

Does the indefinite postponement of parliamentary and presidential elections under martial law trigger a self-reinforcing cycle of executive power concentration that systematically weakens legislative checks, or does holding an election during active conflict introduce military-political fragmentation that paralyzes critical wartime decision-making?

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Executive Summary

The evidence suggests that the indefinite postponement of parliamentary and presidential elections under martial law poses a greater and more permanent threat to democratic governance by triggering a self-reinforcing cycle of executive power concentration that systematically weakens legislative checks. While holding elections during active conflict introduces military-political fragmentation and operational challenges, these risks are often temporary and can be mitigated by adaptive mechanisms, rather than leading to a paralysis of critical wartime decision-making. The long-term constitutional damage from executive entrenchment is more severe and structurally difficult to reverse than the immediate, manageable operational risks of wartime elections.

Key Findings

Indefinite Election Postponement Triggers Executive Power Concentration and Constitutional Erosion

Indefinite postponement of elections under martial law reliably triggers a structural, self-reinforcing cycle of executive power concentration that systematically weakens legislative checks, rather than merely a temporary suspension of legislative oversight [3, 4, 6]. Executives exploit the electoral vacuum to enact constitutional amendments, dissolve assemblies, and retain unchecked authority long after martial law is initially declared [3, 4, 6, 7].

- **Historical Precedents:** In Bangladesh, leaders like Sheikh Mujibur Rahman, General Ziaur Rahman, and Lt. Gen. H.M. Ershad used emergency provisions to amend

constitutions, dissolve parliaments, establish one-party systems, and assume presidential powers [3, 4, 6]. For instance, Sheikh Mujibur Rahman amended the constitution in January 1975 to establish an executive presidency and limit legislative and judicial powers. General Ziaur Rahman dissolved Parliament, assumed the presidency in 1977, and only lifted martial law in November 1986 after securing constitutional amendments [3, 4]. Similarly, General H.M. Ershad seized power in March 1982, suspended the constitution, assumed the presidency in 1983, and dissolved Parliament in December 1987, scheduling fresh elections for March 1988. In Pakistan, General Mohammad Ziaul-Haq indefinitely postponed elections in 1977, assumed the presidency in 1978, and maintained military dominance even after martial law was nominally lifted [1, 7]. These cases demonstrate that the absence of electoral accountability allows executives to rewrite the rules of democratic restoration, entrenching autocratic governance beyond the crisis period [3, 4, 6, 7].

Wartime Elections Introduce a "Dampening Effect" on Military Strategy, Not Necessarily Paralysis

The proximity of an election during conflict creates a decisive "dampening effect" on military strategy, where operational necessities are frequently influenced by short-term electoral calculus, but this does not inherently paralyze critical wartime decision-making [9].

- **Political Influence on Strategy:** Electoral pressures incentivize leaders to act cautiously in war due to the fear of voter reprisal [9]. This leads to proposals for prolonged or increased military commitments being scaled down as elections approach [9]. For example, President George W. Bush delayed the Iraq troop surge by at least six months due to political risks associated with the 2006 midterms [9]. As research indicates, "the deployment of almost thirty thousand additional troops and the embrace of a new population-centric counterinsurgency strategy was delayed by at least six months due to concerns about the political risks of shifting course in the lead-up to the 2006 midterms" [9]. President Barack Obama's decision to withdraw all troops from Iraq in 2011 also underwent a political screening process to align with his campaign pledge before the 2012 election [9].

- **Adaptive Military Planning:** Military coherence is maintained through adaptation, not by ignoring politics [9]. Military leaders understand political constraints and offer a wider range of options to suit various end states, reducing civil-military friction and increasing the likelihood of sound plans being adopted within the president's decision

space [9]. This recursive adaptation ensures military strategy is tailored to the domestic political environment, providing a recalibration that indefinite postponement lacks [9].

Wartime Elections Risk Fragmentation but Can Be Managed with Adaptive Mechanisms

Wartime elections inherently risk legitimacy-driven fragmentation by excluding displaced populations or curtailing civil liberties, but adaptive electoral mechanisms can maintain sufficient inclusivity and procedural integrity to prevent the election from becoming a primary source of internal division.

- **Risks of Fragmentation:**

- **Exclusion of Displaced Populations:** Active hostilities lead to significant demographic shifts, making inclusive voting challenging. In Ukraine, over 6 million citizens fled abroad, more than 3 million are internally displaced, and roughly 4 million reside in occupied territories [12, 13]. Organizing an inclusive apparatus under these conditions raises doubts about democratic legitimacy [11].

- **Curtailment of Civil Liberties:** Maintaining martial law restrictions during an election can restrict freedom of expression and public assembly, making free political competition difficult [11]. In Ukraine, only 15% of citizens supported holding elections before the war ends, with opponents citing insecurity and the impossibility of meeting democratic standards under martial law. Civil society groups argue that conducting elections under martial law violates Ukraine's constitution and international commitments [11].

- **Resource Diversion:** Wartime elections demand significant human, administrative, and financial resources. Ukraine's budget, for instance, is over 47% reliant on external funding [11]. Diverting scarce resources to electoral administration is viewed by some as an unjustifiable luxury that could distract from the war effort [11].

- **Adaptive Mechanisms for Integrity:**

- **Legal-Political Flexibility:** States can use flexible legal frameworks to hold elections under martial law without declaring a formal state of war. Ukraine successfully held internationally recognized presidential and parliamentary elections in 2014 and 2019 during the Donbas conflict by mixing martial law elements with peacetime electoral procedures [5, 8].

- **Administrative Adaptation:** Innovative electoral mechanisms can prevent paralysis. During the COVID-19 pandemic, countries like Indonesia successfully

conducted elections by implementing blended campaign approaches, online voting, and limiting face-to-face meetings to 50 participants with health protocols .

- **Conflict Stabilization:** Holding elections during or immediately after conflict can solidify short-term democracy and incentivize insurgents to step away from violence, as observed in Colombia and Afghanistan [10].

Long-Term Constitutional Damage from Postponement Outweighs Temporary Operational Risks of Wartime Elections

The indefinite postponement of elections under martial law generally triggers more severe and structurally difficult-to-reverse constitutional damage than the immediate operational risks of holding elections during active conflict. Suspending electoral accountability reliably initiates a self-reinforcing cycle of executive power concentration, whereas wartime elections introduce manageable political fragmentation rather than systemic paralysis.

- **Executive Entrenchment:** Indefinitely postponing elections creates a democratic crisis and structural power shifts, allowing executives to enact constitutional amendments and dissolve legislative bodies, ensuring democratic oversight remains permanently weakened [2, 3, 4, 6, 7].

- **Manageable Wartime Election Risks:** While wartime elections introduce risks like military-political fragmentation, security constraints, and restricted freedoms [11], these challenges do not inherently paralyze critical wartime decision-making. Adaptive legal frameworks and administrative strategies can preserve procedural integrity, preventing elections from becoming a primary source of internal division [2, 8].

Implications

The findings imply that policymakers facing crises must weigh the immediate, often temporary, operational and political challenges of holding elections against the profound, long-term constitutional erosion caused by indefinite postponement. Prioritizing the preservation of electoral accountability, even with adaptive measures, appears to be a more robust strategy for maintaining democratic checks and balances during conflict. While wartime elections necessitate careful planning to address issues of displacement, civil liberties, and resource allocation, these are often surmountable through legal and administrative innovation. Conversely, the historical record demonstrates that indefinite postponement creates a dangerous power vacuum that executives consistently exploit to

entrench authoritarian rule, making a return to democratic governance significantly more difficult.

Limitations and Caveats

The research primarily draws on historical cases from Bangladesh and Pakistan for the impacts of indefinite postponement, and Ukraine for wartime elections, which may not be universally generalizable to all contexts. While adaptive mechanisms for wartime elections are discussed, their long-term effectiveness in highly volatile or deeply fragmented conflicts requires further empirical study. The specific statistical correlation between constitutional changes enacted during prolonged election postponements and the subsequent duration of authoritarian rule is not fully detailed in the provided research.

Sources

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