

Multi-stage monitoring and declaring elections 'free and fair': The June 2002 Zimbabwe election

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Abstract

This paper explores practices in and approaches to observing elections and calling elections 'free and fair' in the context of the Zimbabwe parliamentary election of June 2000. The analysis incorporates considerations of the 'politics of election observation' and the 'politics of calling elections' and examines these factors in the context of the hosting country. The paper assesses prevailing theoretical approaches to the observation of elections, and notes the prevailing 'three-phase' orientation. In contrast with the literature, which generally proposes a three-phase approach, this analysis explores the usefulness of a six-phase approach to assess the depth of electoral observation in Zimbabwe. The paper then deals with the issue of extent and depth of observation in the case of Zimbabwe 2000. The questions are asked whether observer missions covered all relevant phases of the election, whether they had adequate access to relevant information and events, and what reasons prevailed for widespread practices of limited observation. This part of the analysis presents the data that supports the theoretical arguments for a six-phase approach to election observation. Next, the paper assesses the nature of the 'election calls' that the missions issued with regard to the 2000 Zimbabwe parliamentary election. It informs the theoretical part of the analysis through its highlighting of the extent to which the lack of systematic and extensive observation practices affect the 'reputation' of election observation. The paper concludes that systematic observation of pre- and post-election phases, and their incorporation into observer reports, would contribute to ensuring both the quality of subsequent elections, and the credibility of observation practice. The paper ends with a postscript, drawing tentative links between the observation trends of the June 2000 parliamentary and the March 2002 presidential elections in Zimbabwe.

Introduction

The June 2000 parliamentary elections in Zimbabwe were characterised by intense international and domestic scrutiny. National and international monitors and observers¹ entered the highly contested domestic political terrain with a range of interconnected quests, for instance, to ensure free and fair elections, to censure the lack of free and fair conduct, or with a mandate to endorse prevailing electoral practices as free and fair. Both the observers' presence in Zimbabwe and their judgments of the election were going to be contentious – and would hold consequences and potential lessons for the international practice of 'election observation'.

The paper demonstrates the extent to which the application of systematic and extended observation and monitoring practices could help ensure, on the one hand, the credibility and reliability of electoral observation practice, and, on the other hand, the integrity of subsequent elections. To this effect, the analysis explores the practices and theoretical frameworks of electoral observer and monitoring actions in the June 2000 Zimbabwe elections, with special reference to the phases of the observation process covered, the primary actors that affect the 'free and fair' aspects of the electoral terrain, and the relationship between the extent of coverage and whether or not elections are declared 'free and fair'. The case study of Zimbabwe 2000 presents analyses with both general application to election observation, and analyses specific to political systems such as the one in Zimbabwe — the latter being characterised by a particular form of authoritarianism that leaves limited opportunity for electoral contestation.²

The political context of observation is borne in mind throughout the analysis. The governing Zanu-PF and its challenger in 2000, the Movement for Democratic Change (MDC), both actively courted observer missions. Both hoped to gain legitimacy through international association: the MDC hoped to win international sanction against its opponent's 'manipulation of election outcomes' — through the use of state resources and violence, amongst other methods — and Zanu-PF hoped to gain international fraternal condemnation and de-legitimisation of the MDC for its association with, for instance, 'Western capital, racists and colonialists'. The fact that Zanu-PF's incumbent status was being challenged, following the February 2000 constitutional referendum, impelled it into extreme measures to retain power, although it did simultaneously court observer missions. In contrast, the MDC found its counter-advantage in the moral edge it had through playing by the rules of 'free and fair contestation'.

In this politically volatile and predisposing context, a range of questions about the duration and depth of observer mission action came to the fore. For instance, how much of the election process did, or could, the observers observe? Did they consider it essential to observe the whole process in order to call the elections 'free and fair' or 'not free and fair'? Were the terms 'substantially' free and fair or 'qualified' free and fair used as escape mechanisms in order not to pronounce definitively on an election that they had not observed in full? And, finally, what might the effect of these calls be on perceptions of the practice of election observation?

The first of the three objectives of this paper is to shed light on the extent to which the observer missions in the June 2000 Zimbabwe election observed, or could observe, all relevant phases of the election process. The analysis maps significant electoral developments across six phases of the election process, and simultaneously develops the theoretical dimension of approaches to electoral observation. The second objective is to analyse the missions' pronouncements on the election in relation to the scope and depth of the observation that they had done. The third objective is to assess how systematic and expanded six-phase election observation could contribute to the practice of election observation.

This paper therefore explores *empirical dimensions* of the political terrain and observation politics, and the practices of election observation and election calls, and relates these to the *theoretical dimension* of a proposed six-phase model of election observation and the 'calling' of elections in terms of degrees of free and fair. The empirical dimension is based on a combination of participant observation experience and analysis of the process of observation,³ interviews, literature surveys, monitoring of electronic and print media, and the analysis of the statements and reports of observer and monitoring missions. First-hand observation activities were conducted primarily in the province of Harare, and voting day observation also in

Mashonaland East and Mashonaland North. For coverage of the other provinces, the research draws on reports from a range of observer missions, interviews, media monitoring and documentary research. Observation and monitoring were conducted in the course of June 2000. Monitoring extended over, first, one week of the early campaign period in early June 2000, and then more than two weeks in the run-up to polling days, and observation and interviews both in the course of voting and counting, and in the post-election days. Post-election research was conducted in September 2001. The foci of this part of the project were post-election violence, processes around election petitions that were launched to challenge a range of the June results, and legal and procedural changes to the management and conduct of future elections. The post-election research was by the writer in her individual capacity, relying on archival research, media monitoring, documentary analyses and interviews.

Monitoring and observation focused on the aspects of party political campaigning, the elections regulatory framework, and how the Zanu-PF government continuously affected this framework. The research centres on the work of observer missions, how they interpreted their assignments, and their consequent assessments, as these were reflected in statements regarding the election and associated processes. The major missions that the analysis refers to are the National Democratic Institute (NDI), the European Union (EU), the Commonwealth, the Organisation of African Unity (OAU), the Parliamentary Forum of the Southern African Development Community (SADC) countries, the South African Parliamentary Mission, the Council of Churches and the Electoral Commissions Forum (ECF) mission of the SADC countries.

The literature on election observation and assessments of the 'free and fair' nature of elections only intermittently focuses on the specifics of phases of the observation process – even if the indicators of and criteria for calling elections free and fair link to specific phases. This article hopes through its combination of methods to present an in-depth analysis of the importance of systematic and extended processes of election observation. Both elections themselves and the practice of observation could benefit.

Theoretical context and a six-phase model for observation: election phases and criteria for 'free and fair'

The case of Zimbabwe 2000 is instructive in demonstrating the need for an extended, phased observation process. In order to assess the thoroughness of observer actions, this study explores the use of an extended phase-based election observation model. Such a model could be used to assess whether elections have been conducted in a manner that could be regarded as 'free and fair'. It sub-divides the usual three-phase practice of observation into six phases, and emphasises the need for equal consideration of all six phases in the practice of election observation. Election observer missions frequently use the three-phase approach, with observations offered on the *before*, *during* and *after* periods. Election observations, however, tend to cluster around the periods of during, late pre-election, and very early post-election.

This paper suggests that the application of the six-phase approach, in combination with attention to the actors that typically determine whether the six phases are free and fair, might contribute to the stature of the observer industry (besides potentially making a difference to the quality of future elections). Differentiation of observation practices in terms of the six specific and well-defined phases, could lead to greater standardisation in observation criteria. A six-phase approach, with 'forced' attention to all six phases, including the early pre-election and late post-election periods, could contribute to the development of transparency, comparability, and credibility for observer missions and their reports.

A survey of the theory of election observation reveals a predominant focus on the conceptualisation and operationalisation of the notion of free and fair. There is, furthermore, a broad acceptance that the division of the election process into the before, during and after phases, and the definition of indicators of free and fair with regard to each of these broad phases will ensure the adequacy of observation and the building of related theory. A narrow focus on election day has long been recognised as inadequate. The necessity of delimiting assessments specific to the phase of the election process is recognised. In contemporary monitoring practice, there is also frequently engagement with a range of phases. Elklit and Svensson use the most common of these, namely a three-phase approach of before, on and after polling day (Anglin applies a two-phase distinction). Totemeyer and Kadima⁴ essentially use the three-phase approach (pre-election observation, election phase and post-election phase). There is little indication in existing literature, however, of how far before and how long after the elections observation should continue in order to allow for definitive assessments of the election. This leaves much leeway for observer missions to claim comprehensive observation, despite arriving in a host country on the eve of an election – and departing within hours of the announcement of results.

The notion of 'free and fair' has been widely applied in the practice of electoral observation and monitoring. It provides a shorthand and concise assessment of a range of interrelated electoral activities that take place in the run-up to elections, the core period of voting and counting, and the aftermath of elections. Yet this convenience and simplicity, as Sartori notes,⁵ have also created the space for the misuse of the criterion. The need for standardised assessment criteria arose in the decade of the 1990s, as waves of election observers were dispatched to observe and assess the practices in the emergence of pluralist democracies. Elklit and Svensson⁶ note, however, that the translation of the theoretical concept of 'free and fair' into a comprehensive list of operational factors poses challenges. As a general criterion, 'free and fair elections' ought to reflect the meaning of 'democratically meaningful, credible elections'. Criteria should reflect the concerns of ordinary voters, rather than be a reflection of 'policing criteria' for observer missions. The notion of 'free' is usually contrasted with 'coerced', which denotes the absence of choice, either formally or in reality, or negative consequences for safety, welfare or dignity. 'Fair' is commonly associated with impartiality; the opposite being unequal treatment of equals whereby some individuals or groups receive unfair advantage. A focus on the practicalities and realities of the unfolding election is therefore more pertinent than merely noting formal rules, structures and constitutional rights and guarantees. The notion of 'levelling the playing field' epitomises important dimensions of fairness.

The indicators of free and fair are relatively commonplace and will not be repeated in full in this paper. As an illustration, Elklit and Svensson, and also Baker,⁷ regard 'free' before polling day as referring to freedom of movement, speech, assembly, association, freedom from fear or intimidation, absence of impediments to be a candidate, and access to campaigns. 'Free' on polling day refers to the opportunity to participate in the election, and after polling day to legal possibilities of complaint. 'Fair' before polling day refers to a transparent electoral process, no changes in legislation that will affect candidates, an electoral act and system that does not favour one party, absence of impediments to be included in the voters' register, an independent and impartial electoral commission, impartial voter education, campaigns conducted in terms of codes of conduct, equal access to media and information, impartial allotment of public funds to parties, and no misuse of government facilities for campaign purposes. 'Fair' on polling day refers to access to all polling stations for party representatives, observers and monitors, secrecy of the ballot, effective design of the ballot paper, and impar-

tial assistance to voters, whilst on counting day it refers to precautionary measures in transporting and safeguarding ballot boxes, proper counting procedures, with all votes being counted, and all equally reflected in tabulation, and impartial protection at polling stations. After polling day 'fair' relates to the expeditious and official announcement of results, impartial treatment of election complaints, and acceptance of results by all involved.

The literature of election observation also highlights the need to conduct observation in terms of the *relative* fulfilment of criteria. Anglin suggests a three-tier classification for the relevant fulfilment of criteria, which pertains to the 'pre-election' and 'core election' and 'post-election' phases. This permits more than yes or no answers regarding complex issues of electoral propriety. The Anglin three-level assessment facilitates potentially different judgments in terms of free and fair, depending on the phase of the unfolding election. The three-level assessment found useful application in the case of Zimbabwe. As will be noted from the observer reports, there were a number of calls of the elections as 'largely free and fair' or 'substantially free and fair'. Most reports noted differences between the levels of free and fairness of the campaign and the election periods.

Three dimensions therefore structure in-depth and systematic assessments, namely: the criteria that denote free and fair; the manifestation of free and fair in each of the three broad election phases; and the extent to which free and fair can be denoted in each of the phases, namely 'substantially free and fair', 'qualified free and fair', or 'not at all free and fair'. In conditions such as those prevailing in the Zimbabwe election, however, it would become evident that many more conditions and considerations affect the assessments of 'free and fair'. Detailed observation checklists would become guidelines rather than bottom-lines.

Not all observation actions should necessarily be regarded as innocent and with the interests of ordinary voters at heart. Election monitoring continues to be a big international industry,⁸ even if some researchers note an apparent decline in the importance accorded to the world opinion of monitoring.⁹ Most of the time it is the big international powers (often with a significant interest in maintaining the existing global world order and the financial interests of its multinational corporations) that lead and finance observer missions. They enter the observation arena to protect the international community's interest in free and fair elections. 'Democracy missionaries' sometimes act as if they are oblivious to the fact that their own countries are not subjected to reciprocal observation, despite the reality that low turnout, lack of interest, ideological consensus between competing parties, and dubious ballot construction and counting procedures might be considered as 'undermining democracy'.

In the case of the Zimbabwe 2000 election, the major delegations were thoroughly organised for the implementation of assessment criteria, both in terms of assessment criteria and assessment relative to phases of the election process. For instance, they used detailed monitoring sheets that were completed by observers wherever they were deployed. The SADC (ECF) mission, for example, used detailed recording sheets specific to the pre-election and the election periods. The EU and Commonwealth missions, as well as several of the domestic monitoring networks, followed a similar approach. The post-election period was incorporated into assessments in the broadest possible form, namely in cursory notes on apparent acceptance of results, and the mood of peace that prevailed after the election.

The potential usefulness of an extended, six-phase approach is demonstrated in Table 1, designed and compiled by the author of this paper. The analysis draws on the author's identification of the major party political, electoral-administrative, and state actors in the electoral process. The analysis in Table 1 also indicates the details of how the actions of facilitating (or manipulating) the electoral process changed throughout the phases of the Zimbabwe election.

The analysis is complicated by the concurrence of a number of the major actors in effecting and steering the election process. For instance, the governing Zanu-PF, the electoral administrative machinery, the security forces and the publicly controlled mass media in most phases of the electoral process worked in interactive unison.

After consideration of the essential political setting of the June 2000 Zimbabwe election in the next section, the paper will explore the extent to which, first, early pre-election events helped determine final election outcomes. Second, it will demonstrate how late post-election events might have provided confirmation of trends that observer reports speculated on at the time of the 2000 election, but could not build into their assessments because of the need to conclude their missions and produce their reports.

The political setting of electoral observation in Zimbabwe

It is crucial to recognise that deficiencies in the nature and extent of electoral observation are linked to two sets of factors – those over which they have the autonomy to decide, and those that are beyond their control. Both sets prevailed in Zimbabwe 2000. Missions became an integral part of the contestation landscape, and this had a profound effect on the extent of their observation acts and the emphases in their observation reports. This section, through the mapping and analysis of the observational landscape as it affected observer missions in Zimbabwe circa 2000, sketches the background against which both the international and the local observers and monitors were to conduct their observation and monitoring missions. It emphasises the politicisation of observation, and the manner in which this process contributed to the observer missions' decisions regarding the primary election phases on which they would build their calls of the level of 'free and fair'.

In the case of Zimbabwe, observer missions were incorporated into election campaigns. In the course of the truncated 2000 campaign, the major contestants continuously interpreted observer actions and statements as either vindication or condemnation, depending on the source and implicit alliances that had been struck between observers and contenders. Electoral observation thus became a politicised act,¹⁰ a fact that the literature on electoral observation might do well to recognise. Having been critical of Zanu-PF in the run-up to the final phases of the campaign, several missions became the explicit target of that party's campaign. In official broadcasts and speeches this 'enemy' was linked to opposition parties, especially the MDC, and those observer missions and domestic monitors who expressed direct or implied criticism of the governing party. Zanu-PF's 'enemy' campaign¹¹ also hoped to preemptively de-legitimise potential calls of electoral foul play by observer missions.¹² The MDC, in turn, portrayed observer calls for 'free and fair elections' as a vindication of the MDC's criticisms of Zanu-PF.

The Zimbabwe election took place in a system that blends multiparty democracy and despotic authoritarianism. Whilst Zanu-PF worked to ensure an aura of constitutionalism and legality around its electoral and governance actions, its actions systematically undermined the operational space of opposition voices. In the more violent operations, both Zanu-PF and its associate 'thug forces' were continuously implicated. Some war veterans, many so-called war veterans, street corner recruits, and unemployed youths joined forces with the Central Intelligence Organisation (CIO) to ensure a wide-ranging campaign to turn election outcomes to favour Zanu-PF. The partisan orientation of the institutions of law and law enforcement extended into the electoral arena and reinforced the virtual untouchability of a governing party that was moving to control all possible aspects of the election, *excluding* the actual voting actions on the days of the election. Zanu-PF's campaign came to revolve around the unortho-

dox operations of combining mobilised fear with a campaign message of the land.¹³ It was a strategy that helped Zanu-PF reclaim a lost revolutionary message through which it would try to explain the economic suffering of ordinary Zimbabweans.¹⁴

As the electoral authorities, especially the registrar-general, the Elections Directorate and the Electoral Supervisory Committee (ESC), were under the control of, or appointed by, the president, their actions almost inevitably favoured the ruling party. These electoral control features were effectively supplemented by partial and skewed law-enforcement by the police. In late 2000, there was a pardon for misdeeds that were committed in the election period. Media control, especially of the print and radio media (that were often the only information sources for the rural population of Zimbabwe), enhanced the Zanu-PF standing. At the time, these acts ensured that there would be differential exposure to the election campaigns, and that there could be denials of the revelations by the opposition-friendly press.

The Zanu-PF government attempted to present authoritarian control as an institutionalised and democratic form of electoral management. Part of the *quid pro quo* was that the system had to be opened for scrutiny by monitors and observers. The election campaign consequently often came to resemble a struggle for the hearts and minds of the monitors. Part of the Zanu-PF working plan was to limit scrutiny. It was achieved in a number of ways. In some cases the goodwill of observers was 'bought' through hosting missions and through re-invoking revolutionary ties.¹⁵

In other instances, delays and obstructions in the way of accreditation effectively limited observation. It restricted both the number of days and weeks available for observation, and the geographical coverage. Restricted observation was also achieved through placing a large sector of electoral processes beyond the scrutiny of observers (for instance the inner workings of the management of the election in the office of the registrar-general), by inducing observers to stay in the relatively safe urban areas (through widespread reports and realities of war veteran brutality and official refusal to guarantee the safety of observers), and generally to delegitimise the actions of several observer missions through casting suspicion on their motives and associations with Western powers.

Political polarisation characterised international observation. There was a background of Zanu-PF anti-American sentiment, largely because of a critical report on the conditions for a democratic election in Zimbabwe issued 33 days before the election.¹⁶ Anti-British sentiments were put on the agenda courtesy of the colonial dimension of the land issue, and hostile exchanges between President Robert Mugabe and British minister, Peter Hain, weeks before the election. Simultaneously, there were strong indications of some Southern African and African willingness to defend the gains of decolonisation and the role that Zanu-PF had played in the liberation struggle, despite evident excesses in the Zanu-PF electoral repertoire.

Politically, Zanu-PF used a three-way categorisation of international observers. They could be from, or include citizens from, Britain or the United States (and be highly undesirable), be from the European Union or the Commonwealth (and would be tolerated), or from fraternal organisations and African countries (and be welcome). In most instances, non-state or NGO missions, as well as domestic monitors, were also regarded as problematic. Zanu-PF actively courted observer missions from assumed brotherhood political cultures, such as the OAU and the parliamentary mission of SADC. Zanu-PF also hosted some delegations, for instance the delegation from South Africa's African National Congress (ANC). Other missions were invited by the Electoral Supervisory Commission (ESC). One of these was the Electoral Commissions Forum (ECF) of the SADC countries. NGO observer missions that were invited by their associate Zimbabwean counterparts, as well as micro-missions from, for example, the Japanese or

Table 1: Electoral phase and actor framework for assessment of Zimbabwe election 2002

POLITICAL ACTORS, AGENCIES AND INSTITUTIONS IN THE ELECTORAL FIELD								
Phase of election	Administrative, legal constitutional frameworks	Governing party, presidential action	Electoral institutions, officials	Security, including intelligence forces	Public control mass media	Courts	Opposition political parties	General rating on freedoms index
Select criteria	Constitution fair on weighting of votes, representation reflect votes	Public funding political parties, Misuse public facilities, resources	Demarcation, voters' register consistent & timely rules, powers of institutions and government clear	All voters equal treatment, freedom from fear, no harassment, torture	Fair distribution of public funds, equal access	Upholding rights of electoral institutions versus party, voter and parties versus government	Freedom to participate/campaigns, pose candidates, operate free of fear	Freedoms of movement, speech, association, assembly, information
	Efforts to change through referendum on constitution	Zanu-PF sole beneficiary public funding, conducts violence intimidation, purges, rapes, burnings, re-education; State facilities, transport, food, housing, land used in election campaign	Demarcation hasty, gerrymandering to add to rural and new farm settlement areas	Condone or ignore torture, violence, intimidation; Assist land campaign; Intelligence coordinates process from office of president	Governing party sole privileged access to ZBC; Several radio stations (Radio 2 especially); The Herald gives extensive rural control over information; Opposition parties minimal access except in print media	Court challenges in which courts uphold rights of judges, citizenship	Severe clampdowns on freedom to participate; Violence, killings, intimidation, detention of candidates, opposition party supporters; Low information dissemination	Poor; severe transgressions; Human Rights Monitor; gross human rights violations; Killings, climate of fear; no free campaigning; Governing party benefits
	Consistent through these phases, the constitution precludes voting being reflected in representation, virtue of appointment of 30 MPs by president and ruling party.	Zanu-PF benefits from access to public sources, mobilisation, propaganda, re-education camps	Rules change, ESC diluted of powers, registrar-general takes over; Observers, monitors marginalised; Contests over secrecy of the ballot; Threats from Zanu-PF	Superficial monitoring, official warnings and discouragement of violence; Peace-keeping at all parties' rallies; Cover and war veteran intimidation campaigns	Symbolic & minimal slots offered to opposition parties; A selection of debates; Propaganda stunts remains; Sophisticated ideological debates	Electoral courts intervene, giving pro-government judgements regarding authority of ESC	Candidates and supporters dispersed and intimidated in rural areas; tense in all communities; High levels of fear; low levels of public political debate and discourse	Outwardly more free and fair; Government engineers monitoring; More opposition access to media; Violence down; Intensive ideological engineering
Election - voting		Zanu-PF's close relationship with electoral officials; Changes in regulations as election runs; Intimidation	Rules changed as process unfolds	Often little effective protection; Rural areas intimidation	Media adopt stances of pro-peace, encouragement to vote	Electoral courts intervene with pro-government judgements in rule changes and electoral conduct	Low access to proceedings from registrar-general office; Suspicions around postal votes	Quiet, peaceful turnout around 50%; Many areas suffer from fear, urban better; Disenfranchised; professionalism

Election - counting	From post-analysis clear that Zanu-PF benefits from officialdom's allegiances	Controlled release of results, to maintain balance between the main contestants	Police presence, with low profile; Processes orderly; Intelligence, Zanu-PF informers keep watch over some polls	Following official line, continuous but low-key coverage	Low intervention, officialdom focus on announcement of results	Confusion around postal votes; Good scrutiny of boxes in urban areas; Counting mostly transparent	Efficient on level of counting stations; Office of registrar-general retains control
	Early post-election	Registrar-general threatens not to allow all electoral challenges; Gradualist apparent cleansing of media to present reformed image; Governing party pursuing land campaign through further methods	Registrar-general reluctant to allow all MDC challenges; Claim costly; Processes slow in unfolding	Intelligence co-ordination from Office of President; War veterans, police military in intimidation, clean-up campaigns	Media presenting somewhat less explicitly partisan face	Governing party courting core supporters of MDC, e.g. white farmers; Vacillate on Rule of Law, fate of farm workers	Peaceful formation new government; Select challenges to results being processed; Continuous contestation
	Late post-election	Presidential pardons of violent election crimes, effort to ban challenges, continuation land campaign	No action on voters' roll, controls over voter education instituted	Base camp action in by-elections, war veterans overrule and dominate police	Efforts to curtail existing media freedoms, expulsion of critical foreign correspondents	Bans on foreign funding opposition parties; Bombing & raids on MDC; Zanu-PF in alternative trade union, student, civil society action	Relentless campaign to institutionalise control, clamp down alternative voices in preparation for 2002

the Australian governments, were threatened with non-accreditation, but in the end were tolerated.

The practices of observation and the six phases – an actor-phase approach to electoral assessment

This section contextualises and substantiates the theoretical argument for a systematically extended approach to elections observation. It investigates, with regard to each of the six phases – *early pre-election, pre-election, voting days, counting days, early post-election and late post-election* – sets of factors that affected the outcome of the June 2000 election. These are pinpointed with regard to key sets of actors that affected the free and fairness of the election. These core actors are the Zanu-PF executive and judiciary, security and related forces, electoral authorities, the state with its control over series of resources, the mass media, and opposition political parties. The next section will consider the extent to which observer missions offered findings on each of the six phases. This information is then transferred on to the six-phase grid (see Table 1), cross-tabulating phases and actions of the core actors responsible for the conduct of the election.

An analysis of the extent to which observer missions in Zimbabwe in June 2000 conducted a phase-linked form of observation, has to take account of several induced limitations on the commencement of observation. These include the 'enforced' late accreditation of observer missions. Zanu-PF actions accounted for a proportion of partial and limited observation projects. It overwhelmingly curtailed observation to the last days of the election campaign and the voting and counting period.¹⁷ A series of steps led to a two-week-long accreditation crisis. First, the Zimbabwe government rejected an earlier understanding that the United Nations Development Programme (UNDP) would manage the accreditation of observers. Two weeks before the election, it was decided that the government itself would be responsible. The government started selecting the missions that would be accredited. National and international would be; NGO missions were excluded, as were British and US observers.¹⁸ This led to last-minute adjustments in the composition of several international missions.

Some of the observation groups, including the European Union, were provisionally deployed on the understanding that the team managers in Harare would handle accreditation. This was withdrawn, and all were recalled to Harare to personally apply for accreditation. This left approximately one week for election observation, and pushed the observation actions into the 'safe' final campaign phase (when Zanu-PF had largely withdrawn from the most visible of manipulation and intimidation activities). Other missions, in Zimbabwe at the invitation of, for instance, the ESC or sister NGO or religious organisations, had to temporarily suspend their monitoring programmes. Several were accredited approximately forty hours before the opening of the polls, and then only could they be deployed to allocated geographical areas. Accreditation problems consumed much of the time and energy available for observation. The result was that missions, already suffering from low numbers and the inability to cover all the constituencies, much less all of each constituency, often only conducted the bare minimum of electoral coverage. Observation was often limited to bigger urban areas, with limited capacity to move through rural and remote rural areas. Concurrent with the new regulations for the accreditation of international observers came the ruling that all domestic monitors had to be accredited. In addition, only limited numbers would be accredited, and they would be selectively allowed to enter voting stations. Furthermore, accreditation certificates and identification materials in many instances arrived late, if at all.

The following sub-sections examine the actions that affected the electoral playing field

across the six phases of the electoral period and are organised in terms of the core actors that operated in this inclusive June 2000 election period. This period is defined as ranging from February 2000 to September 2001. The *early pre-election* period in this study is identified as being the months between the February 2000 referendum and early June 2000, the *immediate pre-election period* as the two weeks of June before the June election, *voting days* as 24-25 June, *counting and announcement days* as 26-27 June, the *early post-election period* as the first two weeks of July, and the *late post-election period* as Mid-July 2000 to September 2001.

Using these phases as a guideline, the section maps the involvement of a constellation of Zanu-PF forces in affecting the playing field. Included are those actions that systematically altered the playing field and amounted to either bending or transgressing the criteria of free and fair contestation. The governing party Zanu-PF had, and used, extensive powers to affect the electoral field in the run-up to the June 2000 national election.¹⁹ The actions had dimensions of alternatively being legal and constitutional, constituting crude adaptations of legal and constitutional, covert thug force action, and open support of the counter-democratic. Many of these actions were undertaken by a shadow anti-democratic and frequently repressive layer of Zanu-PF government that co-exists with 'Zimbabwe as the electoral democracy'. This combination strategy extended into all stages and structures associated with the election, structures of the state, affected all opposition²⁰ players, and it mobilised a wide range of state resources (for instance the military, the mass media, the office of the president) in favour of Zanu-PF. Opposition political parties were mostly at the receiving end of Zanu-PF's total electoral strategy, but in some ways also managed to affect the electoral playing field – especially in their range of alliances with some of the observer mission host countries.

The early pre-election period

Through its responsibility for appointments to the range of electoral bodies and relevant government departments, Zanu-PF from the early pre-election period on had ensured command over the bulk of actors that would be responsible for setting up and conducting the elections. The effect of the electoral agency actions was manifested throughout the pre-election and core election phases. The bulk of proactive action, however, occurred in the pre-election phase.

The Delimitation Commission,²¹ the ESC and the registrar-general²² are all appointed by the president. The other electoral body, the Election Directorate, consists of a chairperson appointed by the president, the registrar-general and other members appointed by the minister of justice, legal and parliamentary affairs.²³ The omnipotent person is the registrar-general, in this case Tobaiwa Mudede, who was known to be a close associate of President Mugabe. The actions of these institutions, however, are a better indicator of whether the playing field was fairly constituted or not. Electoral rules generally were flouted. For instance, on 7 June 2000, the Electoral Act was modified to reduce the minimum period within which elections were to be held from 21 days following nominations to 20 days, in order to legalise earlier Zanu-PF actions.

The ESC, in the months running up to the election, became systematically undermined – to the point of emasculation. Powers were usurped, starting months before and ending in the week before the election, and essential and senior staff were not being replaced. The ESC's role of appointing monitors was usurped by the registrar-general.²⁴ Furthermore, virtually no funding was provided for the ESC to train domestic monitors.²⁵ On 13 June, the ESC instituted legal action against the government for undermining its powers. Its challenge was dismissed in the High Court.²⁶ A few days before the election, the president appointed a new chairper-

son. In the post-election period the new ESC became an institution that toed the Zanu-PF line.

To the extent that there might have been what the NDI pre-mission report²⁷ described as systematic rigging of the election, Zanu-PF's control over and close association with the range of security forces played a significant role in all phases of the election period, including the whole post-election period. Intimidation and violence were rife, however, in the months leading up to the election. Actions were often targeted at teachers, MDC-supporting farmers and farm workers.²⁸

By all accounts, the CIO played a crucial role in the electoral survival of Zanu-PF.²⁹ Associated with the structures within the presidency, the CIO also took a core role in the implementation of Zanu-PF's pre-election land campaign. The logistics and funding of this campaign were coordinated from within the office of the president.³⁰ This was facilitated through the fact that the office of the president and cabinet are the only components of government that are not audited and funding could therefore be channelled via these structures.

In many respects the most-feared of the security forces in the election period were the 'thug forces'. Militia forces, often associated with Zanu-PF, were active in many of the rural areas of Zimbabwe in the run-up to the elections. The war veteran forces routinely combined with bands of Zanu-PF youths to systematically invade and 'campaign' in the relevant constituencies. Base camps became a feared phenomenon, and also played a crucial post-election role.

For the 2000 election, because of opposition parties not having reached the threshold of electoral support required to gain public funding, Zanu-PF continued to have the monopoly of state funding for political parties (the legislated public funding formula for political parties is governed by the Political Parties [Finance] Act 2001).³¹ Zanu-PF had ample finance to coordinate the land project (the core Zanu-PF campaign project), to hire, manage and supply land invasion 'troops' (for instance from the Mubare market near central Harare), and to provide extensive coordination, transport, food and materials for temporary housing for land invasion forces.

Throughout the extended election period, Zanu-PF was aided by its control over an influential sector of the mass media, including print (in the form of *The Herald*), and television and radio (through its control over the Zimbabwe Broadcasting Corporation). The print, radio and television media for a long time had been unabashedly pro-governing party. A greater diversity of voices was only evident in the print media, and only as far as the urban areas are concerned. The virtual monopoly that Zanu-PF enjoyed over the political information that was available to rural voters was crucial to its electoral performance. Non-Zanu-PF newspapers had a minimal chance of reaching a cross-section of Zimbabwean voters. *The Herald*, with its strongly pro-Zanu-PF position, had a circulation of 92 000, but was overtaken by the MDC-supporting *The Daily News* (circulation 100 000). Zimbabwean newspapers, however, have an overwhelmingly urban readership. Various other newspapers represented either independent or small minority interests.³²

It was especially through its control of radio broadcasts that Zanu-PF could continue reaching and influencing the bulk of both the urban, and especially rural, population.³³ A large proportion of the rural population depended exclusively on radio for their public issue information. Radio Two (FM and short-wave, broadcasting in Shona and Ndebele) was a crucial carrier of the Zanu-PF voice.

The immediate pre-election period

Zimbabwe 2000 delivered a range of electoral authority actions that ran counter to expect-

tations of fairness and neutrality. The demarcation process was rushed and truncated, effectively only starting on 25 April 2000. These processes would normally be expected to be concluded in the early pre-election period, but in fact straddled both the pre-election phases. In the immediate pre-election period, and with regard to electoral authorities, the office of the registrar-general was highly influential in trying to tilt the electoral balance in favour of the governing party. Irregularities were first suspected³⁴ and later confirmed in issuing the postal ballots. The MDC applied to the High Court for an order to restrain the registrar-general from issuing postal ballots, but the High Court at the time dismissed the application (this was reversed in the late post-election phase).

The demarcation commission submitted a preliminary report to the president on 12 May. It was only on 24 May (five days before the prescribed nomination of candidates) that the commission submitted its final report. Opposition parties were convinced that Zanu-PF was unfairly advantaged, mostly because of overlaps between membership of the commission and senior Zanu-PF officialdom.³⁵ In terms of actions, the Harare South constituency (formerly a stronghold of opposition member Margaret Donga) was both extended southward to include a large number of newly settled occupants of farm land, and flooded with army barracks and postal votes from the Democratic Republic of the Congo (DRC). Harare and Bulawayo (both of which are opposition strongholds) each lost a constituency to rural areas (parts of the country that are more inclined to be Zanu-PF). In other instances, parts of rural constituencies were incorporated into the urban constituencies, an action that was designed to bolster Zanu-PF's urban support.

Voter registration was equally rushed. A wide range of omissions and illogical registrations were recorded (apart from a large number of deceased persons being included in the voters' roll).³⁶ The reopening of the voters' roll in the weeks just before polling day, ostensibly to accommodate these voters, was used to register substantial numbers of new farm settlers on strategically chosen occupied farms. Such settlements were positioned to be within reach of opposition areas, also with objectives of unleashing violence and intimidation in the run-up to and aftermath of the election.³⁷ The term 'systematic disenfranchisement' subsequently emerged in several observer reports.

In the immediate pre-election period, also a time of intense monitoring, there were community and NGO reports, and some media coverage and occasional observer reports, pointing to widespread electoral violence, probably with opposition supporters overwhelmingly as the target. Official police reports apportioned equal blame to opposition and government.

Of the official security forces, the military was the most explicitly pro-Zanu-PF, especially the upper echelons. In the final days before the election there were high levels of speculation that a military coup might be a possibility, should the opposition MDC emerge with a parliamentary majority.³⁸ (These reports continued surfacing in the post-election period, and were directly linked with intra-Zanu-PF battles for party survival and succession.)³⁹ At the time, these reports had the effect of 'warning' that there could be bloodshed should Zanu-PF lose.

The police, though sometimes in the run-up to the election seen as the 'most neutral' of the security forces, had a consistent role in backing up the Zanu-PF regime. The lack of response from the police force (or their late arrival after call-outs) characterised the police role in the Zanu-PF assault on opposition-supporting voters. There were frequently reported cases of torture, abduction, burnings and rape (often conducted in after-dark invasions of 'beyond-urban' communities that were siding with the MDC)⁴⁰ that were ignored by the police. Police also maintained absences in the cases of abductions into political re-education camps. A climate of fear and apprehension prevailed. It was only in some urban areas, such as St Mary's

in Chitungwiza, that young Zanu-PF supporters feared their MDC counterparts.⁴¹

State human resources and infrastructure, as well as ample public funding for the governing party, gave Zanu-PF the capability in the immediate pre-election period to provide food and other paraphernalia for thousands of rally attendees, close off and round up whole communities when Zanu-PF rallies were taking place, and produce billboards and banners. Such resources were out of reach of opposition parties. Several observer missions⁴² reported the use of state vehicles to transport people to Zanu-PF rallies. Upon opposition complaints that Zanu-PF was using state vehicles, Zanu-PF retorted that international interests, foreign business and commercial farmers funded the MDC.

Voting days

Both voting and monitoring operations on the voting and counting days of the Zimbabwe 2000 election generally ran relatively smoothly. Officials, a range of missions reported,⁴³ commonly acquitted themselves professionally and even-handedly in their tasks. Monitors observed few serious cases of intimidation or other unfair practices. Journalists venturing further away had other accounts.⁴⁴ It was widely reported, where the observers and monitors were present, that presiding officers executed the necessary controls and that monitors and party agents were allowed fair access and were commonly included in deliberations and decisions. In the urban areas presiding officers often allowed more than the prescribed one monitor a time inside the voting station.⁴⁵ Ballot boxes were reported to have been sealed in accordance with regulations, monitors were allowed to travel with the boxes⁴⁶ and fair oversight was allowed in guarding the ballot boxes overnight. In many reported instances in the rural areas in June 2000, as well as the rural by-elections after June, however, the electoral authorities on the ground did little to restrain Zanu-PF forces from intimidation within voting station perimeters.⁴⁷ Much of the intimidation would happen just beyond the area of jurisdiction of the electoral authorities.

In this core election period, the electoral authorities at voting stations deflected dissatisfaction with poor voter registration by registering voters on site for future elections. At one voting station in Harare Central, more than 50% of hopeful voters were turned away.⁴⁸ Throughout the country, presiding officers suggested that it was the voters' fault, turning out to vote in constituencies where they had not been registered.⁴⁹

Traditional leaders too came to play a significant ancillary role in intimidation and perpetration of violence on ordinary voters. Reports both in the core election and post-election periods showed how these leaders would herd community members into meetings and to voting stations, recording names of absentees, and handing these names over to Zanu-PF youths and war veterans for retribution to take place.⁵⁰

Zanu-PF had near-exclusive exposure on the Zimbabwe Broadcasting Corporation (ZBC).⁵¹ At the time of the intense public scrutiny of the last ten days of the campaign, Zanu-PF and the ZBC announced that there would be slots (free five-minute election manifesto broadcasts, free ten-minute radio interviews with the parties, and free thirty-minute television interviews on the parties' manifestos) for the opposition parties to state their policies and election messages. These inserts, however, stood isolated within the broader wholly pro-Zanu-PF ZBC content.⁵² Broadcast times were at the discretion of ZBC, and even the debate airtime was not equally distributed amongst parties.⁵³

Counting days

The analysis of the period of counting is brief, because of the general quietness of this

period, with security forces maintaining a relatively low presence, and activity largely concentrated in the hands of public officials and the electoral authorities. There were suggestions and suspicions that irregularities occurred in the office of the registrar-general, including in the processing of postal votes. Because of no access and little post-election scrutiny, however, little remains known about this period.

The early post-election period

After the June elections both police and army members were deployed in high-density suburbs like Chitungwiza and Kariba, intimidating and assaulting people. Generally, however, Zimbabwe dropped into the quiet zone of election exhaustion. There was little explicit resistance to the election result that gave a narrow majority of seats to Zanu-PF, and most Zimbabweans appeared keen to let their lives return to pre-election forms of normality.

The late post-election period

In the post-election period, a range of crucial actions played themselves out in the terrain of electoral management. The office of the registrar-general featured in several election petition cases being heard in the Zimbabwe High Court. The references mainly concerned the inadequacies regarding the voters' roll and the high numbers of voters that were turned away on polling day. It was significant that in September 2001, in the 'cross-over period' between the 2000 parliamentary and the 2002 presidential elections, continuous appeals were being made by NGOs, churches and opposition parties for the voters' roll to be ordered and updated.⁵⁴ President Mugabe in December 2000 attempted using the Electoral Act (Modification) (no 3) Notice 2000 (Regulations) to cancel the electoral challenges brought by the MDC (done in terms of section 158 of the constitution). The Supreme Court, under Justice James Devittie, however, declared this effort unconstitutional and the petition hearings proceeded. In 2001 Devittie was forced to step down in the Zanu-PF campaign to ensure the subservience of the Supreme Court to the Executive. Post-election, a court ruling also nullified postal ballots received from the DRC⁵⁵ on the grounds that the applicant had not signed the ballot.

Monitoring reports about electoral violence and intimidation were substantiated in the late post-election period in a series of High Court hearings on the electoral petitions that the MDC had lodged against the election results in 37 constituencies. Even in cases where the results were not nullified, evidence was led of atrocities that were instigated, inspired or condoned by Zanu-PF. Trends of Zanu-PF inspired violence and intimidation also persisted throughout the 2000 and 2001 by-elections, especially in the constituencies of Bikita West, Makoni West, Chikomba and Marondera West.⁵⁶ 'Clean-up' operations by war veterans became commonplace in the aftermath of the 2001 by-elections, despite the fact that Zanu-PF had won these by-elections.⁵⁷ Zanu-PF's control over and close association with the range of security forces played a significant role in all phases of the election period, including the whole post-election period.

The militia base camps mushroomed in the weeks before any of the by-elections. Reports of abductions for rape and re-education abounded.⁵⁸ War veteran leaders often led these conglomerations of constituency invasion forces. On occasion, the mere announcement of their arrival in a community would lead to villagers abandoning homesteads and fleeing into surrounding hills. The September 2001 Chikomba by-election, coordinated for Zanu-PF by political heavyweight and reported challenger to Mugabe (Sydney Sekeremayi Mujuru), was the least violent of the 2000–2001 by-elections, and the 'invasion forces' were well-controlled until the murder of a school principal. Reports of the monopolisation of state resources for Zanu-

PF use continued in the late post-election period. In the by-election in Marondera West, war veterans occupied local government offices and denied the MDC access to resources. In addition, the base camp infrastructure set up in the by-election constituencies was courtesy of the army.⁵⁹

A significant presidential action aimed at both covering up and protecting perpetrators of Zanu-PF-linked violence was the presidential pardon that was issued in October 2000. Post-election figures regarding campaign violence confirmed that it was overwhelmingly Zanu-PF and its supporters that were responsible.⁶⁰

In the post-election period there were several attempts to silence the expression of non-Zanu-PF opinion. The printing press of *The Daily News* was bombed, as were the MDC offices in September 2000. The year 2001 saw several attacks and raids on opposition party premises. Raftopoulos notes that:

the state sought to close off spaces for the privately owned media to operate. Through restrictive legislation, threats, newspaper burning, the bombing of the alternative press, and the deportation of critical foreign correspondents, the Zimbabwean state followed ... in the footsteps of its Rhodesian predecessor.⁶¹

The late post-election period also saw the introduction of limitations on voter education for the 2002 election, ensuring that the newly constituted ESC would have full control over both voter education actors and content.

Access to state resources also facilitated large-scale efforts to 'buy votes'. In the post-election period of 2001, evidence abounded that Zanu-PF was trying to buy the votes of Bulawayo voters, especially women, the elderly and the unemployed (with the only precondition being that recipients had to show Zanu-PF membership cards). The government had a Z\$1 billion fund by late 2001 for small- and medium-scale entrepreneurs. Project money was being handed out at Zanu-PF rallies; attached were voting instructions.⁶²

By September 2001 there was an incontrovertible trend of Zanu-PF tightening control over all possible channels of expression of alternative voices. Dissent from the judiciary was being silenced, the urban campaign to undermine established trade unions was underway, local government control in the rural areas was being tightened, with greater party control resulting on the district and provincial levels, the Broadcasting Services Act of 2001 was geared towards gaining more media control, foreign funding of political parties was being outlawed, controls were being imposed on voter education, alternative Zanu-PF civic bodies were being launched, and youth national service was being revived.⁶³

This section, in combination with Table 1, maps the June 2000 election, illustrating the variations in compliance with criteria of free and fair over the six phases, ranging from *early pre-election* to *late post-election*. It showed how compliance with norms and freedoms escalated in precisely the two core election phases of maximum observation. The analysis also illustrated the concurrence of a number of the major actors in affecting the election process. For instance, the governing Zanu-PF, the electoral administrative machinery, the security forces and the publicly controlled mass media, in most phases of the electoral process, worked in unison to advance the electoral strength of the governing party. Furthermore, the opposition political parties, domestic and international NGOs, and various observer missions in several respects acted in cohesion and pursued a common cause. A range of human rights monitoring organisations and NGOs formed a natural partner in the constellation of anti-Zanu-PF forces. There was sufficient differentiation amongst these forces, however, for them not to be included into the core of a phase-actor analysis (Table 1 does provide comparative data). The fact that the electoral battle was in effect being conducted between two broad sets of party

political constellations had a significant impact on the ability to judge the degree to which the election in Zimbabwe was free and fair.

Observers calling elections: Silences and consensus on the six phases

The observer and monitor statements and reports on the level of free and fairness of the June 2000 election variably referred to each of the six phases that are the focus of this study. This section investigates the silences in the Zimbabwe 2000 election calls, and especially the extent to which omitted phases comprise the early pre-election and late post-election phases of the electoral process.

The Zimbabwe 2000 observer missions commonly drew attention to the necessity of systematic attention to both the campaign period, and the voting and counting phases of the electoral process. In at least half of the statements issued just after counting, however, delegations predominantly chose the narrower options, namely to highlight the days of voting and counting. Some delegations in their immediate post-election statements stressed that they would focus on those days *exclusively*, given the primacy of these days in the election process. The primary focus on these days also became an 'escape clause' for several missions. In the fact of a satisfactory level of turnout, they could find a reason to overlook the transgressions that would have been politically sensitive. Subsequent, full reports would take account of all phases, they said.

A major challenge to the practices of electoral observation emanating from the case of Zimbabwe 2000 was that none of the missions had done complete monitoring of the full cycle of the election process, and none had full and complete access to relevant information regarding the phases that they were allowed to observe. The reasons for this were both internal and external to the missions. The realities of limited time and human resources were *internally driven*. A small number of missions can also be said not to have had the desire to do extensive monitoring. Some arrived with fraternal mandates of affirming President Robert Mugabe's Zanu-PF in its continued proclaimed revolutionary battle against colonialism and racism. There was a disempowering factor in observation mission capacities and small sizes: apart from the mission of the European Union (150 members; the second biggest was the Commonwealth mission with 44 members), missions could not possibly have authoritative and definitive verdicts on most of the phases of the electoral process. Different missions in several instances coordinated observation excursions within provinces and regions, and they shared both interim and final observations in order to achieve as comprehensive an assessment as possible. Overall, however, the reality of low numbers of observers and incomplete geographical coverage disempowered missions. Micro-missions, such as the Southern African Legal Assistance Network (linking up with their Zimbabwean counterpart) relied predominantly on media and secondary information bases to structure their findings. There were a number of mission reports, however, that predominated in the observer industry of Zimbabwe 2000. They included the Commonwealth, European Union, SADC, NDI, IRI and the OAU.

External to the missions were inhibiting factors such as the fast-track nature of the election. The major external factor, however, was the limited access in terms of time, geographical spread and depth that the observers were allowed. Several missions arrived in Zimbabwe, but could not be deployed because of accreditation politics and subsequent delays. All government and electoral authority decisions and arrangements were kept opaque. Only the most essential information was released to the missions, and this was done at the latest possible moment. Some of the missions were undermined because of Zanu-PF battles with Britain and the US. Given the general inability to cover the whole of the election process, or to have ade-

Table 2: Comparison of select observer mission statements

MISSION	Period of observation	Select verdicts	The people	Constraints on credible elections	Recommendations for future elections
Commonwealth (1)	Advance group, observer group observing from pre-election period	Positive factors, but serious shortcomings; Serious impediments; Deplore violence and collapse Rule of Law; Impaired freedom of choice	Democracy taken step forward by people; Serious impediments to freely choose representatives; Violence and threats impede freedom choice	Framework of election matter of concern; Most concerned re violence, intimidation; Climate of fear, uncertainty; Campaign in many cases not possible; Disenfranchisement; Media not balanced	Improve technical assistance, quality of elections; Code of conduct for parties and media; Accredited domestic observers in good time; Further attention delimitation; Revise postal vote system; More voter education; Better polling station management; Ensure Rule of Law
	Focus on build-up to the campaign, campaign and post-election period	High turnout but serious flaws, irregularities; monitors severely undermined	Voter determination to influence their future; high turnout; violence & intimidation marred final result	Election framework flawed; Registrar-general's office not open, transparent; fleeting regulations; Severe undermining of monitors; High violence, intimidation, coercion, sanctioned by Zanu-PF; variable ability to campaign; media unequal access	Restore Rule of Law; Establish impartial electoral body; International observers are to be deployed in good time
SADC (3)	Primary focus on two days of voting; final report inclusive of pre-election processes	Domestic monitors' contribution, commitment; Professionalism of electoral staff	Congratulate voters on turnout; 'As a region we are satisfied when the people of Zimbabwe are satisfied'	Regret that voters have been turned away	Urge all in Zimbabwe to stand together, and build peace and tranquillity
National Democratic Institute (4)	Pre-election period, early phase of the campaign (up to denial of accreditation)	'Conditions for credible elections not in existence at this time'	Violence, anxiety, fear; Torture, beatings; Courageous monitor mobilisation; Trust in ballot secrecy undermined, could affect whether to vote, who to vote for; Desire for meaningful process, acceptable all	Problems with electoral framework, concerning level playing field; Compressed electoral calendar created problems, as did changes to law, flawed delimitation	Need large-scale voter education re ballot secrecy, voter rights, importance of inspecting voters rolls; Immediate efforts required to improve political environment, ensure adequate resources for electoral authorities
International Republican Institute (5)	Pre-election period, into final campaign (up to denial of accreditation)	Process not open, transparent; Zimbabwe worst of 90 elections observed in 40 countries, judged by standards of region	Many braving the violence and intimidation to vote	Election administration so flawed that election can't adequately reflect the will of the people	(Mission ends early)
Organisation of African Unity (6)	Primary focus on voting and counting activities	'Scattered incidences of attempts to intimidate voters'	Incidents not significant enough to impact on voter turnout; People successfully exercised franchise	A number of voters prohibited from voting by flawed Voters' Register, but not possible to determine the total number	Forge an atmosphere of peace and harmony, with dialogue and consultation between people of Zimbabwe

Sources to Table: 1: Commonwealth Observer Group, Interim Statement 27 June 2000, and Commonwealth Report, 30 June 2000 2: European Union, Interim Statement, 27 June 2000, and European Union Report, 4 July 2000 3: SADC Parliamentary Forum, Preliminary press statement, 25 June 2000, and Statement, 26 June 2000 4: NDI, Report, 22 May 2000, and Statement, 20 June 2000 5: IRI, Statement, 20 June 2000 6: OAU, Preliminary Press Statement, 26 June 2000

quate access, missions were not in the position to do definitive assessments, based on first-hand observation, of the June 2000 election. Care also had to be taken to demonstrate that missions had the interests of ordinary voters at heart.

Observer reports indicated which of the phases were observed (see Table 2). The election calls ranged from fairly exhaustive and systematic observation to partial, superficial and reluctant observations and calls. The highest frequency and widest geographical spread of observation occurred on the days of *voting and counting*. The reports (see Table 2) had great praise for, and paid tribute to, ordinary Zimbabweans for having shown the courage to vote, despite serious impediments. No mission could risk withholding recognition of dedicated voter participation, taking place against such great odds. In the reports, the *early pre-election period* received some attention, especially in the pre-election report of the NDI. Observation peaked in the last week of the campaign, the voting and the counting days. The interim statements of several missions followed. Two days after the announcement of the election results the exodus of international observers peaked. By the end of June and the beginning of July, the major missions started issuing their full reports. It was predominantly local NGOs that kept on monitoring into the *post-election phases*. As the analysis of the extended post-election period shows, there has been a range of significant post-election actions that not only shed further light on the extent to which June 2000 was free and fair but actions that will also affect the 'playing field' of subsequent elections.

An emphasis on the 'general will' of the electorate proved able to, on the one hand, override many of the negatives associated with pre-election phases, or, on the other hand, to offer an 'escape mechanism' to missions, assisting them in not pronouncing on a fraternal governing party. The politics of liberation and regional Southern Africa bonds could override assessments, and direct the choice of phrases used in the assessments. In Zimbabwe, it definitively impacted on reports' emphases. It would be noted, for instance (OAU, 2000) that it was impossible to say how many people were disenfranchised because of the poor state of the Zimbabwe voters' roll. Or, as the South Africa parliamentary mission reported, the Zimbabwe election result "reflected the will of the people" of Zimbabwe.⁶⁴ In the end, however, most observer reports largely relied on the verdicts of the people — indicating that the phases of voting and counting overrode all pre- and post-election considerations in the practice of elections observation. The observers, in a sea of partial observation and incomplete access, waited for the voters to define the importance and relevance of the observers' observations. The voters gave a number of verdicts: they did vote in larger numbers than in February 2000's constitutional referendum, and they did dare to vote for opposition parties, especially for the MDC.⁶⁵

Most observer reports specifically commented on the determination of voters to turn out to vote and affect their destiny. The percentage poll (50%) was generally lauded as high. The proportions in which voters exercised their choices appeared, for the time being, to satisfy both the voters and the political parties: A rejection of the result of voting, on the basis of the preceding unfair conditions, therefore, would run counter to the apparent interests and wishes of the electorate.

Whereas most missions appeared convinced that the unfairly distributed powers and resources, hugely uneven playing field, and widespread practices of violence and intimidation 'must have affected the outcome of the election', it was *not possible to establish the extent* to which this had materialised. This zone of 'uncomfortable calls' was further extended through the political knowledge that voters appeared relatively content with the result, judging by political compliance in the *immediate post-election phase*. It appeared from newspaper coverage that vot-

ers wished for a result that would ensure peace and would be acceptable to all political parties.⁶⁶ The election result satisfied this criterion.

Several of the missions use the focus on the phases of voting and counting to condemn the observed transgressions, whilst recognising the positives. One of the trends emerging from this analysis therefore is that the core election phases (voting and counting) largely overruled the tentative and incomplete observations of the preceding phases of the parliamentary elections of June 2000. Yet, the essence of the full-cycle, six-phase observation leaves little doubt that greater depth of observation, more advanced geographical coverage, and less obstruction by government, could have brought more sanction to bear on a government that significantly obstructed larger numbers of voters from expressing their will. It would also have aided the credibility of observer missions: they could have been seen to observe the same breadth of election processes in order to arrive at verdicts of 'free and fair'.

Conclusion

The paper demonstrates the extent to which the application of systematic and six-phase, extended observation practices could help ensure, on the one hand, the credibility and reliability of electoral observation practice, and, on the other hand, the integrity of subsequent elections. Observation of these six phases, ranging from early pre-election to late post-election, is required in order to present authoritative calls of the election in question. The analysis showed, for instance, that the late post-election phase was definitive in providing both clarity on the standing of the past election in terms of free and fairness, and substantiation of many reported events that were still obscured at the time of the observer reports. Simultaneously, these late-post-election observations feed into the early pre-election phase of forthcoming elections. In Zimbabwe, this circular linking of late post-election and early pre-election was of particular relevance, given that the presidential election of March 2002 followed less than two years after the 2000 parliamentary elections.

The specifics of observer practice in Zimbabwe circa 2000, however, showed that observer missions, almost without exception, covered only the core election period and the fringes of the pre- and post-election phases. Observer missions therefore were often constrained in making strong and definitive judgment calls of the free and fairness of the election. Without having gone through the extensive observation period, and without having had the necessary time and resources to do exhaustive observation, most of the observer missions followed the safe route of predominantly pronouncing on the core election periods of voting and counting. These two periods, respectively, were characterised by relatively high and predominantly peaceful voting processes, and counting and announcement that was peaceful and apparently accepted by the people. The analysis shows the pronounced differences between these two core phases and those phases furthest away from the core periods.

Given the thin preceding observation processes, and the courage of Zimbabweans to vote, despite difficult circumstances, observer missions had left themselves little option but to pronounce favourably – despite a weight of reports of events and actions that indicated that the free and fairness of the electoral processes were being undermined, especially by a constellation of pro-Zanu-PF forces. The observer missions that followed this trajectory of safe pronouncements became grouped together with the politically mandated missions that came to Zimbabwe with the objective of providing fraternal support to Zanu-PF in its post-liberation struggle against intervention and prescription by Western and former colonial powers. In as far as observer reports on the Zimbabwe 2000 election did indicate transgressions of the standards of free and fair, these were often overridden in favour of concentration on the core elec-

tion phases. A plethora of problems therefore affected the credibility and consistency of observer reports.

This paper's emphasis on the importance of election observation that is systematically spread across the six identified phases implies a proposal for building the credibility of observer actions. It is only through the thorough and systematic conduct of observation across the six phases that authoritative and definitive pronouncements on elections are possible. Observer missions ought to present all calls of an election relative to the particular phases observed. Classifications of election calls should be done on the basis of, for instance, the extensiveness or the partial status of the observation that was conducted. Election calls therefore should not 'stand alone', but should be issued in conjunction with a specification of the phases that were observed and the actors whose operations were included in the assessments. This form of externalisation and transparency of observer practices, in the longer term, could make important contributions to the practice of election observation. Equally, in the domain of research, the application of the six-phase theoretical framework could contribute to systematic comparisons of election practice over time in changing geographical settings. The theoretical application extends the rudimentary three-phase differentiation of the election process to six phases, where each of the six has its own range of actor-actions that could change the course of the election in terms of the criteria of free and fair.

It also has to be recognised that observers could have a different role from the one of assessment and pronouncing on the free and fairness of the election. Whether observers enter the election domain of the host country with the intention of acting as mediators and peace-keeping forces or not, this is often the *de facto* role that they play. There can be little doubt that observers helped set foundations for a relative increase in the free and fair dimension of the 2000 Zimbabwe election. As the Commonwealth noted in its report (2000):

By nomination day the level of violence had reduced. The presence of international observers is believed to have played a significant role ...⁶⁷

The NDI report⁶⁸ acted as a catalyst for observation, and added to pressure on Zanu-PF. It did not, however, move the government and electoral authorities into more transparency and neutrality. In several ways, the importance of observer missions might be that they were 'there' and provided a partial protective barrier against state oppression. Their presence in the early pre-election and late-post election phases obviously could impact on the protection of citizens against repressive governments. The problem, however, is that observer missions often are of foreign origin and remain visitors who can spend only limited time in the host country. For election observation to be able to extend into the obligatory six phases, there would therefore have to be enhanced articulation between international observer missions and domestic monitoring organisations that are in the position to conduct continuous monitoring.

Equally, observer missions, in setting the scene for continuous electoral observation in countries of crisis, such as Zimbabwe, could well consider issuing 'final' observer reports, covering the post-election events and trends that fill in the gaps of uncertainty that still prevailed in the June-July 2000 observer reports.

Endnotes

1. The term 'observer' will be used in this paper to refer to both 'observers' and 'monitors'. Some of the literature distinguishes between 'observers', who tend to arrive shortly before the election, and 'monitors', who follow the unfolding elections in a more systematic way. The two terms, however, have

- largely been used interchangeably (see Robert Pastor, 'Mediating Elections', *Journal of Democracy*, 9, 1997, pp 156-57. The 'observer' missions to Zimbabwe 2000 recognised that their missions were modest in nature, although they did practise some broader monitoring activities as well. However, for political reasons they focused their reports on the core election days only. Other missions, for instance those of the European Union and the National Democratic Institute, were in essence monitoring missions. Their operations, however, were curtailed by ruling party and electoral authority interventions. See also Thomas Carothers, 'The Observers Observed' *Journal of Democracy*, 8, 1997, pp 17-61 and Neil Nevitte and Santiago Canton, 'The Role of Domestic Observers' *Journal of Democracy*, 8(3), 1997, pp 47-61.
- 2 Masipula Sithole, 'Zimbabwe's eroding authoritarianism' *Journal of Democracy*, 8(1), 1997, pp 127-41, notes a measure of eroding authoritarianism. The current Zimbabwean system combines pervasive authoritarianism with a veneer of electoral politics and continuously threatened enclaves of freedom of expression and association. Section 38 (2) of the constitution leaves the issue of how elections are to be run to Parliament. Few conditions apply to what types of laws Parliament should adopt in this regard. This has led to attempted restrictions, such as the president trying to invalidate challenges to election results.
 - 3 The author was a member of both the pre-mission (early June 2000) and actual election mission (from the second to the fourth weeks of June) of the Electoral Commissions Forum (ECF) of the SADC countries. The mission was coordinated by the Electoral Institute of Southern Africa (EISA).
 - 4 Gerhard Totemeyer and Denis Kadima, *Handbook for Election Observer Missions*, Johannesburg: Electoral Institute of Southern Africa, 2000, pp 7-40.
 - 5 See also Giovanni Sartori, 'Concept misformation in comparative politics', *American Political Science Review*, 64, 1970, p 1034.
 - 6 See Jorgen Elklit and Palle Svensson, 'What makes elections free and fair?' *Journal of Democracy*, 8(3), 1997, pp 32-46. Also see Bruce Baker, 'The quality of African democracy: Why and how should it be measured?' *Journal of Contemporary African Studies*, 17(2), pp 273-86.
 - 7 Bruce Baker, 'The quality of African democracy: Why and how should it be measured?' *Journal of Contemporary African Studies*, 17(2), pp 273-86.
 - 8 Douglas Anglin, 'International election monitoring: The African experience' *African Affairs*, 97, 1998, pp 471-75; see also Nevitte and Canton, op. cit., pp 47-51; and Pastor, op. cit.
 - 9 Anglin, op. cit., p 472. Clark asks the question whether international observers and monitors have to be there at all (see E. Spiro Clark, 'A tune-up, not an overhaul: Debating democracy assistance' *Journal of Democracy*, 10(4), 1999, pp 114-18).
 - 10 See *Sunday World*, 8 July 2000.
 - 11 See *The Herald*, 21 June 2000; *The Daily News*, 23 June 2000.
 - 12 Zimbabwe Broadcasting Corporation morning news, 20 June 2000.
 - 13 It was in December 1999, at the Zanu-PF conference, that the party realised that it would not be able to survive politically without action such as the land campaign (E. Noko, interview, Permanent Secretary Foreign Affairs, Zanu-PF, June 2000). The reality of Zanu-PF's sliding fortunes became reinforced in the constitutional referendum of February 2000. Zanu-PF's draft constitution was defeated by 697 754 to 578 210 votes (54.7% versus 45.3% of the votes).
 - 14 David Moore, 'Is the land the economy and the economy the land? Primitive accumulation in Zimbabwe' *Journal of Contemporary African Studies*, 19(2), 2001, pp 253-66.
 - 15 Interview, member ANC women's league, MP, Harare, 27 June 2000 (interview on condition of confidentiality).
 - 16 National Democratic Institute (NDI), 'Report of the NDI Pre-election Delegation,' 22 May 2000.
 - 17 See Election Directorate, 'Accreditation of Observers', 20 June 2000.
 - 18 See National Democratic Institute (NDI), 'Statement on Refusal by the Government of Zimbabwe to Accredite NDI and Others to Observe the June 24-25 Elections', 20 June 2000; International Republican Institute (IRI), 'IRI Cancels Observation Delegation to Zimbabwe', 20 June 2000. On the UNDP withdrawal, see *The Sunday Mail*, 11 June 2000.
 - 19 For more information on Zanu-PF in power and being challenged for power, see Patrick Bond,

- 'Zimbabwe: Another liberation?' *Indicator SA*, 16(1), 1999, pp 95-103; I Hatchard, *Individual Freedoms and State Security in the African Context: The Case of Zimbabwe*, Harare: Baobab Books, 1993; John Makumbe and Daniel Compagnon, *Behind the Smokescreen: The Politics of Zimbabwe's 1995 General Elections*, Harare: University of Zimbabwe Press, 1999; David Moore, 'Don't forget Mugabe's history' *Mail and Guardian*, 7 April 2000; Sam Moyo, John Makumbe and Brian Raftopoulos, *NGOs, the State and Politics in Zimbabwe*, Harare: SAPES Books, 2000.
- 20 Fifteen political parties contested the 2000 election. Zanu-PF election communications presented this statistic as evidence of the existence of a vibrant multiparty democracy. There were also 90 independent candidates (these persons were often Zanu-PF members who had not made it as candidates, but who had retained loyalty to the party). The major opposition parties were the Movement for Democratic Change (led by Morgan Tsvangirai), Zimbabwe African National Union – Ndonga (Ndabaningi Sithole); the United Parties (UP; Abel Muzorewa), Zimbabwe African Peoples' Union (ZAPU; Joshua Mhambi), Zimbabwe Union of Democrats (Margaret Ndongo) and Liberty Party (Canaan Moyo). ZUD, UP, Liberty Party and Zanu-Ndonga formed the so-called Voting Pact before the election, agreeing not to oppose one another. The MDC decided not to be part of the pact.
 - 21 Delimitation Commission, *The 2000 Delimitation Commission Report*, Harare, 2000.
 - 22 The registrar-general is the anchorperson in the conduct of all aspects of electoral management. In practice, regarding electoral matters, the registrar-general falls under the Ministry of Home Affairs (despite Article 15 (2) of the Electoral Act proclaiming that this office is not subject to any person's control).
 - 23 Tom Lodge, 'A handbook of Zimbabwe electoral laws and regulations', Johannesburg: Electoral Institute of Southern Africa, 2000, pp 5-7.
 - 24 Electoral Amendment (Regulations) 7 of 2000; Regulations 8 of 20 June 2000.
 - 25 Interview, Elaine Raftopoulos, ESC, June 2000. The following organisations conducted voter education: National Constitutional Assembly (NCA), Election Support Network, Civic Education Network Trust, Zim Rights, Legal Resources Foundation, Foundation for Democracy in Zimbabwe and the Zimbabwe Council of Churches. The ESC conducted voter education with the assistance of predominantly the US Government, through the National Democratic Institute.
 - 26 Observation, High Court ruling, 22 June 2000.
 - 27 NDI, May 2000.
 - 28 See European Union report, 2000. Also see Richard Saunders, *Never the Same Again: Zimbabwe's Growth Towards Democracy, 1980-2000*, Harare: Edwina Spicer Productions, 2000, pp 106-13. At one stage, more than 250 rural schools were closed as a result of intimidation. In court evidence it was stated that more than 30 000 Zimbabweans were estimated to have fled their homes and villages because of electoral violence and intimidation. At least 34 people died in pre-election violence.
 - 29 Interview Tony Weeler, Amani Trust, June 2000 provided some of the references.
 - 30 Interview, Harare, land adviser to small-scale farmers, 9 June 2000, granted on condition of anonymity.
 - 31 The Political Parties (Finance) Act 2001 provides for public funding of political parties that in the previous election obtained at least 5% of the votes cast.
 - 32 These include *Financial Gazette*, *The Standard and Zimbabwe Independent*; and *The People's Voice*, and *The Worker*.
 - 33 Four days before the election, Zanu-PF still estimated that the opposition MDC would get Harare and Bulawayo seats only, and not all of these. They estimated that around 25-30 seats would be the MDC ceiling (interview, E. Noko, 2000).
 - 34 *The Daily News*, 23 June 2000.
 - 35 Delimitation Commission, 2000.
 - 36 There were a reported 5.1 million voters in the electoral register, which was a fully computerised system, constructed with the assistance of Denmark. The national identity card served as a voter registration card. The roll went on display from 1-13 June. A supplementary register was introduced.
 - 37 Interviews Elaine Raftopoulos, ESC; Margaret Donga, MP Harare South (1995-2000), June 2000.
 - 38 Interviews, Harare, 22 June 2000.

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- 39 See 'The wheel's still in spin' *Africa Today*, 7(9), September 2001, pp 20-23.
- 40 These were the so-called 'pungwe' sessions, aimed at violent or forceful political re-education; also see Mercedes Sayagues, 'Dr "Hitler" Hunzvi's torture room' *Mail and Guardian*, 19 May 2000.
- 41 Observer interviews, 19 June 2000; also see Masipula Sithole, 'Where do we go from here? Election 2000 in perspective' *Agenda*, 4(4), p 4 regarding the MDC youths' approach of 'tsvara akadana tibu' (a tooth for a tooth).
- 42 See European Union Report, 2000; Commonwealth Report, 2000.
- 43 See for example European Union, 'Report of the EU Election Observation Mission on the Parliamentary Elections which took place in Zimbabwe on 24th and 25th June 2000', 4 July 2000; Commonwealth Observer Group, 'The Report of the Commonwealth Observer Group', 30 June 2000.
- 44 See Mercedes Sayagues in *Mail and Guardian*, 1 July 2000.
- 45 Observation, 24-25 June 2000.
- 46 Election Directorate chairman statement, 23 June 2000.
- 47 This type of intimidation was rife in, for instance, the Bikita West by-election; see *The Financial Gazette*, 11 January 2001.
- 48 ECF observer, verbal field report, 24 June 2000.
- 49 Interviews with presiding officers, 24-25 June 2000.
- 50 In Bikita West traditional leaders literally headed people in their villages to the polling stations taking and recording their names while threatening that should Zanu-PF lose, it would be known that these people had voted for the MDC; see *The Financial Gazette*, 18 January 2001.
- 51 The Zimbabwe Broadcasting Corporation (ZBC) by law is the only radio and television broadcaster in the country. The Broadcasting Act of 1996 stipulates that the ZBC is controlled by a Board appointed by the Minister of Information, Posts and Telecommunications.
- 52 Media Monitoring Project Zimbabwe (MMPZ), *Bulletin*, 19-23 June 2002.
- 53 See the weekly (and later daily) media monitoring reports by the MMPZ.
- 54 These calls have been issued by, for instance, the Zimbabwe Council of Churches and the National Constitutional Assembly (NCA).
- 55 See *Eastern Province Herald* (South Africa), 24 August 2000.
- 56 Several by-elections resulted from the deaths of incumbents: Bikita West, Bindura, Chikomba, Makoni West, Marondera West. A number of June 2000 results were nullified by the High Court, but all of these cases went on appeal to the Supreme Court. The nullified elections by September 2001 were those in Buhera North (constituency of MDC leader Morgan Tsvangirai), Chiredzi North, Hurungwe East and Mutoko South. Several petitions were withdrawn, a number were denied, and several still had to be heard. In each of the by-elections lost by the MDC, notice was given that the results would be appealed.
- 57 See Zimbabwe Human Rights NGO Forum, 'Organised violence and torture in Zimbabwe 2000', Harare, 2000. Bikita West and Makoni West were two of the constituencies where war veterans moved in on 'clean-up' operations in the wake of the by-elections.
- 58 Makoni West and Bikita West were by-election examples of extensive youth plus war veterans plus CIO plus military intervention to conduct 'door-to-door' campaigns.
- 59 In Marondera West MDC organisers and supporters were prevented from using local government facilities; see *The Financial Gazette*, 30 November 2000. 'Base camps' that housed Zanu-PF youth activists, war veterans, CIO agents and other associates routinely started going up in the by-election constituencies. Two examples were Makoni West and Chikomba; see *The Herald*, 12 September 2001.
- 60 Clemency Order No 1 of 2000. The Human Rights Forum estimated that 90% of human rights violations that occurred during the election were pardoned. By November 2000 a total of 111 individuals had been released. Media Monitoring Project Zimbabwe (MMPZ), 'A question of balance: The Zimbabwean media and the constitutional referendum', 2000; 'Election 2000: The media war', Harare, 2001, 42 reports that 90% of the more than 1000 violent incidents were attributable to Zanu-PF supporters.
- 61 Brian Raftopoulos, 'The new constitution: What next?' *Agenda*, 4(4), p 1.
- 62 See *Africa Today*, September 2001, p 21.
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- 63 For a detailed exposition of these trends, see Brian Raftopoulos, 'The state in crisis: Authoritarian nationalism, selective citizenship and distortions of democracy in Zimbabwe', 2001.
- 64 *Business Day*, 14 September 2000.
- 65 One way of establishing whether voters felt 'sufficiently unintimidated' on the day of voting is through the use of exit polls. Only one of these was conducted in the case of Zimbabwe 2000, namely a poll by the Helen Suzman Foundation (Helen Suzman Foundation, with RW Johnson, 'Fear and intimidation in Zimbabwe's election: Exit poll', 27 June 2000). This poll, however, was characterised by high denial rates. The analysis relied on a comparison between voter preferences in the February 2000 referendum and in the June 2000 election. This is problematic, both because voter turnout patterns were different, and because the issues and circumstances diverged. The only non-Helen Suzman Foundation poll conducted was one by the Public Opinion Institute in Harare. This poll expected higher figures for the MDC than the ones that were realised in the election. Because of low transparency on research methodology, and because of the MDC political affiliations of the researchers, subsequent researchers would need more information before that poll can be relied on to help define the true mind of the Zimbabwe voter in the weeks before the election.
- 66 See *The Standard, Zimbabwe Independent*, June / July 2000.
- 67 Commonwealth Observer Group, *The Report of the Commonwealth Observer Group*, 30 June 2000.
- 68 NDI, May 2000.

Postscript

On the basis of observing the 2000 Zimbabwe parliamentary election, the preceding paper argues that, for observer missions truly to contribute to the strengthening of democratic election practice, attention needs to be paid to systematic observation of all six of the identified phases of the electoral cycle. The experience of the 2002 Zimbabwe presidential election observation demonstrates the predicaments that befall election observer missions that could not undertake, or were prevented from undertaking, systematic observation that is driven by agreed and acceptable norms and standards.

After briefly reviewing important aspects of the 'politics of observation' and how this context of observation changed from 2000 to 2002, this postscript focuses on the phases of the election cycle that dominated in the 2002 observer actions, the nature of the 2002 'election calls', and suggestions towards the further development of election assessment criteria. The focus will be on guidelines to suggest both the weighting of factors in the election observation process, and the categorisation of election 'calls' in order to advance the credibility of election verdicts.

Zimbabwe in 2002 saw an intensification of the politics of electoral observation. In both 2000 and 2002, election observation was affected by the politics of who would be allowed to observe the election. In a multiparty authoritarian system, such as Zimbabwe, the authorities allow election observation and hope to benefit from controlled observation. The 2000 processes of accreditation were characterised by delays, frustration and, eventually, accreditation. The 2002 election saw a repeat of these steps, in addition to the pre-accreditation screening and specific invitation. President Robert Mugabe limited invitation and accreditation to missions that would not be associated with 'Western', 'colonial', 'neo-colonial' and other epithets. He used a deeply ingrained and widely shared African sentiment against the neo-colonial extension of Africa's harsh colonial experience to aid his and Zanu-PF's campaign to retain political power, part of which was a process of preemptive de-legitimisation of criticism.

The major international 2002 missions included the Commonwealth Observer Group, the South African Observer Mission, the SADC Ministerial Task Team, the SADC Parliamentary Forum, the Electoral Commissions Forum of SADC, and the South African Parliamentary Observer Mission.

The six-phase electoral cycle, which this paper argues should be covered in full in order to reliably pronounce on an election, stretches from early-pre-election, to the early and final campaign phases, polling days, counting days, the early-post-election and, finally, the late post-election phases of elections. The phases furthest from the generally accessible and 'showcase' phases of late campaign, polling and counting are the ones that are most susceptible to intervention by the governing party. Zimbabwe 2000–2002 provided evidence of concerted late-post-election (2000) and early-pre-election (2002) reorganisation of the electoral playing field. This multifaced reorganisation effectively constructed many of the building blocks to success for Zanu-PF in the presidential election.

Most of the missions in 2002 (as in 2000) operated strictly on the principle of reporting only what had been directly observed (and for some, what could be specifically verified). Given the limited number of days from accreditation to polling, combined with low numbers of international observers, the limitation of numbers of domestic observers, and the assignment of civil servants only in the role of election monitors, there were obvious limitations to what could be observed. The international observer reports were indicative of the fact that most of the missions had their observations telescoped into a condensed period. Besides the time-factor,

security concerns and no-go areas that applied both to citizens and observers limited observer exposure. The short period between the announcement of the election and polling, combining with delays in accreditation, also affected the scope and depth of observation.

As in 2000, the nature of international missions as temporary, 'visiting' organisations prevented systematic observation beyond one to two days after the commencement of counting. Lack of attention, however, to the early-pre-election period was the most problematic aspect of the assessment of the integrity of the 2002 election.

Several missions reported on their presence in the 'pre-election period', or that they had been present in Zimbabwe to cover 'all of the phases' of the election process. This was manifested in some members of missions having been in Zimbabwe for a period of approximately three weeks before the election. Domestic organisations, such as the Amani Trust and the Media Monitoring Project of Zimbabwe, are the only agencies that provided ongoing monitoring of pre-election practices.

Missions, however, were uncertain as to how to incorporate these monitoring results, given that they did not directly observe the bulk of the reported transgressions. Most of the 2002 reports recognise the array of transgressions in the early pre-election and the early campaign periods. Few, however, find a way of letting these transgressions weigh in against the positives of apparent good voter turnout and admiration for the determination of people to vote. Should a method have been found to give more consideration and weight to those two phases furthest away from balloting and counting, the missions would have been on firmer ground in reaching their verdicts.

In contrast to 2000, election-affecting practices of the governing party in 2002 penetrated the immediate pre-election campaign period on a large scale. In 2000, uncertainties about the voters' roll persisted right up to and into polling. This process deteriorated in 2002. The 'legislative framework' of the election continuously underwent changes that affected aspects of the 2002 election, ranging from freedom to campaign and to express political opinion, to who would be able to observe the election, to who would be allowed to vote. Few observer missions could ignore the weight of evidence of the immediate pre-election transgressions that overwhelmingly were attributed to, or directly associated with, the governing party. Most of the observer missions found it difficult to verify and assign these factors a relative weight or importance in the overall election rating.

The 2002 bottom-line verdicts of the election can be categorised as emphasising one of three sets of criteria: 'free and fair', 'legitimate' on the basis of high turnout, or 'not sufficiently conforming to norms and standards' (despite apparently high turnout). The verdicts show the extent to which a relatively high turnout in 2002, as in 2000, aided the missions in activating the 'turnout escape clause' through which they could proclaim the elections to have been acceptable (or legitimate). This time around, there was a greater tendency to steer clear of the controversial calls of 'free and fair'. The activation of the escape clause minimised the need to pronounce on the effect of the preceding, recognised transgressions. In 2002, however, this mechanism had a reduced level of credibility. This was because of the escalation of measures and practices that indicated systematic disenfranchisement. These included voter congestion in Harare and Chitungwiza, a series of legislative changes adding to categories of disenfranchised voters, the mass displacement of rural voters from their constituencies (where, by High Court ruling, voters were required to vote), possible widespread abstention because of fear of being seen to be voting for the wrong party and thereby becoming the victim of further violence and intimidation, the disappearance of names from the voters' roll, and widespread uncertainty as to where to vote and where the constituency boundaries fell. Voter registration

beyond closing dates in areas where the governing party has dominance, no-go areas that meant that observers had no access to determine the existence and extent of possible voter intimidation or other irregularities in vast parts of Zimbabwe, the uncertainty on the exact size of the voters' roll, lack of explanation of the growth of the electorate by approximately 500 000 since the 2000 election, and inability to verify actual turnout, added to suspicions both about the proclaimed percentage poll of 55%, and the winning edge of Zanu-PF over the MDC.

It was, however, the turnout figures, built on these insecure foundations, that provided several missions with their turnout-related reasoning for acceptance of the poll as an 'adequate expression of the will of the people', or 'legitimate'. Overall, on the basis of recognition of the same observations and impeding factors (albeit differently emphasised and accentuated, and differently interpreted) the missions arrived at their distinctive verdicts: 'Free and fair', 'legitimate', or 'not sufficiently complying with recognised norms and standards of electoral practice'.

The 2002 Zimbabwe election observation experience showed the need to refine and externalise the criteria for election observation practice. For example, guidelines might be developed on how to assess and weight early pre-election actions that occur before it would be reasonably possible for international observers to be operative in the country, and how to weight the bulk of pre-polling day factors *vis-à-vis* the manifestation of a reasonable turnout. In addition, there is a need for the externalisation and systematisation of the use of election calls such as 'free and fair', or 'legitimate'. The positive or negative assessments of a range of electoral factors, in each of the phases of the election cycle, need to be associated verdicts that are logically and causally linked to the preceding observations. Finally, the term of 'election observers' might be reserved for the professional missions that systematically consider externalised norms and standards of election practice in their culturally anchored contexts.