opposition leaders who might constitute one or more of these parties. How could a party, legal or not, function if its functionaries are either in prison or likely to be arrested?

3. Third, with any reforms, the devil is in the detail. How is multiparty democracy going to be introduced into the Maldives? Regulations for the formation of political parties were announced on 4<sup>th</sup> June 2005—that is the easy response to this question.

It is not clear however, who will form parties. In a manner of speaking, there are already two parties that may now be recognized as such. The Maldivian Democratic Party already aspires to the structures and functions of a political party. President Gayoom and his close supporters may be said to be the leadership of the other political party—the party of government as it were.

What happens to the independent legislators in the Majlis? Already in the last elections held in January 2005, MDP candidates won a few seats. However, when it came to determining the exact number, there were claims and counter-claims. The government said it was hard to say where people's loyalties actually lay. Now that this is officially not an issue, will the legislators be forthcoming about their loyalties? The first question here is simply whether they will be comfortable declaring their position in the face of the regime's history of intimidation. The second question however, is what would happen if they did come forth and the result was a Majlis that was mostly MDP? Would the Presidency change hands? Would new elections ensue?

Finally, two parties already operating in the shadows of an unofficial ban on political association do not a multi-party democracy make. Will other points of view emerge as rallying points? Allowing multiple points

of view to register themselves might in fact be a way of dividing what is currently a more or less united opposition with a single-point agenda.

4. Fourth, there are two dimensions to a democratic transition: the procedural and the substantive.

The recognition of political parties, the extension of voting rights and conduct of internationally monitored elections constitute the formulaic appurtenances of democracy. They are easy to establish and in difficult times, the easy to sustain. However, these appurtenances make for an incomplete democracy or an incomplete democratic transition. Three additional elements are needed for a fuller or more substantive transition.

First, there needs to be a legal-constitutional recognition of human, political and civil rights. The Maldives constitution does contain a bill of rights. However, citizens need to know that they can in fact seek remedies for the violation of their rights and they need to know how they might seek these remedies. Finally, the regime must be genuinely committed to the bill of rights. Admittedly, no government scores perfectly on the last, but the degree of commitment does matter.

Second, the regime must show commitment to the rule of law and be accountable to the citizens. Even greatly discounting reports in the dissident press as exaggeration or rhetoric, by all accounts, this Maldivian regime has been large above the reach of the law. Corruption and nepotism are the least of the charges levied against its members. Is such a leadership capable of the shift in values and attitude that will open its own activities to public scrutiny? Multiparty democracy without the power to hold accountable is useless.

Finally, the consolidation of a democratic transition depends greatly on a strong civil society. Community, neighborhood, professional and political organizations all form part of what we term 'civil society.' Where they have been unable to function freely for years, a mere legal change cannot resuscitate the habits of mobilization, inquiry, agenda setting and bargaining that are their stock-in-trade. Even the formation of the two parties described above then make for a shallow party system. It will take a few years—a few years of free association, expression and assembly—to organically breed other political alternatives.

Outsiders particularly need to resist two readings, both of which will jeopardize this tentative—even half-hearted, if you will—process. First, the piecemeal changes of the last year are not a sure sign of the regime's commitment to giving up its powers. They signal the regime's quest to be seen as legitimate—in the eyes of those who remain undecided within the Maldives and in the eyes of the outside world.

Second, government leaders who function like Chief Executive Officers offer the promise of stability and order to a human audience that typically resists change. To those within their societies, this becomes an argument for political inertia. To outsiders, this view constitutes permission to rationalize support for the regime in terms of security and development-oriented stability.

The outlook for a true democratic transition may thus seem bleak, but pessimism is not an option either. If this reforming mood is motivated by international pressure and the exigencies of needing post-tsunami reconstruction assistance, this pressure must be mounted steadily to sustain them.