# Is Electoral Politics A New Source Of Human Insecurity In Africa?

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## Abstract

Violence and conflicts have characterised electoral processes in a number of African countries since the mid-1990s and created an atmosphere of insecurity. The prevalence of such violence reflected a confluence of factors, including the intensification of the competition for access to the state, perceived as a channel of accumulation. This perception raised the stakes to an unprecedented level during elections as vanquished parties went every length to stake a claim to the spoils. Other factors inducing violence included the poor organisation of elections, government interference in the work of election management bodies (EMBs), the insatiable desire of some presidents to seek third terms in contravention of constitutionally mandated two terms, and in some cases because the electoral model excluded loosing parties from parliament. It is noted further that, contrary to Afro-pessimist claims, African countries are capable of credible elections but this is conditional on adequate attention being paid to critical elements in the electoral process, which rid the process of suspicion of fraud and irregularities.

## Introduction

A key feature of democracy in Africa since the democratic wave has been the resurgence of competitive electoral politics. Since the 1990s, a good number of African countries have successfully organised competitive multi-party elections, which have led to the displacement and replacement of long serving dictators by democratically elected governments. However, in some countries such as Cameroun, Ghana and Kenya, the incumbents stage-managed the electoral processes and metamorphosed into elected leaders. Importantly, the elections held throughout the

continent during the 1990s were largely free from violence and hardly created conditions of insecurity. To be sure, the electoral politics generated euphoria for countries, many of whom have either never experienced elections or in the case of the one-party dominated systems, have never tasted competitive multi-party elections. By and large, the elections were orderly and led to peaceful transitions. However, a good number of elections, beginning from the 2000s, were not only marked by contestations but also by violence and in most cases generated an environment of conflict and insecurity. In such countries as the Democratic Republic of Congo (DRC), Ivory Coast, Kenya, Nigeria and Zimbabwe, the scale of violence, human rights abuses and human casualties has been high depicting electoral politics as a source of insecurity.

This paper explores the factors accounting for the high incidence of election-related violence and insecurity. It argues that the traditional argument about the desire to access the state as a means of accumulation cannot be discounted as a fact raising the stakes during elections. Electoral victory is a matter of life and death in a region characterised by poverty and adversity. Incumbent regimes are determined to hold on to the state while the opposition, located outside government, is keen to wrestle it. The result is for the extension of this contestation beyond the ballot box and on to the streets. Yet, there are other auxiliary, often less perceptible, factors which either create or exacerbate conditions for election-related violence. Among these are the electoral model used, the organisation and conduct of polls, the tendency for the state to interfere with the work of election management bodies (EMBs), and the ever-growing desire of some presidents to seek third terms in contravention of set constitutional limits. Any of these factors can create auspicious environment for violence, conflicts and insecurity. This paper is divided into sections as follows: the second section makes a brief conceptual discussion on human security and elections. The third highlights the importance of elections to a democracy; the fourth identifies some of the factors inducing election-related violence, the fifth touches briefly on the debate about Africa's ability to hold credible election, while the conclusion summarises the main points.

**Human security as a concept**

Human security emerged from the traditional notion of security considered to mean the "absence of threats to core values" (Wolfers 1952:485). Although it has a long history, the concept of human security was popularised by the UN in its famous UNDP report of 1994. In that report the UN sought to broaden the concept of security, which had historically been associated with the state to include people. Threats to the state, according to this traditional notion, were external in source and military in nature. Accordingly, military responses were resorted to during security threats (Baldwin 1997). The major defect of this notion was the exclusion of people as a referent of security (Henk 2005). It was paradoxical that at a time when states were spending colossal sums of money in building military arsenals in response to external threats – both real and imagined – people within the territorial state, who were constant victims of diseases, internal conflicts and human right abuses among other adversities, were left peripheral to the security discourse. As the UNDP report noted,

> The concept of security has so far too long been interpreted narrowly: as a security of territory from external aggression, or as protection of national interest in foreign policy or as global security from the threat of nuclear holocaust. It has been related more to nation-states than to people …. Forgotten were the legitimate concerns of ordinary people …. For many of them, security symbolized protection from the threat of disease, hunger, unemployment, crime, social conflict, political repression, and environmental hazards (UNDP 1994: 22).

The UN thus aimed to change this perception by including people as a referent of security. Thus the notion of human security defines people as targets of security threats. The report identified a number of possible and visible areas of human security threats. These included economic, food, health, environment, personal, community and political. This range of insecurities was redefined into two main areas, namely "freedom from fear" and "freedom from want". The former referred to conditions such as conflicts, violence and crime that induced fear and deprived people of the stability in life, while the latter referred to deprivations such as the lack of employment, education, housing, medical care, sanitation, etc, which undermined dignified life. In spite of its popularity, human security as a concept has faced intellectual criticisms. Roland Paris (2001: 89), for example, denounces the concept as being too broad and including "virtually any kind of

unexpected or irregular discomfort." On the other hand, some see the concept as too narrow and focusing too exclusively on humans. This view recommends an expansion in the focus of the concept to cater for "traditional" ways of living (Pettman 2005: 140) Some question whether human security is ever achievable in a world facing various forms of security threats (Henk 2005: 99-100, Tomuschat 2003: 56), while feminist argue that the articulation of the concept has not gone far enough to address the concerns of women (Basch 2004)

In spite of these criticisms, human security remains a useful concept that has guided policies, especially in developing countries. In its 64th General Assembly Plenary session, the UN noted that "human security was intimately linked to the achievement of the Millennium Development Goals (MDGs) and other human development goals" (UN 2010). The adoption of the MDG initiative in 2000 was thus part of the broader efforts to alleviate human insecurity. In the current discussion on elections and insecurity, however, the focus is on the "freedom from fear" and more specifically, on violence, conflicts and personal security. Without doubt, conflicts and violence have remained defining features of African politics in recent decades. Paradoxically, post-cold war conflicts in Africa have largely been intra-state (Laremont 2002: 3) and have claimed thousands of lives, raising challenges for the African Union (AU) and the international community. Many of Africa's conflicts are related to the dearth of democracy and good governance – human right abuses, corruption and clientelism exclusions and the partisan posture of the state in distributing resources among competing constituencies (Adedeji 1999, Le Billon 2001, Sawyer 2004, Akokpari 1998). The deepening of democratic governance was expected to mitigate the continent's conflicts. However, in much of Africa, electoral politics, which are central to democratic politics, seem to create or exacerbate conditions for conflict and violence.

**Election as a concept**

According to Dowse and Hughes (1983: 322) an "election is a procedure recognised by the rule of an organisation, be it a state, a club, a voluntary organization or whatever, where all, or some, of the members choose a smaller number of persons to hold an office, or offices, of authority within that organisation." Voting has remained the mechanism by which elections are conducted. Although there are various voting systems, the most popular include the single member

constituency and single vote; the single member and second ballot; the single member with preferential vote; and proportional representation (Hague and Harrop 2010:181) Particular voting systems are adopted depending on country's preference or its history. Generally, however, voting offers a practical procedure for choosing governments and representatives. Elections establish the preference of the majority of voters and have become a universally accepted way of choosing leaders. Evidence shows that non-democratic systems also use voting to elect leaders and elections to legitimise their rule. It is also a fact that elections under non-democratic systems generally offer limited choices for the electorate. Under one-party systems, for example, the electorate can only choose between candidates belonging to the same political party and representing the same ideological persuasion.

Historically, elections have been informed by liberal democratic theories of representation (Ball and Peters 2005:163). Central to these theories are three key assumptions. First, there is the unshaken belief of liberalism in the individual's fundamental human rights, including the right to choose those who govern. The right to vote was enshrined in Art 21 of the Universal Declaration of Human rights and developed further in Article 25 of the 1966 International Covenant on Civil and Political Rights (ICCPR). It states thus:

> Every citizen shall have the right and opportunity,…. a) to take part in the conduct of public affairs, directly or through freely chosen representatives, b) to vote and to be elected at genuine periodic elections which will be by universal and equal suffrage which shall be held by secret ballot, guaranteeing the free expression of the will of the electors.

Basic human rights, including the right to choose, are assumed to be inalienable and neither the state nor any of its agencies is deemed competent to deny this to citizens. Liberal regimes protect human rights through various mechanisms, including constitutionalism. Second, elections are premised on the belief that voters are rational. Rationality refers to the inclination of voters to maximise returns from their votes. Voters factor in their interests and that of their communities in the exercise of their votes. Accordingly, they elect a government which best represents these interests. Rationality also means the electorate vote for parties with the best chance of being elected or vote in a way that limits the chances of a despised party from winning. Powel *et al*

(2012: 115) argue that they do this by voting for their third or fourth best candidates if this will prevent a despised party from winning. Thirdly, theories of representation are founded on the belief in the sovereignty of the electorate. Since democratic principles require a government to rest on the consent of the governed (Ball and Peters 2005), this principle affirms the supremacy of the electorate as the ultimate constituency to both institute and remove a government from office.

Yet, elections are not sacrosanct; practically, they may impart flaws that can potentially undermine individual rights and the idea of majority rule. Experience shows the unbridled tendency of human beings not only to amass, but also to abuse power, a practice antithetical to democratic ethos. Thus, Alexander Hamilton, one of the authors of the Federalist Papers, warned in 1788: "men love power…give all power to the many they will oppress the few. Give all power to the few, they will oppress the many" (quoted in Dahl 1956:7). In other words, elections create the opportunity for one segment of society to oppress and thus abuse the rights of the other – whether this is the majority or minority. Theoretically, elections are about putting a party into office, which in turn means investing it with legitimate authority and power to govern. Elections thus decide who would be invested with the responsibility to make what David Easton (1965: 50) terms "the authoritative allocation of values" in a state. However, flawed elections may lead to the assumption of power and the making of authoritative decisions by a government which is not the genuine preference of the electorate. Notwithstanding these flaws, elections represent the best and fairest way presently known for deciding on who governs. In democratic elections, contending candidates ideally have an equal probability chance of being elected. This democratic credential is just one of the many advantages of elections. In the next section I note the importance of elections in a democracy.

**Importance of elections in democratic governance**
Elections and electoral politics are central to democratic governance not just because of the sheer vibrancy and enthusiasm they generate, but more crucially, because they offer the electorate choice between competing political parties (Ball and Peters 2005: 167). It is generally assumed that a party elected is that whose policies resonate well with the majority of the electorate. Yet,

the power of the electorate to choose is not limited to political parties; to be sure, the electorate also chooses between candidates. In single party and communist systems the electorate choose between candidates of the same political party. In some communist countries in Eastern Europe the objective of the party is to test "whether local party officials retained the confidence of their communities" (Hague and Harrop 2010: 199). In some cases, too, elections offer the electorate choice between issues. Besides the economy and employment, which tend to dominate the calculation of electorates in elections (Duch and Stevenson 2008), other socio-political issues tend to influence the electorate. In the US, the stance on abortion, family values and taxes, have tended to decide the electoral fortunes parties (Felchner 2008). In Canada, questions on racial defence and to a limited extent whether or not the mainly French-speaking province of Quebec should secede were key electoral issues during the 1990s (Bakvis and Macpherson 1995), and Arian and Shamir (2008) have noted that while turnout declined considerably in the 2006 Israeli elections, security and peace as well as the nature of relations with the US were important electoral issues.

In much of Africa, however, issues scarcely inform the choices of electorates. Political parties are elected for other reasons, including historical affiliations, regional factors, clan, tribe or and ethnic loyalty. Associated with the liberation of the country from aparthied, it is unthinkable, for example, that majority Black South Africans will abandon the African National Congress (ANC) even if the party follows bankrupt policies. In Ghana, the ruling National Democratic Congress (NDC)  maintains a strong support base in the Volta region from where its founder, Jerry Rawlings, hails, while the main opposition party, the New Patriotic party (NPP), draws its strongest electoral support from the Ashanti Region (Fridy 2007). Attachments to regions are strong in Nigeria and the electorate would vote for regional parties had the federal constitution not made it mandatory for political parties to secure membership across all regions of the country as a prerequisite to contest elections. Patronage and vote buying have also become widespread and inform voters' choices. Studies have established the extent of vote buying, clientelism and patronage on voting behaviour in Africa (Herbst 1993, Vicente and Wantchekon 2009; Bratton 2008, van de Walle 2003). By and large, ascriptive factors, rather than "what a party proposes to do and how well it will do it" (Hague and Harrop 2010: 199), tend to inform the party choices of

Africa's electorate. Thus, while African voters are rational, the choices they make in elections may not necessarily be rational.

Elections also serve to legitimise the rule of a government. Democratic practice requires that governments remain in power only as long as they have legitimacy. Legitimacy, the conferment of recognition and moral authority on a government to govern, has often been seriously questioned in Africa. This is in cases where a government comes to power through unconstitutional means, or when polls are suspected to have been flawed. Experience from Africa has shown that repression and brute force have been used to suppress dissent when a regime's legitimacy is challenged. Yet, a more popular way of dealing with legitimacy crisis by illegitimate rulers, is to organise feign elections (Assensoh and Alex-Assensoh 2001). Flight Lieutenant Jerry Rawlings who came to power via a military coup in 1981 transformed into a civilian president through elections in 1992 after 11 years as a military dictator. Importantly, the 1992 elections which confirmed him a civilian president were suspected have been deeply flawed (Oquaye 1995) Similarly, Yuweri Museveni, who came to power in Uganda through guerrilla warfare, legitimised his rule through elections. Ideally, a well conducted election gives a government the legitimacy and authority to govern. However, elections also delegitimise a government when it fails to meet the electorate's expectation and is voted out of power. The argument that ruling African regimes hardly loose elections, because of the advantages of incumbency and the tendency for government to rig elections is increasingly difficult to sustain. In 1991, Kenneth Kaunda and the United Independence party (UNIP) lost massively to Frederick Chiluba and the Movement for Democracy (MMD) after being in office for 23 years; Rupia Banda lost power to Michael Sata in the 2011 Zambian presidential election; Robert Mugabe and the ZANU-PF lost to Morgan Tsvangirai and the Movement for Democratic Change (MDC) in 2008, although the former never ceded power, while in Ghana, power has since 1996 oscillated between the NDC and NPP with the latter, then incumbent, losing narrowly by a 0.4 percent margin of votes in 2008 to the former (ECG 2008).

Moreover, in democratic systems, the wishes of the electorate are communicated to the government via elections. Consistent defeats in bye-elections send clear signals to the ruling

party of the electorate's disapproval of its policies, programmes and performance. As a rule failure by the government to heed such warnings almost always leads to either defeat or decline in support. Parties can thus use electoral outcomes to gauge their popularity and the acceptability of their programmes. A party loosing elections is essentially being told of its waning support by the electorate, in the same way as a winning party is being assured of waxing approval.

As a corollary to the above, elections serve to ensure the responsibility and accountability of the elected. Ideally, the possibility of poor performance being punished by electoral defeat serves as an incentive for good governance, responsiveness and accountability. In much of Africa, however, the extent to which citizens can demand accountability through elections is limited. A confluence of factors, including weakness of democratic institutions, the predominance of patronage politics and corruption, and in some cases, the dominance of ruling parties, limit the degree to which accountability can be demanded, explain this. In some African countries, the press is either controlled or muzzled and unable to expose corruption and maladministration. In some cases, the credibility of institutions meant to enforce accountability is easily compromised. In Kenya, for example, some members of anti-corruption agencies were themselves arrested for corruption – a case of the hunter becoming the hunted (Kimathi 2006), while in Nigeria it is still left to be seen if the Economic and Financial Crimes Commission (EFCC) established in 2004 to fight corruption will effectively annihilate the problem. The dominance of ruling parties, with a majority that outnumber all opposition parties in parliament combined has also served to vitiate efforts to ensure the accountability of the governed. With a majority of over 60 percent, the ANC, for example, is certain to defeat any bill it suspects will embarrassingly exposes maladministration in South Africa. This is not to suggest that the fight for accountability is all lost. On the contrary some countries, including South Africa, have used institutions such as the press, the public protector, and anti-corruption NGOs to expose maladministration.

**Elections, violence and insecurity- the causal explanation**
Electoral victory guarantees access to the state, which has traditionally been perceived as a conduit for personal accumulation, power and prestige. This perception has been underscored by the power and opulence displayed by political elites and individuals connected to the state. At the

same time, poverty and economic adversities are widespread. Unemployment is high while salaries of the majority of the employed population are barely sufficient to guarantee descent living. Thus the imperative to access the state cannot be overemphasised. Access to the state and its resources has sometimes been gained through neo patrimonial connections (Sandbrook 1986). In a continent with adversities and limited opportunities for wealth accumulation, the desire to control the state is high. This scenario has a predictable consequence of intensifying competition for access to the state with implications for democracy and elections. Those with access to the state do everything in their power, including rigging elections, to hold on to the state while those without access go every length, including resorting to protests, violence and conflict, to have a share of the spoils. In this contest, electoral politics is no longer depicted as a game of winners and losers, but rather as warfare of victors and vanquished. In this scenario, moreover, the electoral game becomes an issue of survival, literally a matter of life and death in which an atmosphere of insecurity is created.

The agony of electoral defeat is compounded by the largely exclusionary, winner-take-all electoral systems used by a large number of African states. With the exception of a few Southern African countries – South Africa, Lesotho and Namibia – which use the inclusive proportional representation (PR) and party lists systems, majority of African countries use the single member constituency or the first-past-the-post (FPTP) system. Under the former, the distribution of parliamentary seats is based on the performance of parties in election (Ball and Peters 2005:133). While stronger parties tend to get a bigger share of seats, the system nonetheless ensures the representation of smaller and minority parties in parliament. In contrast, the FPTP gives representation to parties who poll the highest number of votes in a constituency to the total exclusion of loosing parties irrespective of the percentage of votes they obtain. In the 1993 Lesotho elections, for example, the Basotho Congress Party (BCP) polled 74.85 percent of the votes and took all the 65 seats in the National Assembly. The Basotho National Party (BNP), which came second with 22.59 percent of votes got no seat. Similarly, in 1998, the Lesotho Congress for Democracy (LCD) took 79 of the 80 seats in parliament with 60 percent of votes, while the opposition combined 40 percent votes got them only one seat (EISA 2008: 2). The exclusionary effect of the FPTP becomes more palpable when contrasted with the inclusive PR

model used in South Africa. In 2009, the ANC polled 65.9 of the votes and took 264 of the 400 seats in the National Assembly. The Democratic Alliance (DA), which came a distant second with 16.7 percent of votes, got 67 seats. Even the Independent Democrats (ID), which polled less than 1 percent of votes got four seats (Morna *et al* 2010: 29). The exclusionary effect of FPTP strengthens the resolve of losing parties to dispute electoral outcomes, which often precipitates violence. Lesotho's 1993 and 1998 polls were both followed by violence which left scores dead. The abatement of violence in the aftermath of the of the 2003 and 2007 Lesotho elections, was due to the introduction of the mixed member PR after the 1998 post-election violence.

The challenges presented by electoral models in some countries have been deepened by the often poor organisation of elections. A number of African countries, including South Africa, Botswana, Ghana, and Zambia have been credited with holding free and fair elections (EISA 2010a; EISA 2010b: x). However, these are exceptions. In a number of countries the organisation has been poor and deepened suspicion of fraud. In the 2011 Nigerian and 2012 DRC elections, the voting process was undermined by the inability to transport voting materials to polling stations on time, while in other cases there were widespread allegations of bloated voter registers. The Nigerian parliamentary elections of 2011 were twice postponed. Originally schedule to take place on 9 April, the elections were rescheduled for 11 April and later in the week pushed back further to 16 April. The official reason for the postponement was the inability of the Independent National Electoral Commission (INEC) to deliver voting materials to all the 111,430 polling stations, where 74 million registered voters were expected to vote. Nigerian elections have always generated violence and the polls of 2011 were no exception. Pre-election violence claimed 39 lives, while Human Rights Watch (HRW) put the total number of elections-related deaths at over 1000 (Nossiter 2011). Similarly, with poor road infrastructure, voting materials could not reach all of DRC's 60,000 polling stations on time. Consequently, voting started late or did not take place in areas where materials never arrived. Will Ross, the BBC correspondent covering the elections, noted that some voters could not vote either because their names were not found on the voters' roll or found their names marked as having already voted (Ross 2011). In a country, that had never known free and fair elections, polling agents, largely untrained and unprofessional, either could not detect the lapse or simply condoned it. According

to the UN, election-related violence following opposition allegations of fraud left 33 dead and over 100 wounded (Callimachi 2012, BBC 2012a).

In their bid to remain impartial, some electoral commissions have seen undue executive interference in the conduct of their duties. Such interferences deepened public suspicion of rigging and sparked protests and violence. In 2000 General Robert Guei, then head of state dissolved the electoral commission as it announced results of the Ivory Coast September presidential polls. Guei did this as the results were pointing to his defeat. He subsequently transferred the powers of the electoral commission to his Interior Ministry, which announced carefully manufactured figures indicating he had won. This sparked a wave of protests among both civilians and the military (Akokpari 2008:102). In the confusion, General Guei, along with his interior Minister, Emile Boga Doudou, and a number of civilians were killed (*The New York Times* 20 September 2000). Similarly, the annulment by Laurent Gbagbo of the results of the 28 November 2010 announced by the country's electoral commission, sparked wild post-election violence. The violence abated only with the capture of Gbagbo on 11 April 2011. Human Rights Watch cited in the *Washington Post* put the number of deaths at 3,000. Thousands more Ivoriens were displaced while Gbagbo's forces were reported to have committed heinous human rights abuses (*Washington Post,* 23 February 2011*).* As well, in 1996, Niger's IEC was dissolved by President Mahamane Ousmane while ballots were being counted. A new commission was constituted, which declared the president as winner (UNDP 2000: 51), and in May 1998 Togo's 5-member IEC resigned when president Gnassingbe Eyadema ordered it to stop the counting of votes as the trend pointed to his defeat. Counting of votes subsequently resumed under the ministry of interior, which declared that the president had polled 52 percent of the votes (UNDP 2000: 51). In both Niger and Togo protests erupted which state security agents ruthlessly clumped down.

Election-related violence in Africa has been also been partly caused by intimidation by the state to silence critics. Acts of intimidation are usually a sign of a government's fear of losing elections. Terror is thus unleashed on the population to force it into acquiescence. Intimidation, however, has a predictable trapping of fraudulent polls and consequently post-election violence.

By mid-2000 Robert Mugabe and ZANU-PF were facing a serious legitimacy crisis and protests caused by massive economic meltdown in Zimbabwe. The government responded with intimidation, using arrests, detention and torture, which heightened in the months preceding the general elections of March 2008. Although flawed, the March elections were won by the opposition MDC. Post-election clamp down on the opposition continued with the general insecurity generated by oppression and economic meltdown forcing thousands of Zimbabweans to seek political and economic refuge in neighbouring countries, especially in South Africa. MDC supporters have continued to suffer arrests and other forms of human rights abuses notwithstanding a SADC-brokered power-sharing arrangement between ZANU-PF and MDC in 2008 (Shaw 2011).

In Uganda, too, opposition activists were arrested, detained and tortured in a bid to ensure Yuweri Museveni's victory in the 2011 elections. In fact, Museveni has a notorious record of suppressing opponents before elections. In the months preceding both the 2006 and 2011 presidential elections, he intimidated and arrested his main political rival, Kizza Besigye. Besigye's detention sparked a wave of protest which provided a new pretext for violent crackdown on anti-government protesters. The opposition denounced the elections as flawed, a fact confirmed by the Commonwealth Observer Group, which expressed concern about "the lack of a level playing field, the use of money and abuse of incumbency in the process" (Rice 2011). Similarly, in the month preceding the 9 August 2010 Rwandan presidential election, Paul Kagame detained prominent opposition members and banned newspapers critical of his authoritarian style of rule. His tight control of the state and its apparatus forestalled the eruption of protests after the election in which his Rwandan Patriotic Front party (RPFP) won 93 percent of the votes (Baldauf 2010). The 9 October 2011 presidential elections in Cameroun which gave 78-year Paul Biya and ruling Rassemblement démocratique du Peuple Camerounais - People's Democratic Movement - CMPD another four years defied popular expectation and produced no election-related violence. However, the controversial 2008 amendment to the constitution, which removed limits on presidential terms, did. In the protests and violence that followed, dozens of Cameroonians died as the state brutally suppressed protests (BBC, 7 October 2011).

Often, pre-election violence has been sparked by the unconstitutional bids of sitting presidents to run for third terms. In turn this tendency underscores their insatiable desire for power. While in some cases as in Thabo Mbeki's South Africa, Frederick Chiluba's Zambia, Olusegun Obasanjo's Nigeria, Yuweri Museveni's Uganda and Mamadou Tandja's Niger these moves luckily did not generate violence, this was not the case in Senegal. The decision of 85-year Abdoulaye Wade to stand for a third term in the 26 February 2012 Senegalese presidential election, in contravention of the constitutional limit of only two terms, generated widespread protests in Dakar and in other major Senegalese cities. Attempts by security forces to prevent public gatherings and protests failed. Pre-voting violence claimed the lives of six and heightened tensions in the country (BBC, 28 February 2012b). In late February, former Nigerian president Olusegun Obasanjo, was dispatched by the African Union (AU) to resolve the impasse. However, few believed that Mr. Obasanjo, a questionable democrat who himself in 2006 failed to change the Nigerian constitution to run for a third term, would succeed in the mission. The former Nigerian president does not boast of any impressive track record in resolving impasses either in Africa or in Nigeria. In 2003, as an envoy of the Commonwealth Heads of States and Governments, Obasanjo failed to get President Robert Mugabe to change course in Zimbabwe. And under his presidency, sectarian violence escalated in Nigeria that claimed hundreds of lives (Isaacs 2003). Expectedly, Obasanjo's February mission to Senegal failed. His compromise proposal for Abdoulaye Wade to step down after two years if he won the election was rejected by both Wade and the opposition (BBC 27 February 2012c). Wade subsequently failed to gain an outright victory and had to go for a run-off against his main challenger, Macky Sall. A former prime minister under Wade, Macky Sall won the run-off held on 25 March.

The presence of election monitors and observers in electoral processes cannot be overemphasised. Among other things monitoring minimises electoral fraud thereby improving the credibility of polls; it identifies problems that need to be addressed; monitors can mediate election-related disputes; offer technical support and, in some cases, run the electoral process (Chand (1997: 546-547). In addition, the presence of monitors gives a measure of assurance of fraud-free election to opposition parties who would otherwise have boycotted the polls (Carothers 1997:20). In recent African elections, improving the credibility of polls by detecting and deterring fraud has been the highlight of election monitoring. Election observers have

certified a number of elections to be free, fair and transparent. However, sometimes the pronouncements of observers have not helped forestall post-election violence. With the exception of a few polls, observers have found lapses with many but stopped short of calling for fresh polls. The 2003 election that returned Olusegun Obasanjo to office, for example, was described by local and international observers as characterised by "serious irregularities" (*Mail and Guardian,* 22 April 2003). Similarly, the April 2007 polls that brought Umaru Musa Yar'Adua to the presidency were described by European Union observers as characterised by "violence, ballot stuffing and a big shortfall in voting slips" (Moody 2007). The Togolese election of 2005 and the Zimbabwean elections of 2008 were all denounced by observers as flawed. Yet, in none of these instances did international observers insist on a re-run. By failing to insist on a re-run international observer were only making a cosmetic condemnation of the polls while providing justification for protests (which often led to violence) against the outcome. In the 2012 elections in the DRC, opposition leader, Etienne Tshisekedi, and his supporters refused to accept defeat when international observers denounced the polls as flawed.

**Can credible violence-free elections be held in Africa**?

With a history of election rigging, poor infrastructure, the rhetoric question is whether there are any hopes of holding elections that are largely credible and violence-free. To be sure, no country can hold elections that are completely free of blemish. Even the US, the epicentre of democracy, had to contend with contentious ballots in Florida in its 2000 presidential elections. For Africa, the question is: can there be elections whose positives exceed the negative? In some ways this question revives the old and unending debate between afro-pessimists and optimists on whether democratic institutions can thrive in the troubling environment of Africa. Afro-pessimists generally argue that democracy and its institutions have no chance in Africa. As Chabal (1986: 2) argued, "it is not only that hopes for democracy seemed to have faded completely, the very basis for effective government seems scarcely to obtain in Africa today." Similar pessimistic views about democracy in Africa were expressed in the 1990 against a background of fragile state institutions. Callaghy and Ravenhill (1993) noted that "nobody has been able to generate a more viable strategy for Africa, in large part because the state capabilities necessary for an alternative, heavily statist strategy along East Asian lines, simply do not exist." These views hold

no hope for democracy and by implication the chances of conducting good and credible elections.

The ubiquity of fragile institutions of governance in Africa cannot be disputed. In some countries authoritarian tendencies persist, press freedom is under threat; the judiciary lacks true independence; while civil society organisations lack the courage to challenge state encroachments on human rights. This notwithstanding, the pessimistic views about Africa are too general to be accepted without question. Moreover, they tend to lump Africa, a continent of over 50 countries, into one big basket of failure. African countries shares fairly similar economic characteristics, yet they differ in their economic and political capabilities. Thus, while Nigeria, the DRC, Togo and Zimbabwe held fraudulent and violence-prone elections, South Africa, Botswana, Ghana, Zambia, to name a few, had credible and largely violence-free polls. Moreover, experience shows that the electoral fortunes of a country can change over time. If Zimbabwe conducted rigged poll because it was ruled by a despot, it does not mean a future democratic and development-minded leader would not preside over credible elections.

Secondly, overly pessimistic views about Africa and democracy fail to recognise the gains made by the continent over the last two and half decades. The demise of communism, the triumphalism of neoliberalism and the ascendency of globalisation have combined to induce democratic reforms, albeit slowly, in Africa. Thirty years ago political liberalism and competitive multiparty elections were exceptions, never the rule - only Botswana, Gambia, Mauritius and Senegal were credited with competitive elections (Manning 2005: 702; Riley 1991: 3-7) - today nearly all functioning African countries, but Swaziland, hold multiparty elections, although some are feign. Thirty years ago, "life" and "sit-tight" presidencies were the norm, with half of Africa's leaders falling into that category, today this is abnormal with just a few remaining, including Jose Eduardo dos Santos (Angola), Blaise Campore (Burkina Faso), Paul Biya (Cameroon), Teodro Obiang Nguema (Equatorial Guinea), Yuweri Museveni (Uganda), and Robert Mugabe (Zimbabwe). Also, thirty years ago grotesque dictatorship was condoned by the west; today it is disdained. Clearly, the tide is changing and Africa is making progress, even if slowly, on the path of democracy.

Yet, few will dispute the view that the conduct of credible and conflict-free elections requires that attention is given to the following:

*(i) Electoral roll and franchise*

The electoral register has often been at the centre of controversy in disputed elections. In some cases the register has been dated and included names of citizens who left the constituency, the country or had died, while missing the names of people who have attained the voting age. A dated electoral role encourages fraud and the potential for disputes. EMBs should do well to update the roll periodically, and to provide adequate time for citizens to verify the accuracy of their registration before polls. On polling day, no excuses should be used to prevent registered voters from voting.

*(ii) Independent electoral commission*

Credible and violent-free elections depend to a large extent on the perception of EMBs as impartial players in the electoral process. Electoral commissions should be free from governmental or party interference in the conduct of their duties. EMBs should remember that their role is critical in the democratic process and that compromising impartiality would have grave consequences for the credibility and stability of the entire process. As the UN notes:

> "An electoral body, however styled, is responsible for more than staging of a poll on election day; it is the custodian of the integrity and legitimacy of a key phase in the democratic process. It must therefore act with impartiality and a maximum of transparency, consulting on a meaningful way with interested parties, before decisions are taken on important matters and being prepared to give reasons for such decisions" (UNDP 2000: 104).

EMBs should be appointed in a way that inspires public and opposition confidence. They should be provided with adequate resources to perform their duties. Government should not use funding to sway EMBs (Dundas 1997: 208-209).

### (iii) Fair electoral laws

The unilateral formulation of obnoxious electoral laws by the state designed to enhance the chances of the ruling party while weakening the chances of the opposition is often a recipe for contestations and violence. For example, setting prohibitive registration fees as conditions for entering an electoral race, which may be used to exclude opposition candidates, or formulating laws around campaigning and party funding that advantages ruling party but disadvantages the opposition, not only suffocates the latter, but sets the stage for dispute over electoral outcomes.

### (iv) Level playing field

Both opposition and government should have fairly equal access to resources relating to elections. These include the media, especially television, the press to disseminate their programmes and manifestos. Governments should not abuse the advantage of incumbency to project its programmes on TV while denying this opportunity to opposition parties and candidates. The opposition should have access to resources that will go to ensure fair elections.

### (v) Acceptable electoral model

There is no conclusive evidence to suggest that a particular electoral model is better in sustaining democracy. Both majoritarian and PR systems have advantages and disadvantages. However, it appears that countries using the PR in Africa tend to experience less post-election violence. This may be due to the accommodative nature of the system. As noted earlier, the FPTP tends to exclude minorities parties. Yet, there is a limit to which the exclusionist tendencies of the FPTP can be blamed for election violence in Africa. While it may have led to post-election conflicts in Lesotho, Nigeria, the DRC and Kenya, countries like Botswana, Ghana, Zambia, to name a few, have used it peacefully. The critical thing is for countries to appreciate the strengths and limitations of the electoral system in place and to change it if there is consensus that it is partly responsible for election-related violence.

### (vi) Neutral institutions to speedily address election-related disputes

Credible institutions, rather than traditional courts, need to be established to speedily address disputes related to elections. If possible, outcomes of such disputes be finalised before the final

announcement of results. This should be the case in situations where electoral fraud is alleged to be massive and could affect the outcome of the elections. Under the present dispensation, outcome of disputes take long to be known, by which time winning parties would already have been sworn into office. In Nigeria, for example, the verdict on allegations of electoral fraud was given months after the new administration of Umaru Musa Yar'Adua had assumed office. And the haste with which some governments have been sworn into office has only deepened suspicion of fraud. Presidents Mwai Kibaki (Kenya) and Laurent Gbagbo (Ivory Coast) were hastily sworn into office minutes after the final results of the disputed elections in their respective countries were announced. No time was made for allegations to be investigated. Such hasty inaugurations meant the results were sealed and no longer reversible even if allegations of fraud are proven to be credible.

**Conclusion**

Since the 1990s, competitive multiparty elections have been a defining feature of Africa's democratisation project. While Africa's democracies still remain fragile, this development stood in sharp contrast to the dominant trend of authoritarianism and one-partyism prior to the 1990s. However, while some countries have had credible and dispute-free polls, electoral outcomes have been contested by the opposition and in some other cases led to violence and the personal insecurity of people. Disputes and protests have in most cases been the result of suspected fraud and the lack of transparency in polls.

The tendency for conflicts to erupt has been exacerbated by a confluence of factors, including the intensification of competition for accessing the state and its resources, the poor organisation of elections, the tendency for the state to interfere with the work of EMBs, the desire of some presidents to have third terms in violation of constitutional provisions for two, the failure of election monitoring bodies to insist on re-running polls in cases of massive irregularities, the use of intimidation as a tool of acquiescence and the tendency for the FPTP electoral model to exclude significant constituencies from parliament, among other things.

While Africa has made progress on the path of democracy, it is nonetheless clear that minimising the incidence of election-related insecurity requires that particular attention is paid to critical elements in the electoral process, including the electoral register, independence of the EMBs, fairness of electoral laws, establishing level playing fields for all competitors, and establishing credible institutions to speedily adjudicate in election-related disputes. These may not eliminate all election-related challenges in Africa, but will certainly minimise the recurring incidence of election-related violence.

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