

Ballots or Bullets: Elections and Conflict Management in Southern Africa

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Abstract

Elections form an important ingredient for democratic rule in all societies. However, on their own, elections do not amount to democracy nor are they sufficient to sustain democratic governance. The significance of elections though, is that they encourage popular participation in the political process, which is crucial for both stability and legitimacy of rule. This is more so in conflict-ridden and war-torn societies. The southern African experience demonstrates that the relative political stability enjoyed by the majority of states since the ending of the cold war and the demise of apartheid, has been nurtured and consolidated through elections, which have essentially replaced bullets with ballots as key instruments for the contestation for state power. The extent to which elections add value to the constructive management of conflicts depends critically on both the nature of the electoral system and the unequivocal commitment of the belligerent parties to peace, reconciliation and stability.

Introduction

The whole world is undergoing political transition from authoritarianism towards democratic governance.¹ This global political sea change has been given added impetus by the ending of the cold war in the early 1990s. The southern African region is no exception to this world wide political transformation. Internal political dynamics in individual countries have helped drive this process of political transition. Equally important have been the impact of not only the ending of the cold war, but also the collapse of apartheid in South Africa. During the cold war and apartheid, the southern African region had been enmeshed in protracted conflicts, which had not allowed the regional states to enjoy sustainable development, democratic governance, stability and peace. It was thus anticipated, by many keen observers of the region's political development, that the post-cold war and post-apartheid era would bring about the stability and peace so crucial for democratic governance and economic development. Elections were seen as the central, albeit not the only condition, for both the transition to and the consolidation of democracy and stability in the region. In essence, elections are an important, yet not the only, ingredient for democratic practice and culture. If well managed, they are also crucial instruments for conflict management in war-torn societies. Conversely, elections can also accentuate existing conflicts among belligerent parties. This is not surprising for elections themselves are, by their very nature conflict ridden, given that they present a contest over state power. For elections to add value to democratic governance, stability, peace and reconciliation, clear rules, procedures and systems that bind all the contesting parties are required. Often the debate on elections and conflict tends to focus mainly on the

1 Huntington, 1991; Hyden and Bratton, 1992; Bratton and van de Walle, 1997

general elections, thereby downplaying other levels of the electoral process more by default than by design. It is worth noting that primary elections within political parties are as (if not more) dissentious as the general elections themselves. These have led to or accelerated intra-party power struggles, faction fighting and splits of parties into fragmented political fiefdoms.² In essence, primary elections could either stabilise or destabilise the party machinery depending on the degree of the inner-party democracy in each one of the Southern African Development Community (SADC) states. On the whole, internal party democracy is weak, hence the fragmentation and relative ineffectiveness of opposition parties throughout the region. Furthermore, it is worth emphasising that local government elections are as important in southern Africa as are general elections and, in much the same way, are as conflict-ridden. Whereas much of the conflict around general elections is primarily among political parties, the principal conflict in local government elections revolves around the power struggle between modern and traditional institutions of governance, although inter-party strife also marks local level conflicts.

State of Governance in Southern Africa: Conceptual Framework

A more useful discussion of problems, progress and prospects for democratic governance, stability and peace in southern Africa, and the role of elections in this regard, has to grapple with some common understanding of critical concepts. These include the state, government, democracy and democratisation, authoritarianism, conflict and conflict management, elections and electoral systems. The concept of the 'state' usually invokes heated debate among social scientists. The state could be perceived as either the territorial entity which is home to a specific people sharing a common culture even if ethnically or racially diverse, or as an institutional entity. This article adopts the latter definition, which conceives of the state as a set of permanent institutions of government comprising decision-making structures (the legislature), decision-enforcing organs (the executive), decision-mediating agencies (the judiciary), law enforcement institutions (the security establishment) and policy formulating agencies (the bureaucracy).³ The state therefore comprises permanent institutions, which do not change despite periodic elections and changes of government over time. The state is thus crucial for the running of national affairs of countries. In contrast, 'government' refers not to institutions, but rather to officers who staff state institutions for the effective and efficient running of national affairs. Unlike state institutions, governments come and go. Governments change over time either through the smooth transition brought about by elections (ballot-propelled changes) or through violent overthrow of regimes by way of military coups (bullet-propelled changes). A simple distinction between a state and a government, therefore, is that (a) the state refers to institutions whereas government denotes people in charge of these institutions; and (b) the state is permanent whereas government is by its very nature temporary and ephemeral. The manner in which the state institutions are run defines the extent to which a political system in a given country could be classified as either democratic or authoritarian.

Governance denotes the process by which the state and government machineries are set in motion. The mode of governance determines the manner in which power is exercised in the public realm.⁴ It simply refers to the method and art of governing a given country. Whereas the state refers to permanent institutions of running national affairs and government refers to

2 Olukoshi, 1998

3 Chazan *et al*, 1998; Dunleavy and O'Leary, 1987; Hall and Ikenberry, 1989; Forest, 1992

4 Hyden and Bratton, 1992; Hyden *et al*, 2000

officers who staff state institutions, governance defines the modality and process of governing. Governance can be either democratic or authoritarian.⁵ Democratic governance draws its mandate, legitimacy, credibility and acceptability from consensus and persuasion, whereas authoritarian governance draws its value from threats, coercion and patronage. Elections play a more central role in democratic governance in present-day southern Africa. During the period of one-party and personal rule in the region, when authoritarian governance was the order of the day, elections were insignificant and had a minimal bearing on the political system as a legitimising factor. The governance process in southern Africa has undergone a major transformation since the ending of the cold war and the demise of apartheid in South Africa.

Various authorities have differently defined democracy. It is not far-fetched to surmise that there are as many definitions of democracy as there are writers on the subject.⁶ For this study, democracy is taken to mean a political system that allows all citizens to freely choose their government over time through elections, is accountable to the electorate and accords people adequate participation in the running of national affairs. It is a system that is transparent in driving processes of nation-building and economic development, respects fundamental human rights and strives towards a fair distribution of national resources. Only by meeting the above conditions is a government likely to enjoy both domestic and international legitimacy and credibility, which are needed for its moral title to rule. The three known forms of democracy throughout the world are (a) liberal democracy, (b) social democracy and (c) popular democracy.

According to Jackson and Jackson:

an essential characteristic of **democracy** ... is the reconciliation of the need for order and stability with a degree of influence for competing political interests. Representatives are elected by a form of majority rule to make legislation, which has the force of law. They are allowed to do so because success in elections accord the winners the *legitimacy* required to govern. A *majority principle* is required so that decisions can be taken by the people and their representatives even when division continues to exist.⁷

Authoritarianism, on the other hand, is a concept used to denote a political system which relies upon obedience, coercion and fear as its key legitimating factors to sustain continuity and reproduction of the governing elite. It is no wonder that:

[S]uch regimes impose one political group or interest over everyone else. They restrict pluralism and limit public participation, calling for obedience and no dissent ... In authoritarian countries, power is organised by the elites through the military, bureaucracy, religious leaders, or similar authorities ... Usually little effort is made in such regimes to mobilise the population to political action because the leaders prefer apathy ... Parties are frequently banned and opponents imprisoned. The threat of state violence is never far behind any significant political activity.⁸

Varieties of authoritarianism include (a) mono-party states, (b) military regimes, (c) dynastic or monarchic oligarchies and (d) theocratic regimes.

Part of the limitation of the democratisation project in southern Africa today has to do with its form and content. A majority of the states are following liberal democracy and in most

5 Jackson and Jackson, 1997

6 Ake, 1996; Jackson and Jackson, 1997

7 Jackson and Jackson, p77

8 Ibid, p81

cases it seems that the dominant party is the preferred mode of party system after the long years of mono-party system. Under these circumstances, stability has not really taken root. Consequently, democratic governance and sustainable development remain elusive goals and elections make little sense to ordinary voters. What other scholars have observed recently is that under the current process of political liberalisation, 'politics turns on the instrumentalisation of disorder ... Disorder ... incorporates within it the notion of uncertainty'.⁹ Once the electorate is confronted with political disorder, which in turn breeds uncertainty, it is concerned simply about issues of sheer survival and come elections, there is a general apathy and those who vote are concerned more about their partisan stances and less about real national issues. In a recent study that this author undertook jointly with three other researchers based at the National University of Lesotho on voting behaviour, one of the major findings was that partisan commitment plays a central role in the way the Basotho exercise political choice during elections.¹⁰ Consequently, broader national issues play an insignificant role in the electoral ... process, hence many of our respondents did not attach much importance to familiarising themselves with the manifestos of their parties, let alone those of other parties. Even under the new democratic dispensation in South Africa today, which Mkandawire aptly terms a 'choiceless democracy',¹¹ evidence abounds that people vote not so much for real national issues but for individuals or parties on the basis of 'pork-barrel' or patronage politics.

Although conflicts are inherent in all societies since time immemorial, the concept 'conflict' remains both nebulous and elusive in social science discourse.¹² For this study, the concept is used to denote incompatibility of interests, choices and goals over the distribution of resources, ideological orientation and power among various political actors. Conflicts arise from interaction among two or more actors in the political system with incompatible interests, choices and goals wherein the ability of one actor to gain depends to an important degree on some loss on the part of others. Politics therefore is a conflict-ridden game. Elections are a clear expression of a 'rule-based' conflict in politics (ballot politics based upon consensus and dialogue). Conversely, violent conflict and usurpation of state power is a manifestation of anarchic organisation of politics (bullet politics predicated upon coercion and force). Conflict *per se* is not counterproductive in the process of social change and social engineering. More often than not conflict becomes counterproductive when it assumes violent proportions and is mismanaged.

In his millennium address the UN secretary general, Kofi Annan, observes that there is a near universal agreement that prevention is preferable to cure, and that strategies of prevention must address the root causes of conflicts, not simply their violent symptoms. Consensus is not always matched by practical actions, however. Political leaders find it hard to sell prevention policies abroad to their public at home, because the costs are palpable and immediate, while the benefits ... are more difficult for leaders to convey and the public to grasp. Thus prevention is, first and foremost, a challenge of political leadership.¹³ It is worth noting that the UN has declared 2000 the 'Year of the Culture of Peace'. This is an urgent call for countries to individually and collectively devise mechanisms and systems for the constructive management of conflicts. It should be noted that the Electoral Commissions Forum of the SADC countries has a specific Conflict Resolution Programme, which aims at creating

9 Chabal and Daloz, 1999

10 Makoa *et al*, 2000

11 Mkandawire, 1998

12 Schellenberg, 1982; Ohlson and Stedman, 1994

13 2000 pp44–45

sustainable and effective capacity for member countries to manage election-related conflicts. The specific objectives of this programme are as follows:

- ♦ to facilitate collective exploration by SADC electoral commissions of the nature and manifestation of election-related conflicts, and the systems and capacities required to manage them;
- ♦ to facilitate the design of conflict management systems appropriate to each national context;
- ♦ to develop capacity, through training of designated persons in each country, to manage conflicts; and
- ♦ to establish a resource panel of experts who can be drawn upon to assist conflict-related crisis during elections.

An election refers to a process whereby a people belonging to a particular territorial state and under the authority of a single institutional state, variously referred to as either the electorate or voters, choose their government periodically as a clear expression of representative democracy. Elections, therefore, are an important ingredient of democracy. However, elections on their own do not guarantee democracy nor are they synonymous with it. As Jackson and Jackson persuasively argue, 'without some form of elections, there is no democracy. Citizens have no choice, no say in who will govern them. But it is equally true ... that elections themselves are far from a guarantee of democracy'.¹⁴

Elections serve various functions including political education, recruitment and selection of political leadership, orderly succession of government anchored upon the ballot rather than the bullet, periodic review of the performance of the government and an opportunity for renewal of mandate or replacement of the sitting government by another. They ensure domestic and international legitimacy and credibility of government and, in war-torn societies, are a mechanism for assisting with conflict resolution. Whereas an election is a process, an electoral system refers to a method or the rules of the process. It is a method that a particular country adopts for choosing national leaders to represent the electorate in the legislature. Its primary *raison d'être* is to match votes with seats in parliament.¹⁵ There are various electoral systems throughout the world and each country adopts a particular model on the basis of its culture, political history, and party organisation.¹⁶ The three main types of electoral systems are (a) the single member plurality system, (b) the single member majority system and (c) proportional representation.¹⁷ Different countries variously apply these systems and their application may include a mixture of any two of the three. Table 1 sums up the form and content of these electoral systems, highlighting the nature of representation inherent in each one of them. It is possible to infer from this table that the single member plurality system is more conflict inducing and conflict prone than proportional representation. From this premise, it is not surprising that in many states of southern Africa, elections have tended to deepen rather than resolve existing conflicts, in part due to the pervasive single member plurality system inherited from the British political tradition.

14 Jackson and Jackson, 1997, p366

15 Reynolds and Reilly, 1997

16 Jackson and Jackson, 1997, p371

17 Ibid, pp371–377

<i>Types of Electoral Systems and Representation</i>		
<i>Electoral System</i>	<i>Constituency Representation</i>	<i>Party Representation</i>
Single-Member Plurality	Maintains traditional link between representative and constituents Representatives often elected on a minority of total votes	Distortion of votes/seats ratio Minor parties disadvantaged unless support is regionally concentrated Discourages multiplication of parties; tendency to two-party system
Single-Member Majoritarian	Both maintain traditional link between representative and constituents	Distortion of votes/seats ratio
(a) Alternative Vote (AV)	Representatives usually elected by a majority	Wasted vote thesis does not apply; small parties survive even if unsuccessful
(b) Second Ballot		Tendency toward multi-party system
Proportional Representation (PR)	Individual representatives usually owe election more to party than to voters	Approximate congruence between vote shares and seat allocations
(a) Party List	Representatives forced to compete for first preference votes	Minor parties usually gain fair representation; easy entry for new parties
(b) Single Transferable Vote (STV)		Tendency toward multi-party systems
Mixed Plurality/PR	Maintains traditional link between representative and constituents	Approximate congruence between vote shares and seat allocation Minor parties usually gain fair representation

Source: Jackson and Jackson, 1997

Elections and Conflict in Southern Africa

For most of the 1980s, southern African states steered their political systems away from mono-party and military rule towards multiparty and pluralist political systems.¹⁸ Of all the SADC countries, only Swaziland and the Democratic Republic of Congo have not embraced multiparty rule and regular party-based elections as a vital form of contestation over state power (see Elections Timetable, Table 2). Despite these two exceptions to the rule, a consensus is emerging within the region that multiparty systems are better political arrangements than single party systems.¹⁹ Currently, the region is faced with the challenge of consolidating the newfound democratic practice and culture as well as institutionalising the culture of peace and reconciliation after long years of both violent and non-violent conflicts. As one writer aptly observes:

Post conflict elections are supposed to transform a violent conflict into a non-violent one: **ballots take the place of bullets**. They are expected to enable the former warring parties to pursue their conflicting ideologies and programs in a peaceful fashion. Elections give all factions an opportunity to present their agendas to the citizens, debate with their opponents, and mobilise public opinion to capture

18 Giliomee and Simkin, 1999
19 SADC, 1998, p84

political power. Like other elements of democratic system, ***elections contribute to the institutionalisation of a conflict resolution mechanism*** in the body politic (emphasis mine).²⁰

Within the current process of political liberalisation, multiparty elections have become firmly entrenched in the political systems of a majority of southern African states. Botswana and Mauritius are the longest-enduring stable multiparty systems, being anchored upon regular elections over the last three decades of political independence and have experienced few, if any, violent conflicts.

The region's recent electoral record and the degree to which elections resolve major conflicts show great variations. On the basis of the 1991 Bicesse Agreement, Angola held its presidential and legislative elections in September 1992 in the middle of a major violent conflict. The elections result delivered a victory for the Popular Movement for Liberation of Angola (MPLA). In the presidential race, José Eduardo dos Santos of the MPLA secured 49.67% and the Union for the Total Liberation of Angola (Unita's) Jonas Savimbi got 40.07% of the total votes cast. In the National Assembly race, the MPLA won 53% of the votes to Unita's 34.10%.²¹ Instead of the electoral process acting as a catalyst in the transition to and consolidation of democratic rule, it accentuated and gave more vigour to the armed conflict.²² Angola has adopted the proportional representation electoral model, which is highly regarded as enhancing broader participation and thereby contributing to political stability.²³ The Angolan situation provides sufficient evidence that in some instances elections alone are insufficient to bring about political stability, reconciliation and peace. As Kumar and Ottaway remind us, there is little doubt that in many instances elections leave a bitter legacy, aggravating existing tensions and cleavages.²⁴ The Angolan conflict continues today and political settlement remains a mirage.

On the contrary, Mozambique experienced a smooth political transition based upon the 1992 General Peace Agreement signed in Rome by the belligerent parties. This culminated in the holding of presidential and legislative elections in October 1994, which resulted in a government of national unity incorporating the Front for the Liberation of Mozambique (Frelimo) and the Mozambican National Resistance (Renamo). This suggests that under certain conditions, elections could be useful in transforming war-torn societies into stable political systems. Further more, the Mozambican experience suggests that power sharing is crucial for the credibility of the elections outcome and for sustainable peace in war-torn societies. Mozambique's fledgling democracy was given a further boost by the second elections of 1999, which consolidated the country's stability and coalition government. In the presidential contest, Frelimo's Joachim Chissano won 52.3% and Renamo's Alfonso Dhlakama 47.7% of the votes cast, thereby ensuring the continuity of the government of national unity in a country slowly recovering from a severe war. In the legislative contest, Frelimo won, by capturing 48.5% of the votes, to Renamo's 38.8%. About 11 minor parties secured far less votes in the elections and did not field candidates for the presidential race. As with the presidential race, the national assembly elections outcome further consolidated the government of national unity, so crucial for both political and economic recovery in Mozambique. Although the major opposition party Renamo complained bitterly about what it perceived as irregularities and fraud in the electoral process, the elections outcome was accepted by all parties, thereby

20 Kumar, 1998, p7

21 Smith, 1992; Matlosa, 1999a

22 Ibid; Ottaway, 1998

23 Mahao, 1997; Matlosa, 1999b

24 1998, p231

according to the new government legitimacy and political integrity.²⁵ This highlights the importance of acceptance of the elections results by all political players if stability is to prevail in a country, especially in war-torn ones. Like Angola, Mozambique operates a proportional representation electoral system, yet the political effects of the elections on violent conflict in both countries present sharp contrasts. Generally, the proportional representation system lends itself to constructive management of conflicts, especially when violent, as the experience of South Africa since 1994 clearly indicates.

In between the polar opposites of Angola and Mozambique lies a mixture of experiences with regard to the degree to which elections accentuate or contain conflicts. Quite obviously, elections have helped in the process of political settlement of the South African conflict. The South African example is instructive for protracted negotiations among belligerent parties, signing of peace accords and establishment of peace panels preceded the 1994 elections. Although violence is still a major problem in South Africa, relative stability has been achieved and the country's electoral system allows broader representation of political actors in the legislature. In South Africa, therefore, elections contributed to the wider peace and reconciliation process to bring about stability, which still prevails today. Although Namibia's political settlement of its long-drawn war of liberation also involved elections, which turned Swapo into a ruling party, the international community, especially the United Nations, was heavily involved in the process. This presupposes that in war-torn societies, international assistance is essential as there is usually a lack of institutional, financial and technical capability to hold and run elections.²⁶ The same was true for the 1992 elections in Angola and in Mozambique in 1994 and 1999. The Zimbabwean elections of June 2000 also attracted overwhelming international attention and more than 500 international observers and domestic monitors witnessed the electoral process.

In general, elections are a very costly political enterprise in both conflict-ridden and stable societies alike. International support for elections in resource-poor countries is vital. Namibia successfully held its second elections after the political transition in 1999, thereby consolidating its embryonic democracy. Botswana and Mauritius are the longest-enduring liberal democracies among SADC member states and hold elections regularly. Both countries have not faced the protracted intra-state conflicts that pose serious threats to governance and economic progress. In Lesotho, all the elections that have been held in the country prior to and after independence (i.e. 1965, 1970, 1985, 1993 and 1998) have ignited various forms of conflict in the country. In all these elections, the defeated parties rejected the electoral outcome. As a result, the legitimacy of rule and the credibility of the government were severely undermined.²⁷ In Lesotho, as in Angola, elections have helped accentuate rather than contain existing conflicts. The worst conflict in Lesotho occurred after the 1998 elections.²⁸

It is crucial that Lesotho sets out a comprehensive peace and reconciliation plan and implementation strategy if the 2001 elections are to add value to constructive conflict management and democratic governance. Efforts already started by the Lesotho Network for Conflict Management (LNCM) need to be consolidated and the National Peace Accord implemented expeditiously by all stakeholders. Given its entrenched political mono-party culture and heavy centralisation of power, political liberalisation presents a daunting challenge to Zimbabwe.²⁹ Preparations for the June 2000 elections were marred by sporadic and violent

25 Turner *et al*, 1998, p162

26 Kumar, 1999

27 Matlosa, 1999b

28 *Lesotho Social Science Review*, 1999; Southall and Fox, 2000

29 Makumbe and Compagon, 1999

conflicts, which were accelerated by the land invasions, spearheaded by war veterans from February 2000. Dialogue and negotiation among belligerent parties did not mark the road to the Zimbabwean elections and as a result, there was little possibility that they would play a significant role in securing the country's long-lasting stability. In addition, there were no well-defined conflict resolution mechanisms to manage the conflict, leading to counter-productive accusations and counter-accusations regarding its root causes.

The Zimbabwe elections of 2000 were both interesting and intriguing in many respects. There were interesting, primarily because after years of hegemonic hold on power in a mono-party atmosphere, the ruling Zanu-PF faced a real political challenge from an emergent opposition formation, the Movement for Democratic Change (MDC). It was intriguing because despite the political violence and intimidation that marked the campaign process, large numbers of ordinary Zimbabweans braved the political turbulence and went to the polls to exercise their democratic right to choose their national leaders. Of the 5.29 million registered voters, 65% turned out at the polls, far above 32% in the 1996 presidential elections, or 57% and 54% respectively in the 1995 and 1990 parliamentary elections.³⁰ There was a clear ideological divide between the ruling party, which espoused a land reform redistribution programme with a view to deepening the nationalist project of expanding or broadening political liberation into the economic sphere on the one hand, and the opposition which espoused the idea of employment creation and upheld liberal democratic values.

The elections outcome was fascinating too. Of the directly elected parliamentary seats (i.e. 120 seats) Zanu-PF won narrowly by securing 62 seats. The MDC put up an unprecedented political battle against Zanu-PF's long established political hegemony and received 57 seats, becoming the first-ever significant opposition.³¹ Zanu-Ndonga of Reverend Ndabaningi Sithole secured only one seat. Both Zanu-PF and the MDC face enormous challenges. Zanu-PF has to re-build its credibility, and consolidate and expand its traditional mass base. The MDC has to prove that its electoral support translates into effective oppositional politics rooted in well-defined constituencies. Upsetting a hegemonic force such as Zanu-PF, albeit no mean task, is one thing, and sustaining the opposition momentum and avoiding internal fragmentation is quite another. Effective and meaningful opposition is a quintessential element of democratic transformation in Zimbabwe. The electoral process was perceived by many international observers as having been transparent, credible and acceptable to the preference of the majority of Zimbabweans, thus giving unequivocal legitimacy to the newly established two-party legislature. The outcome is also conducive for the resolution of major conflicts in Zimbabwe, mainly around the land question and the constitutional review process. The former is in an advanced stage³² and the latter surely has to be revisited in the current post-election period after a pre-election referendum in which a majority of Zimbabweans rejected the draft constitutional amendments.³³ In his keynote address during a recent conference on Constitution Making in Southern Africa, organised by the Southern African Regional Institute for Policy Studies (SARIPS), Ihonvbere argued strongly that in spite of the bitterness of the recent past, the draft constitution that was rejected at the referendum represents an advancement over the Lancaster Constitution. However, for Zimbabwe to move forward on this question, there must be a process to rekindle popular interest in and build

30 Sachikonye, 2000, p5

31 Sachikonye, 2000

32 Moyo, 2000

33 Mandaza, 2000a; Mandaza, 2000b

popular ownership around the constitution.³⁴ To this end, Ihonvbere suggests three possible options, namely:

- ♦ the establishment of a two-party parliamentary committee to review the rejected constitutional draft, and to submit a revised constitution to Parliament;
- ♦ the establishment of a new and autonomous commission to start the process all over again; and
- ♦ based on the public debate on the draft and during the elections, memoranda should be invited from the public, for submission to a representative committee drawn from inside and outside Parliament.

The first option above is the most desirable route if the constitutional review process is to be brought back on track. In order to ensure popular ownership of the process, broad participation of key stakeholders both within and without the state machinery has to be vigorously promoted. This will ensure the transparency, credibility and legitimacy of the constitutional review process. The ultimate outcome is likely to be easily accepted and owned by the citizens given that broadly based views and opinions will have been taken aboard during the review process.

Pre-requisites for Elections after Armed Conflicts

As has been observed in the previous sections of this article, elections serve an important function in the process of democratisation. This is more so in a situation whereby a country has just emerged from armed conflict. Unlike other situations, elections after armed conflict serve particular objectives. First, they compel belligerent parties to bury their hatchets and seek a political settlement of their ideological differences. They remind the warring parties that ballots rather bullets are a preferred method of contestation for and the efficient transfer of state power. Second, they aim to bestow legitimacy and credibility on new democratic governance after a protracted conflict. The worst-case scenario is when one party wins outright, thereby marginalizing the others (as in Lesotho 1993 and 1998). The best-case scenario is one whereby the elections outcome leads to broadly based representation in the legislature, as was the case in South Africa after the 1994 elections. This then compels all parties to commit themselves to building a democracy by transforming the culture of politics of coercion and embracing politics of consensus.³⁵ Virulent opposition in parliament is far better than violent opposition in the streets. Third, they serve to give practical meaning and essence to the peace accords and reconciliation programmes, as was the case in Mozambique (1992), Namibia (1994) and South Africa (1994).

In essence, elections alone do not really resolve violent conflicts, but rather they must be part of a comprehensive programme of peace and reconciliation. This is why we predict that the forthcoming Lesotho elections may not achieve their primary purpose of political stability if they are not part and parcel of a well-thought out programme of peace and reconciliation. In devising and driving this peace and reconciliation programme, the Lesotho Network for Conflict Management (LNCM), the government, the Independent Electoral Commission (IEC) and the Interim Political Authority (IPA) must play a pivotal role. It is gratifying to note that efforts are already underway in Lesotho to strive towards a nation-wide peace accord, in a process driven by the LNCM in collaboration with relevant stakeholders. In a national conference the LNCM organised in April 2000, with the theme of the challenges of peace building and sustaining democracy in Lesotho, the participants, who included representatives from

35 Jackson and Jackson, 1997

the National University of Lesotho, civil society organisations, the church, the government, the IPA, and the IEC agreed on the importance of a national peace accord. More importantly, in order to operationalise the accord, participants agreed that the broad principles that drive this process should include:

- ♦ political will;
- ♦ accommodation and compromise;
- ♦ inclusivity;
- ♦ external support;
- ♦ local ownership;
- ♦ engagement of civil society;
- ♦ non-partisan facilitation;
- ♦ clear rules of the game; and
- ♦ conflict resolution mechanisms.

Although key actors are all agreed on the need for a national peace accord in advance of the 2001 general elections, implementation remains a major problem. The sooner this process starts the better for Lesotho's fledgling democracy.

The Angolan elections of 1992 failed to deliver stability precisely because belligerent parties, particularly the opposition, did not abide by the Bicesse Accord and various other peace agreements made since the 1985 Lusaka Accord. Although the elections are generally regarded to have been a technical success under the prevailing climate, they are considered to have been an utter political fiasco, as the losing party did not accept the outcome, but rather resorted to the bullet for resolving political differences and settling scores in the contest for state power.³⁵

There are multivariate preconditions for elections after armed conflict. First, all belligerent parties must commit themselves to peace and reconciliation. To this end a peace accord and a clearly defined reconciliation programme is required. Elections must be held only if parties have signed a peace agreement and have devised an achievable reconciliation programme. This peace and reconciliation programme must also be accompanied by the signing of a justiciable code of conduct for political parties.³⁶ It is a gamble to hold elections under conditions of violent conflict when parties have not agreed to peaceful conduct of politics and a process of reconciliation and have not signed some form of a code of conduct.

Second, as Kumar and Ottaway³⁷ point out, there must exist a capable and functional state system before elections are conducted under conditions of armed conflict. As these authors rightly observe, if the very existence of the state is in doubt, as is the case with many failed states, international assistance probably cannot fill the gap, and elections cannot bring political stability or resolve conflicts.³⁸

Third, international assistance is highly valuable when elections are held in conditions of armed conflicts. War-torn countries have severely ravaged economies and a constrained resource and production base from which to finance electoral processes. The involvement of international monitors and observers contributes immensely to the credibility of the elections and the acceptance of their outcomes by the concerned political parties. Moreover, it reduces

35 Turner *et al.*, 1998

36 Kumar and Ottaway, 1998

37 Ibid

38 Ibid, p234

the probability of large-scale fraud and cheating.³⁹ Kumar and Ottaway identify three critical forms of international assistance to war-torn countries holding elections:

- ♦ financial assistance for planning and holding of elections;
- ♦ technical assistance and expertise in election administration, rules and procedures; and
- ♦ political assistance in the form of support to political parties, civil society organisations, voter education, monitoring and observation.⁴⁰

It is important to note, though, that international observation, particularly under conditions of countries emerging out of violent conflicts, must focus on the conduct of the elections, bearing in mind the resources, infrastructure and political constraints facing these countries. Judgements of the elections should be based on a realistic view of the environment in which they took place, rather than rushing to declare a meaningless proclamation of a 'free and fair' outcome. The proclamation of elections as free and fair based on some nebulous standards, usually derived from liberal democracies in North America and Europe, could either trigger further conflicts or stabilise the political system. Thus, it is a political gamble that could either pay dividends or spell disaster for a conflict-ridden country. This is one of the major problems facing electoral politics in southern Africa today — exactly when and how should election observers pronounce themselves with regard to election process? It is no wonder that Kumar and Ottaway pose the problem in a nuanced fashion as follows:

[M]onitoring of postconflict elections is indeed a difficult task for conceptual and logistical reasons. Conceptually, the problem arises in actuating the concept free and fair. What does it really mean? When is an election free and fair and when is it not? This conceptual problem is compounded in postconflict societies, as the election monitors have to consider the political consequences of their verdict. In some cases, a lack of positive evaluation may trigger renewed hostilities, while in other cases the failure to point out gross irregularities may stifle progress toward democracy.⁴¹

It is important that electoral authorities, including the Electoral Commissions Forum of the SADC countries, assess their use of the concept 'free and fair'. It may as well be that it is not necessary to pass a definitively judgmental pronouncement on elections, but to apply a problem-solving approach, whereby the electoral environment, preparation, administration, material, security, voting and counting are all assessed. The concern then becomes judging what capacity building is needed to improve systems to ensure an environment conducive to holding free and fair elections. Then the judgment on whether elections are free and fair or not should be reserved for local monitors, on the basis of criteria, including the code of conduct, agreed to by all parties prior to the elections. In any case, there are instances where international observers have declared elections free and fair, yet violent conflicts erupted soon after they left (Angola in 1992 and Lesotho in 1998). Furthermore, in a number of cases international observers have had serious disagreements with local monitors in judging 'free and fair' as was the case in Zambia in 1996 and Lesotho in 1998. The Human Sciences Research Council (HSRC) passed the authoritative judgment on the freeness and fairness of the 1999 South African elections, and this is a preferred route.

39 Ibid, p11

40 Ibid, p229

41 Kumar and Ottaway, 1998, p12

Fourth, demobilisation of troops or warring factions and the integration of the armies into a national army, as well as peacekeeping operations, are vital before elections can be held. This process of demilitarisation of politics is crucial in transforming the culture of politics of violence and coercion and embracing the politics of dialogue and consensus. Although demilitarisation and integration of armed formations has been relatively successful in Namibia, South Africa, Zimbabwe and Mozambique, it has not been successful in Lesotho and Angola. This in part explains why elections have not really deepened and consolidated political stability and democratic governance in those countries. Fifth, prior to elections which follow violent conflict, returning refugees and displaced persons must be settled and allowed sufficient time to register as voters. Refugees and displaced persons are 'often the worst victims of civil wars, and therefore their active participation in elections tends to strengthen the peace process'.⁴² This could prove a very difficult and costly task, but a task that is crucial for a democracy emerging from the debris of a protracted war.

Sixth, clearing of landmines and the banning of military supplies from external sources is also an important precondition for elections after armed conflict. This was very important in the cases of Angola and Mozambique, two countries whose belligerent factions have received massive amounts of external military supplies and which are also heavily mined.⁴³ It is easier to ban external supply of weapons under conditions of peace, but it is rather difficult and costly to clear landmines. Such mines continue an atrocious war upon an innocent civilian population years and years after hostilities have ceased and make life miserable for ordinary people in the villages. The fear that landmines instil among rural populations triggers migration to the urban areas with its well-known social ills. Seven, elections after violent conflicts must be run and administered by credible, autonomous and competent institutions that are not in any way linked to any of the belligerent parties in a partisan fashion. To this end, the establishment of independent electoral commissions is essential. These institutions require sufficient financial, technical and political support, not only from the international donor agencies but also from such institutions as the Electoral Commissions Forum of the SADC countries and the SADC Parliamentary Forum. Eighth, there is dire need to provide adequate time for preparations for elections after armed conflict. In fact, all elections require a long time for preparations, but this is more so for elections after violent conflicts. Various important tasks for such elections require a lot of time, such as signing of peace accords, demobilisation and integration of troops, settlement of returning refugees and displaced persons, agreement on the electoral model, voter education, voter registration, establishment of an IEC, etc. Nine, institutionalisation of inner-party democracy is also crucial, so that the democratic practices and cultures within parties will assist them to see the value of dialogue and politics of consensus when dealing with their adversaries. It has been found that in the majority of African states parties lack internal democracy and this in part accounts for the current disintegration and fragmentation of opposition parties.⁴⁴ Although the incumbent rulers work hard to undermine and weaken the opposition and the electoral system, weak opposition parties are also hindered by the 'first past the post' (FPTP) system and internal leadership squabbles, not necessarily based on ideological or policy differences. All these factors have wreaked havoc upon the opposition in southern Africa.

Ten, there is need for constitutional reform in countries that have experienced a violent conflict before elections are held, so that belligerent parties engage in dialogue and negotiation around a new social contract regarding the form of state, the form of political system and

42 Ibid, p230

43 Africa Watch, 1993; Africa Watch, 1994

44 Olukoshi, 1998

the form of electoral model they would prefer. This is important for building a minimum programme that binds the belligerent parties together and is different from a peace agreement. Codesa negotiations achieved this objective for South Africa.⁴⁵ Zimbabwe attempted this strategy with its recent constitutional review, which culminated in a referendum that to the chagrin of the ruling party received a 'No' vote.⁴⁶ Although the time constraint would not allow it at least prior to the forthcoming election, it is arguable that Lesotho needs to undertake a comprehensive constitutional review for the political actors to redefine the form and content as well as the role of the state and the political system as a whole. It is possible that, to a large extent, colonial constitutions have contributed to violent conflicts in this region. It is crucial that the rules of state administration and electoral administration are agreed upon as a basis for all parties to accept the outcome of the elections. In this manner, the view of politics as a zero-sum game is likely to be replaced by one that conceives of it as a positive process. This is important for the tolerating of opposing and divergent views. Tekle⁴⁷ reminds us that 'mutual appreciation of opposing views must be accepted and the conviction that losers lose everything while winners take it all can no longer be the norm. It must be recognised that in a democracy winners and losers are partners and not enemies who must destroy each other.'

Conclusion

This article has outlined the process of democratisation in southern Africa highlighting the pre-requisites for the holding of elections in countries emerging from violent conflict or still engulfed in armed warfare. It is obvious that elections on their own do not guarantee democracy, nor are they synonymous with democracy. Other significant ingredients of democracy are important too. Furthermore, the article notes the history of protracted violent and non-violent inter-state and intra-state conflicts in the region, and observes that although a conflict, in and of itself, is not counter-productive to social progress, it does become a negative phenomenon once it assumes violent proportions and is managed by violent means. Elections are not necessarily a panacea to the multifarious conflicts in southern Africa. There is abundant evidence to suggest that elections may either accentuate or contain violent conflicts, as the cases of Angola and Mozambique clearly demonstrate. The article then ends with a suggestion of critical preconditions for elections after armed conflicts in southern Africa. Among other things, it takes issue with the role of international observers in such elections, especially the proclamation of elections as 'free and fair', arguing strongly that the utility of this declaration needs serious review by institutions such as the Electoral Commissions Forum of the SADC countries. It is proposed that international observation should apply a problem solving rather than a judgmental approach and leave proclamations such as 'free and fair' to local monitors who have monitored the electoral process for years and are conversant with the local political culture.

45 Maphai, 1994

46 Makumbe and Compagnon, 2000; Sachikonye, 2000a; Mandaza, 2000a

47 Tekle, 1998, p175

<i>Multi-party Elections Timetable for SADC countries</i>					
Country	Previous Gen. Elections	Next Gen. Elections	Previous L.G. Elections	Next L.G. Elections	Electoral Systems
Angola	1992	No date set	No date set	No date set	PR
Botswana	1999	2004	1999	2004	FPTP
DR Congo	1970	No date set	No date set	No date set	FPTP
Lesotho	1998	2001	1960	No date set	FPTP
Malawi	1999	2004	Not known	2000	FPTP
Mauritius	1995	2000	Not known	Not known	Block vote
Mozambique	1999	2004	1998	2003	List - PR
Namibia	1999	2004	Not known	2002	List – PR
South Africa	1999	2004	1995	2000	List – PR
Swaziland	No date set	No date set	No date set	No date set	FPTP
Seychelles	1998	2003	Not known	Not known	Mixed system
Tanzania	1995	2000	Not known	2000	FPTP
Zambia	1996	2001	Not known	Not known	FPTP
Zimbabwe	1995	2000	Not known	Not known	FPTP

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