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DEMOCRATIZATION IN AFRICA: RETROSPECTIVE AND FUTURE PROSPECTS

REVISITING ELECTIONS IN AFRICA

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Box 1. Critical Areas

• Reform of political parties necessary
• Need for cohesion of opposition groups
• Checks on the abuse of incumbency
• Improved management of elections
• Widen voter education and registration
• Extend period for international monitoring/better post-election follow-up
• A precise meaning of 'free and fair' elections needs to be universally understood
• Poorly organized elections can create tension and division
• Ruling parties often do not wish to lose power
• Technology and mobile phones improve communication

Source: H.Deegan. Elections in Africa: the Past10 years, RIIA Briefing Paper, 2003

Any analysis of elections in Africa over recent periods has to be placed within the wider debate about democracy and its application in Africa.[1] Democracy, of course, can be a 'learned trade' over time, yet certain critical factors affect electoral efficacy and political reform. (See Box 1) Over 200 elections have taken place in Africa between 1989 and 2009, in certain countries, for the first time. The dynamics of those early elections were important as democracy needed to develop at a local level, particularly in authoritarian or transitional states in which the general population often had very little interaction with national political processes or leaders. Results were mixed, while South Africa moved forward from the apartheid years, Zimbabwe, for example, has flouted electoral principles. It is clear that elections themselves arouse contention and conflict within states. In the early 2000s Cote d'Ivoire experienced civil strife following divisive elections; in 2007/2008 Kenya experienced upheaval in the wake of contested elections.

One concern is the extent to which opposition groups in elections are cohesive and well organized. For example, there were 125 registered political parties in Angola in 2003 who complained they were 'hindered' by a 'lack of power' and government funding, which resulted in 'the two old liberation movements (UNITA and MPLA) remaining politically

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[1] H.Deegan. Elections in Africa: the past 10 years, RIIA Briefing Paper 2003

dominant.'[2] Even without resources the existence of so many parties indicated the opposition was likely to be fragmented. In fact, the role of the political party is seen as the 'weakest link' in African democratization. Often parties have no constituencies, are ethnically based, lacking political programmes and interaction with the populace with financial transparency often non-existent.[3] Internal party democracy is often unknown and many opposition parties actually disband between elections. Parties desperately need reform and renewal but often the international donor community is fearful of directly involving itself in party development, preferring instead to fund NGOs which do not arouse accusations of political interference. However, wider democratic reform is unlikely to take place without changes to the structures and practices of political parties.

Closely connected to this issue is the question of party–state relations. In many countries the state is subsumed by the dominant party and elections simply become a focus for misuse of government expenditure. In some African states there are no rules on expenditure at all. This anomalous situation can result in the 'abuse of incumbency', whereby dominant parties attempt to change constitutional terms of office/control the media/outlaw political activity and engage in coercive or violent electoral campaigns. These problems are addressed by the African Union, and the Southern African Development Community (SADC) has agreed codes of conduct and set out political norms and standards. It asserts that the following 'principles must lie at the heart' of the any electoral system:

- Broad representation of diverse political interests and population groups
- Inclusiveness and the political participation of key actors
- Political accountability of Members of Parliament to the voters
- A transparent and legitimate elections process and outcome
- The entrenchment of a culture of intra-party democracy that ensures the credibility and legitimacy of the nomination process within political parties.[4]
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Unfortunately, however, not all SADC member states abide by these principles. Accepting the legitimate outcomes of elections is critical in democratizing states but on occasion political leaders and parties enter the electoral process with the expectation that they alone will win. Such an attitude creates conditions of low participation and competition often resulting in a popular or opposition boycott of the whole electoral process.[5] Inevitably, the 'winner takes all' approach to elections excludes many and has given rise to calls for a greater emphasis to be placed on negotiation with other political groups/NGOs/stakeholders, as well as, respect for and appropriate engagement with voters. However, such an approach is only likely to be adopted if there is a good level of democratization within a country anyway. According to David Held's definition of democratic autonomy: 'Persons should enjoy equal rights and, accordingly, equal obligations in the specification of the political framework

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[2] All Party Parliamentary Group for Angola Report. London 2003. p20
[3] H.Deegan, RIIA 2003 Op cit
[4] Principles for Election Management, Monitoring and Observation in the SADC region. Electoral Handbook 13, EISA, Johannesburg, 2004, pp. 9-10
[5] For extensive analysis of electoral behaviour see various works by Professor Jorgen Elklit, Department of Political Science, University of Aarhus, Denmark

which generates and limits the opportunities available to them.'[6] In other words, is there political activity beyond electoral periods? Is criticism of the government possible? How independent are the media? Can civil society operate openly and freely? In short, the character of the wider political environment is critical when analysing elections.

A crucial factor in African states is the great disparity between poverty for the many and the extreme wealth of a few. Although there is no direct correlation between an increase in a country's GNP and growing political reform there is widespread acknowledgment that the social impacts of extreme poverty – namely, poor education, disease and illiteracy – combine to hinder the process of democratization. Also, such negative factors prevent the emergence of an enlarging middle class who could be instrumental in underpinning democratic trends. Yet one significant study suggested that poverty has become 'a contested political concept.' South Africa, for example, 'does not have an official definition of poverty' despite the production of numerous reports.[7] Yet in 2004 President Mbeki itemised a number of services that needed to be improved: housing, water provision, basic sanitation, access to electricity, child support, reduction in HIV/AIDs and malaria, education and support for the security, police and legal process. Inevitably the setting of targets raises the prospect of how they are to be met although David Hemson and Michael O'Donovan point out that now 'targets…are measured in terms of inputs rather than results….the emphasis is on departmental objectives rather than on final outcomes in human development.'[8]

Recently much attention has been focused on electoral systems and their appropriateness in a given country. More generally, the wider African continent has encompassed many different systems: namely, First Past the Post (FPTP), List Proportional Representation, Two Rounds and the Mixed Member Proportional (MMP). The MMP system, which is essentially one of overall proportional representation, established through the use of a separate national ballot paper and a number of 'compensatory seats', has been considered in South Africa, Kenya, Zimbabwe and Tanzania. Its attraction for incumbent parties is that the constituency system is retained, thus ensuring local patronage, while at the same time allowing for a fair reflection of party strength among the electorate. In fact, the MMP system was suggested as a solution to the political and constitutional crisis in Lesotho after the 1998 parliamentary elections, when the clear win of the major party was challenged by opposition parties on the grounds of electoral mismanagement. That example underlined the difficulties created by a 'winner takes all' structure that can act as a catalyst for conflict because there is so much at stake (as in Zanzibar 2000, Côte d'Ivoire 2000 and Zimbabwe 2002).

Consequently, electoral structures and procedures are required that can help prevent election-related conflicts. Electoral administration and management should ensure the legitimacy and impartiality of the electoral process. Issues such as the selection of candidates, primary elections, the level of technical assistance and voter identification are all crucial to 'electoral governance'. Although it must be remembered that elections are not simply a matter of

[6] David Held. Models of Democracy. Polity Press, Cambridge 1996 p323
[7] Wiseman Magasela in S.Buhlungu, J Daniel, R.Southall & J. Lutchman (eds) State of the Nation: South Africa 2005-2006, HSRC Press, Cape Town. P48
[8] D.Hemson & M. O'Donovan in Ibid p38

management as politics and culture are just as significant in determining a country's electoral environment, two factors are critically important: voter registration and voter education. People need to be registered to vote because in a number of African elections unregistered voters are not included when turnout rates are calculated. In Lesotho, for example, only around 70% of potential voters registered to vote. Countries with sophisticated systems, such as South Africa, do offer technical assistance to less efficient states.

Yet non-registration is not only a result of system incapacity; it also reflects unwillingness on the part of the voter. This raises the related issue of voter education, which is essential in nurturing and motivating the electorate. However, it needs to be more than simply informing voters where and when to register. Voters require greater information on the consequences of not registering and the possibilities for change which the ballot implies. But sometimes weaknesses within Electoral Commissions, inefficiency or inadequacy of administrative personnel, or just plain overall incompetence meant that voter education could be poor and largely ineffective. It was apparent that voter education and registration would continue to be of concern in electoral management.

The role of international and regional observers is important but their stay in a country is often limited and if they are to have any purchase on the electoral process they required more time and better post-election follow-up. The concentration on observation can be a problem, and international observers do sometimes prematurely declare an election to be 'free and fair'. Local monitors from civil society and NGOs could be encouraged, thus building much-needed electoral capacity within a country. Yet the term 'free and fair' is often interpreted differently in different circumstances, so various observer missions, e.g. international and regional ones, made contradictory assessments of election processes. Moreover, events could change very quickly in a post-election environment, particularly when a domestic political climate was fluid. Invariably, quite apart from considerable uncertainty as to how the international community should react, it was tremendously difficult to remedy the impact of a flawed election in countries riven by violence and religious/ethnic division. The question is posed: in circumstances of religious/ethnic violence and animosity should elections be avoided altogether?

Areas of Concern (See Table 4.4)[9]

'Free and fair elections are problematic.'

Internal Environment	External Environment
-Electoral Commission Management	- Electoral Actors
- Legal Framework	

The legal framework must be sound and have simple instructions and qualified candidates. Independent Electoral Commission must not be affected by government, members must not be sacked; must have adequate funding; the legal framework must be secure and sound.

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[9] Handout from H. Deegan. Africa Today. Routledge 2008 pp88-89

Against this criteria Africa is difficult. IECs are not independent, sometimes situated in a Department and too close to the government. IECs must be independent to be able to have free and fair elections.

Electoral management needs technical capacity:

1. Must plan process
2. Professionalism achieved by training
3. A post-election review of what was good and bad

Ethical competence. IECs often have personnel from other Departments/ex-officio officials are used as returning officers which means there is little means of control by the IEC because a neutral civil service is not found in Africa. Civil servants often aligned to the government of the day. IECs must provide verifiable results/audit training/transparency which would help provide a more open environment. Credible elections are essential. Stakeholders, eg. NGOs, civil society, political parties should be united but are often separated. Every single vote should be counted.

Administration of elections can be corrupt if the govt. seeks control Funds must be available by the government but these are often delayed and then elections become flawed.

Political parties that are prepared to play by the rules are essential but few exist in Africa. Some depend on dominant personalities. Parties not internally democratic. Abuse of incumbency. Ruling parties use state money and they can highjack elections. Disorderly rallies; organised cheating; use of force often exists. Only one vote should be cast but often impersonation and duplicate/multiple voting takes place and some voters prevented from voting. 'Multi-party democracy fuelled by money.'

Media – Information not provided/government dominance of the media/ethnic differences whipped up.

Security - Should control and monitor elections but they take part in the election and condone government violence.

Civil Society – Not neutral, lean towards a political party; they come alive at election times to attract donor money. Voter education exists but a much firmer oversight is necessary

Election Preparations – Problems sometimes referred to Court system. It is critical that elections are free and fair and it should be a 'collective experience'. The IECs cannot do it alone.

Good governance and democracy seen as vital in Africa and Africans should 'own and drive' the process under Nepad.

<u>Comments on Elections</u>

-Assumption that elections will reconcile communities but problems exist:

1. Post-election governance: ie. Could coalitions work better
2. UN can organise and oversee elections in Africa which would mean that the state would have to surrender sovereignty
3. Leadership v. important but is a President.PM a real African leader who would have to take a pan-African perspective.
4. Nationalists are not democratic, they are anti-colonial. Africans should now have developed a concept of what leadership is and means to them.

'Leadership is important but there should be a concentration on national unity.'

'Africa needs leadership, especially because:

1. Lack of stability and lack of strong institutions
2. Lack of a cohesive state
3. Massive economic needs

However, the belief that the leader should provide all econ-socio needs is wrong, leadership can lead to disaster. How can leadership strike a balance between power and the rights/responsibilities of the wider population?

Leadership today means:

1. A team
2. Economic policy
3. Political ideas

Currently there is a separation within elites, eg Western educated and those who are not, and look to Asia, Dubai, China. (More flights from Addis Ababa to China than to Europe). Young ambitious leaders look East.'

General points

'Democracy is about nation-building and development (Halifa Sallah, Gambia)

'Electoral Commissions should be looked at.' (Peter Katjaviv)

'All parliamentarians in Africa should become more engaged and pro-active in terms of holding their govts to account.' (Colin Sellig)

'The relationship between the state and individuals is important. Civil society should be empowered, that would enhance democracy in Africa.'(Damian Agwu (Nigeria)

Women in Parliament

Country	Election	Seats	Women
Angola	**1992**	**224**	**34**
	2009	**220**	**82**
Botswana	**1999**	**47**	**8**
	2009	**57**	**2**[10]
Lesotho	**1998**	**120**	**12**
	2009	**119**	**29**
Malawi	**1999**	**193**	**16**
	2009	**192**	**40**
Mauritius	**1995**	**65**	**5**
	2009	**70**	**12**
South Africa	**1999**	**400**	**119**
	2009	**400**	**178**
Rwanda	**2008**	**80**	**44**

Sources: H.Deegan. Africa Today: Culture, Economics, Religion, Security, (Routledge 2008) p94; EISA Reports, 2009.

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[10] Margaret Nasha was the first woman to be appointed to the post of Speaker of the National Assembly. Following the appointment of 2 women to special seats the result is 62 seats, 4 occupied by women.

KENYA

Presidential election results 2002

	%
Emilio Mwai Kibaki (National Rainbow Coalition)	**62.2**
Uhuru Kenyatta (Kenya African National Union)	**31.3**
Simeon Nyachae (Forum for the Restoration of Democracy–People)	**5.9**
James Orengo (Social Democratic Party)	**0.4**
David Ng'ethe (Chama Cha Uma)	**0.1**

Source: Daily Nation, December 2002.

An in-depth report by the Africa Programme on the Kenyan elections is published separately[12] but this section highlights some important features of the elections. President Danel arap Moi retired in a very different society from that which existed a decade ago. Although economic performance is still sluggish, with a negative growth rate in real terms, in the political sphere, and contrary to received opinion, democracy has become securely entrenched. Newly elected President Kibaki will not be able to return to the autocratic order that characterized certain periods of Moi's rule. The print media is far more outspoken, the government's monopoly over the electronic media has been broken, civil society is well established and local NGOs are respected. Equally, professional organizations are establishing closer ties with rural citizens and the power of the Provincial Administration is waning.

The 2002 elections were deemed to be the most free and fair to date, yet the turnout was down to 58%. The reason for this anomaly lay in problems with the electoral register, in that an estimated 1.2 million deceased voters were still registered. When this irregularity is taken into account the real turnout rate was 87%. Yet this institutional weakness should not mar the considerable progress the Kenyan Electoral Commission has made in moving away from an often chaotic approach to one that is far more meticulous.

Some believe the ruling party, KANU, threw the 2002 election away chiefly because it chose the wrong candidate. President Moi had been persuaded that Uhuru Kenyatta could heal the bitter divisions between the Kikuyu, Kenya's largest ethnic group, and the Kalenjin. The presumption was that older voters would flock to Kenyatta, in memory of his father, but this

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[11] H. Deegan. Elections in Africa: the past 10 years, RIIA Briefing Paper 2003
[12] David Throup, Kenya's Elections 2002. RIIA Briefing Paper

was not to be the case. KANU, widely regarded as the most democratic party because it has a broadened constituency beyond its ethnic base, lost because of splits within KANU and a realignment of the opposition, National Alliance for Change (NAK) into an effective united political force. As the election became closer it seemed that KANU, sensing it could not win, practically gave up trying; it certainly reduced its campaign expenditure.

On balance, the elections were interesting for a number of reasons. First, despite the widening of KANU's constituency, and perhaps inevitably, a relationship existed between ethnicity and voting patterns in certain areas. Second, and significantly, a candidate who campaigned openly against female genital mutilation, in a very conservative district, actually won the seat, and is now an MP and member of the government. Third, the availability of cellular phones militated against corrupt practices (in Ghana and Senegal), with EU observers witnessing a greater depth of involvement because of the ease of telephone communication. Political organizations were transformed by being constantly and immediately in contact as events occurred. Equally, observers could promptly publish on the internet any electoral irregularities or incidences of coercion. Clearly, technology and improved levels of communication already play important roles in calibrating electoral registration and results, but now they can help facilitate the improvement and transparency of electoral practices in Kenya and elsewhere.