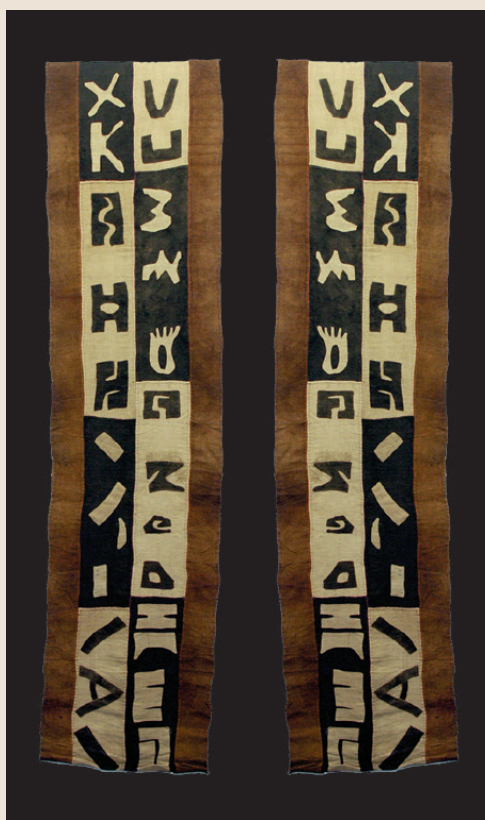


# JOURNAL OF AFRICAN ELECTIONS



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# Journal of African Elections

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# INFORMATION CONTROLS AND INTERNET SHUTDOWNS IN AFRICAN ELECTIONS

## *The Politics of Electoral Integrity and Abuses of Power*

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### ABSTRACT

*Internet shutdowns in Africa are becoming increasingly widespread, particularly when governments face competitive or contentious elections. They have also come to symbolise a widening fracture between competing conceptions of the global Internet and its regulation. Governments in Africa are justifying shutdowns as able address misinformation and disinformation, protect the election process, and ensure national security. International organisations, NGOs, and social networking platforms condemn these as an inadmissible form of censorship and information control, an abuse by political actors seeking to silence critics or manipulate elections. This article offers an alternative reading on internet shutdowns by placing them in the historical context of the wide range of information controls around elections, many of which are widely regarded as being acceptable and legitimate mechanisms to support competitive elections. By offering this context, we can ask what is new about shutdowns and whether they can ever be regarded as a proportionate response to real concerns of social media and election manipulation. We conclude by highlighting the inequalities of online content moderation as an often-overlooked factor in driving the use of shutdowns, and the failure of social media companies to effectively address misinformation and disinformation in Africa, particularly around elections.*

**Keywords:** internet shutdowns; media and elections; information controls; mis/disinformation; censorship; African elections

## INTRODUCTION

In August 2021 Zambia joined the growing list of countries in Africa to order an internet shutdown during an election period. The Zambian government was true to its threat if, in their view, Zambians ‘failed to use the cyberspace during this year’s election correctly’ it would be shutdown (Kene-Okafor 2021). This follows a series of other recent shutdowns on the continent around elections: Republic of Congo, Burundi, Togo, Guinea, Tanzania, and Uganda, among others. As with the Zambian elections, shutdowns tend to occur when there is political competition and the potential for violence. Despite the shutdown, the Zambian opposition party, the United Party for National Development, led by Hakainde Hichilema, successfully defeated the incumbent President Edgar Lungu of the Patriotic Front. This was Hichilema’s third attempt, after being narrowly defeated in 2016. Violence was reported during the election period, including in the North-Western province where the ruling Patriotic Front chairman was killed, and the military was deployed to several provinces to address concerns of election-related violence (Mitimangi & McHale 2021).

Shutdowns are often justified as a tool to address security threats and protect the integrity of the electoral process, including impeding the spread of misinformation. As Barnabe Kikaya Bin Karubi, an advisor to outgoing President Joseph Kabila, explained, the post-election internet shutdown after the Democratic Republic of Congo’s 2018 elections was to stop the circulation of ‘fictitious results’ on social media that ‘could lead... straight to chaos’ (Bujakera & Mahamba 2019). This perspective was further elaborated by Lamber Mende Omalanga, the Minister of Communication at the time, who argued there was ‘no other way’ to stop ‘sneaky guys who wanted to use social networks to... [publish] false figures, false data’, and that the Congolese people should accept that an internet shutdown is a necessary ‘price to pay to maintain the integrity of their electoral process’ (Actualite 2019). Shutting off the internet, he argued, was necessary to avoid sliding into civil war: ‘What is more important? Our comfort or our security?’ (*Francetvinfo* 2019).

How, and why, governments decide to use the comparatively blunt tool of internet shutdowns during election periods, is the focus of this article. From the United States to Uganda, elections are periods of conflict and tensions that sometimes turn violent. Governments or political parties may have a real interest in inflaming tensions and may be the driving provocateurs of violence; but in other instances they (or other public authorities) may be attempting to stem or calm violence. There are also growing trends of interference and manipulation on social media by external states and actors (such as diaspora groups) attempting to disrupt or undermine electoral processes.



In this context, we attempt to offer an alternative reading of internet shutdowns around elections in Africa. Digital rights and internet freedom groups quite rightly raise concerns around how governments often order shutdowns to restrict freedom of expression, to stifle opposition voices, or to reduce opportunities for greater public (and international) scrutiny on the corruption of election procedures. Many of these efforts are well-documented (Accessnow 2021). But this absolutist approach to human rights (or digital rights) fails to recognise or account for the very real concerns and grievances about how social media might be manipulated during Africa's elections. It also obscures the vast inequalities between how social media content is moderated to a greater extent in rich priority countries such as the United States, in comparison with far less moderation in poorer, more economically marginal countries like Uganda.

The article proceeds by exploring trends in shutdowns around elections in Africa, when they most often occur, during which types of elections, and for what reasons. We then turn to contextualising shutdowns within the broader range of information controls that have been, and often continue to be, used to address information flows around elections. These have typically applied to the mass media, and have often been considered legitimate, or reasonable restrictions to protect the integrity of the election process. Such controls range from bans on political advertising in the immediate run-up to elections, restrictions on the publication of public opinion polls, and limitations on exit polls. While these controls may be misused for political ends or exceed what might be considered 'reasonable' (whether in length, duration, or reach) in many cases they are recognised by all parties and are regarded as acceptable limitations that help to prevent manipulation, coercion, or interference with a free and fair election process. Finally, by broadly reflecting on research we conducted in Ethiopia, Chad, Cameroon, and Uganda, we draw out some factors that inform government decision-making around shutdowns and what this suggests about the future of information controls around elections.

## TRENDS IN ELECTIONS AND SHUTDOWNS

Internet shutdowns can refer to a variety of techniques, best described as a spectrum of controls (Marchant & Stremlau 2020b). These restrictions range from partial shutdowns where selected sites, platforms, or tools (such as WhatsApp or Twitter) are targeted; slowdowns whereby internet service providers make accessing the internet so slow as to render it effectively useless; location-specific internet blackouts where the internet will be completely inaccessible in a specific city or region; to total nation-wide shutdowns where there is no access at all (Marchant & Stremlau 2020a). While there are some tools for circumventing

restrictions, including Virtual Personal Networks (VPNs) which can re-route traffic and enable users to access blocked websites, the efficacy of circumvention tools depends on the extent and type of shutdown. Not surprisingly, total internet shutdowns are more difficult to evade and occur with increasing frequency.

There are roughly two turning points around the use of shutdowns in Africa. The first came with the protests associated with the Arab Spring between 2011 and 2013, when telecommunications services were cut in Egypt, Libya, and Tunisia. These were the first significant use of shutdowns on the continent; they were widespread and impactful but were not directly associated with elections. A second turning point was 2016. Before then, only the Democratic Republic of Congo (DRC) had used a shutdown during the 2011 election, but 2016 saw a significant surge with five countries holding presidential elections (Congo, Gabon, The Gambia, Niger, and Uganda) shutting down the internet either before, during or after the election (*Voaafrique* 2016).<sup>1</sup> All five cases are similar in that an incumbent president was vying for re-election. In Congo, The Gambia and Uganda, the shutdowns were used by the government on the day of the election to pre-empt and prevent protests and violence. For example, despite protests, Congolese President Denis Sassou Nguesso had managed to have a new constitution installed allowing him to run for a third term and extend his 32-year rule. Telephone, internet and SMS services were shut down for 48 hours for 'reasons of security' as the country headed to the polls as an effort to pre-empt possible disruptions (Aljazeera 2016). In Gabon, it was a post-election shutdown. Ali Bongo Ondimba ran for a second term, and won, in an election marred with irregularities. After protests and riots broke out following the announcement of the result, the internet was shut down.

After this surge of election-related shutdowns in 2016, the number of African countries implementing shutdowns has continued to grow and this tactic was used during 6 out of 14 elections in 2021.<sup>2</sup> By examining the number and type of elections being held, and keeping in mind that in some years there are fewer elections (and thus fewer election-related shutdowns), there is a trend towards an increasing acceptance and use of shutdowns, particularly during elections that are competitive or somewhat competitive. Governments that have a firm grip on power (such as Rwanda, where President Paul Kagame received 98.8% of the vote in 2017) appear less likely to turn to shutdowns, as are countries that regularly hold elections considered to be competitive and are rarely associated with violence or protests (such as South Africa or Botswana). It is those countries

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1 DRC had gubernatorial elections and ordered a shutdown ahead of time.

2 None of the elections held in 2017 had shutdowns, in 2018, 3 out of 11 (27%) of the elections had shutdowns and this grew to 3 out of 14 in 2019 and 5 of 13 in 2020.

in the middle, such as Uganda, or Cameroon, that are most likely to use shutdowns during elections.

### *Shutdowns as a Response to Election Violence*

One of the most important factors for elections and shutdowns is the real, or potential, association of violence during election periods. This has been a persistent feature of elections in Africa, and it is often overlooked when international organisations or human rights groups respond and condemn shutdowns. Similar to the acceleration in internet shutdowns around elections, there is evidence that incidences of election-related violence are on a distinct upwards trajectory (see, for example, the ELVI Dataset which indicates that 54% of national elections in 2020 had some form of violence associated with them, the highest level in four decades) (ELVI 2021; Frank 2011). Given that there is a wide range of what might constitute violence around elections, the connection is not always so clear. Violence associated with elections in different contexts ebbs and flows – in some cases, governments come to power and enforce peace but then, during efforts to maintain power, alter constitutions or exacerbate existing political polarisation that may provoke violence.

During the 1990s, when many of Africa's countries moved towards democratic politics and began holding some sort of elections, there was widespread euphoria, particularly by international donors and supporters, that elections would lead to 'good governance' and more peaceful states (Young 1993, pp. 299–312). The general assumption was that these governments were more responsive to citizens needs and would offer more accountable, and legitimate, alternatives to non-democratically elected authorities. But in recent years, the evidence has become quite clear that, particularly in poor countries, elections often serve as a catalyst for violence (Söderberg & Bjarnesen et al. 2018). In some contexts elections have been associated with encouraging or even facilitating poor policies and divisive practices (Collier 2011, p. 40). While electoral violence occurs in a range of polities (and one must only look to the 2020 US post-election storming of the US Capitol), it is now estimated that more than half of elections in Africa are associated with some degree of violence (Dionne & Burchard, 2016).

Similar to the ambiguities of drawing a direct connection between hate speech or incitement on social media and offline violence, the relationship between violence and elections is not always clear, nor direct. This can make it difficult either to link an internet shutdown with preventing or mitigating election-associated violence or to connect the absence of an intervention with exacerbating or instigating violence. First, there is the issue about how to distinguish election violence from other forms of social unrest. Should it, for example, only be related

to incidents during an election? How is pre-election violence different from post-election violence? One way to differentiate electoral violence is to focus on whether it is strategic and directed towards particular outcomes (Daxecker & Höglund 2020, pp. 3–14) or if violence centres on disrupting the elections, slightly less planned than strategic efforts but nevertheless used with the intention to advance certain political or economic goals. The most ad hoc type of violence is incidental, which is more likely as disgruntled voters disapprove of election results.

The use of violence may be linked to broader political strategies muddying the boundaries between what might be considered election-related violence or other forms of speech and violence. Examples include making land a divisive issue for the election, as seen during Kenya's contested elections; or in the Ivory Coast where narratives of immigrant farmers taking over the south-west of the country have become highly politicised during elections. Such violence is frequently outsourced, often through longstanding associations with public authorities and non-state actors. In Nigeria, the city's transportation trade unions provide a source of violent agitators, the *agberos*, who are recruited to attack rival political candidates and coerce (Agbibo 2018). Nonstate groups that instigate or carry out violence on behalf of politicians can vary in how close they are ideologically to the political groups they support, and this can have longer implications for whether a country will be at peace or not in the aftermath of an election (Staniland 2015). Ahead of the 2016 elections in Uganda, a special police force, recruited from among the disenfranchised, carried out acts of electoral violence including beating opposition supporters (Ojok & Acol 2017).

Other strategies that use violence to silence certain groups include making it impossible for opposition groups to mobilise and contest an election. In some cases, this means having candidates, or their entourage and political supporters, attacked as has been the case in Uganda where opposition leader Bobi Wine has been repeatedly attacked and jailed by government forces (Krippahl 2020). In other instances, violence may be a targeted attempt to silence, intimidate, or coerce voters directly. In a detailed study of Nigeria's 2007 election, it was shown that political violence was more likely from the minority political party which often had a vested interest in intimidating voters into not voting at all (Collier & Vicente 2014). Lowering the turnout for the more popular parties meant increasing their share of votes. Pre-election violence does have a direct effect on voter turnout (Bekoe & Burchard 2017), whether deterring voters who fear for their lives, or spurring certain groups into action. While ethnicity and status are often cited as motivating factors for violence, these differences must be mobilised in some way. Elites often have an incentive to enhance differences around elections, as such elites use polarising tactics to antagonise minorities into the kind of protest and

violence that can, in turn, bring greater coherence and solidarity to the majority political party (Wilkinson 2009).

One of the most significant factors influencing violence around elections is whether the country has recently had a domestic war. Collier has shown that post-conflict elections (which are usually carried out hastily, with demilitarised groups often turned into political parties), shift the risk of conflict reversion. In the year before the election the risk of returning to violence is reduced; but in the year after the election violence is significantly more likely. In some instances, new parties formed after the conflict draw heavily on military experience and alter people's opinions as to whether violence may be justified, leading to more violence (Linke, et al. 2015; Melber 2009).

Similarly, the type of electoral system may also contribute to the likelihood of violence. Fjelde and Högglund, for example, found that violence is more likely in majoritarian systems than those with proportional representation as the majoritarian system escalates the stakes in an election by creating an atmosphere where the winner takes all. Election violence is often in places where the election management institutions are said to favour one party (Solà-Martín 2018). Recourse to the courts after losing an election is not usually a viable option in countries with quasi-independent as opposed to fully independent judiciaries, and so violence is more likely (Nkansah 2016).

The connection between elections and violence has implications as to how electoral management bodies, laws and regulations are crafted, including information controls, particularly during conflict or in post-conflict periods. Mass media, and journalists in particular, have long been targets of incumbent governments, particularly when there is fear of losing power or the potential for media to incite violence. Efforts to restrict opposition access to the media, enforce laws around treason and sedition to threaten and silence journalists, force journalists out of their jobs for controversial opinions, or buy off critical media outlets, have been common tactics to influence elections (Stremlau & Price 2009; Gagliardone, Stremlau & 2019). Similar trends have persisted for social media, although given the newness of various platforms there is far less evidence as to precisely how. TikTok, for example, is less than ten years old yet is enormously popular and has raised concerns about spreading disinformation, misinformation, and inciting violence during Kenya's recent 2022 elections. This makes it trickier for either domestic or international efforts to intervene. While there is a relatively robust corpus of research and policy work related to information interventions prior to the rise of social media, far less consensus has emerged around how to intervene to protect the rights of communities when social media is seen to have a role in genocide or mass violence (De Gregorio & Stremlau 2021).

Given these concerns, we turn now to examine how information controls that have primarily targeted traditional media, or offline communications, have been used around elections as a way of mitigating the real, imagined, or politicised idea of violence.

### A SPECTRUM OF INFORMATION CONTROLS

One way of understanding the turn towards internet shutdowns, or the spectrum of information controls that might be placed on social media, particularly during elections, is to situate them within the range of other laws, policies, or interventions in the media space that has been used as a way of legitimately seeking to protect or enable competitive elections. The role of media is often outlined in the substantial corpus of grey literature (handbooks, guides, and policy papers) created by various international and national organisations about best practices around elections (Merloe 2008). Much of the emphasis is around election laws, including specific provisions about what information, when, where and how, media can disseminate around elections. Inevitably, these information controls have been misused.

Our focus, in this section, is also on the extent to which they have been legitimate, and how, or why, they have been justified – and what their use may imply for efforts to place restrictions on social media, or the internet, around elections. This does not mean that their implementation has not been without significant criticism: there have, for example, been intense lobbying efforts by organisations such as the World Association for Public Opinion Research (Donsbach 2001), criticising bans on the publication of public opinion polls prior to elections. The point is, however, that social media makes the goals and intentions behind many of these restrictions impossible to implement, wholly or partially. This is especially the case for countries that are marginal markets for social media companies and where fewer resources are dedicated to content moderation (whether human moderators or the development of machine learning for automated removal).

This section considers media restrictions in the run-up, or prior, to elections; during the voting period; and in the post-election period. We also examine restrictions on international actors, particularly broadcasters. This includes radios associated with foreign governments, such as the BBC World Service, or satellite channels funded and run by diaspora groups abroad.

#### *Information Controls Prior to Elections*

Prior to elections, information controls have focused largely on periods of ‘election silence’. The range of information that might be enveloped in these restrictions



includes opinion polls, political advertising, campaigning, and political rallies, or meetings. In most countries, election silence is written into the law or statutes around elections, but it may also be informal agreements between parties (as in Sweden). In some cases, a blanket period of silence is issued in addition to other laws and regulations governing media and information around elections, particularly in anticipation of highly contentious elections or possible violence. Several days prior to sensitive presidential elections on 21 June 2021, for example, Ethiopia's National Election Board (NEBE) ordered a 'period of silence' which included a ban on campaign rallies and new rules for local media houses. As the NEBE explained on its Facebook page: 'Mass media outlets are not allowed to broadcast any kind of election-related activities during this period of silence. In addition, these institutions are not allowed to interview political party candidates' (Pelz 2021).

As in Ethiopia, many rules around election silences focus on the role of mass media. There have been longstanding concerns about what information can disrupt or interfere with free and fair elections, for example whether political advertising is to be permitted. This debate usually depends on whether it is constructed as being concerned with freedom of speech and how much public ownership of broadcasting there is. In France and Britain, for example, there is general hostility to paid political advertising whereas in the US it is more common. In the US, debates in this area revolve around the 1987 repeal of the fairness doctrine which required broadcasters (licensed to administer a limited resource to the US public) to provide balanced information in instances other than the rare event that they were reporting on live events. Critics of the removal of this doctrine have blamed it for the rise of divisive talk radio and Fox news, which is known to use a lot of political advertising. In Canada, election advertising must be on a specific channel.

Media, and particularly public or government-owned media, are often called upon to facilitate debate and enable a broad array of different views and opinions. There may be regulations that require broadcasters to give equal amounts of time to incumbents or opposition parties. Sierra Leone's Electoral Law, for example, enjoins the management of the public broadcaster, the national radio and television, to ensure that each candidate and each political party has access to airtime at public institutions during the campaign period. Similarly, in Kenya, Act 36 of the 2016 Elections Act stipulates that political parties have equal access to state-owned media during the campaign period. Arrangements might also be less formalised. In Mauritius, for example, although there is no legally-set official election campaign period, public and private broadcasters are expected to refrain from broadcasting any politically-related issues and political programmes from the eve of election day to the close of the polls (EISA 2014). Acts and statutes that

contain information about when a candidate may campaign are usually closely associated with acts about the equal and fair coverage of different candidates in the media.

Political advertising on media is also often restricted, and with this comes rules about campaign financing as well as loopholes to bypass them. For example, in the US, intermediary firms cover the costs of what may be called political advertising but that does not necessarily get audited as such. There are also rules about how much political parties should get from the state, usually based on what percentage of the vote they received, as well as caps on the amount of private donor funding they can receive. African countries tend to be lenient when it comes to private funding; but there are caps in countries like Tanzania, Uganda and Morocco. The Kenya Election Campaign Financing Act, for example, bans donations from foreign interests to political parties. It also limits the amount a private donor can give to a party during an election, stating that no contribution from a single source 'shall exceed twenty percent of the total contributions received by that candidate, political party or referendum committee'.

Opinion polls have been used as far back as the 1824 presidential election in the US, and were developed by pioneers in the field like George Gallup in tandem with other survey methods (Converse 2017). By the 1980s polls had become ubiquitous in the elections of most countries and politicians began to voice concerns about their influence, for example their ability to create a 'bandwagon effect', leading uninformed voters to support the candidate in the lead at the time of the poll. In the UK, the Representation of the People Act of 1983 prohibits the publication of information on the way voters have voted, or forecasts of the result before the election poll has closed.

Polling has been particularly contentious and subject to restrictions around Kenya's elections, including the recent elections in August 2022. But it was the elections of December 2007 that really highlighted the challenge polls pose, and forced policy and legal reforms, including for traditional media and social media. During the 2007 elections, polls were seen to have had a contributing role in the post-election violence because the most prominent were suggesting that opposition leader Raila Odinga would win the election (Stremlau & Price 2009). The Steadman Opinion poll, conducted by the market research and media monitoring consultancy company, the Steadman Group, was under particular scrutiny. As the elections drew closer, the Steadman poll put Odinga ahead but by only a narrow margin, leading to rumours that the government was forcing Steadman into reporting that the incumbent Mwai Kibaki was gaining ground (Osborn 2008). The Statistics Act (2006) was thought to be able to contain the powers of polling firms but in the 2007 elections it was not called upon to regulate them (Wolf 2009). The discrepancies over the polls led to the Electoral Opinion Polls Act No. 39 of 2012, which placed restrictions on the publication of such polls and



forced publishers to provide more information about what exactly had been asked in the surveys or questionnaires. Despite this Act, the Steadman Group, which had been subsumed by Synovate by this time, continued to publish the results of surveys for the 2013 elections and thus provoke controversy. In the run-up to the election in March 2013, prominent politician Martha Karua remarked 'I cannot accept the results of research that have been financed by my competitors to be the perceptions of Kenyans' (Makulilo 2013), reflecting a common view that the polls are not impartial but are politically motivated.

Information controls prior to elections have been significantly impacted by social media. The ease and immediacy of publishing internet polls or other forms of opinion poll on social media, has made periods of election silence, or restrictions on polls around elections, increasingly difficult to implement. Efforts to restrict campaign advertising as well as international interference, as referenced above, have also proved difficult. This is particularly in Africa which has been a marginal priority for social media companies, a point we will return to later in this article.

### *Information Controls During Elections*

How and when information about election results is shared is frequently contentious. Electoral management bodies are often tasked with releasing the results to the media, although media often pre-empt these official announcements. These bodies may be independent<sup>3</sup> (at least in structure, if not always in practice) such as in Burkina Faso, Liberia, Mauritius, Nigeria, and South Africa, or they may operate as a government office as in Denmark, Switzerland and the UK. Still others have adopted a mixed model whereby policy and oversight are independent but implementation of the election is housed within the government, as is the case in some French-speaking countries in West Africa such as Senegal and Mali. In the latter, elections are organised by the Ministry of Territorial Administration, and vote-counting is conducted by both the Independent National Electoral Commission and the Constitutional Court.

The release, announcement, or publication of early results and the conduct of exit polls are the most frequently regulated aspects in response to evidence suggesting that the early publication or dissemination of election results in one region of a country can have an impact on voting in other regions. Elections in France provide a case study: prior to 2005, overseas territory voters could see the result of mainland presidential elections; but in 2005, when exit polls in France were banned from being published before the votes were counted in the overseas territories, voter participation increased significantly and voting patterns differed

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3 If they are independent, some countries have two bodies, one for administering policy and the other for administering the election process.

in these regions (Morton et al. 2015). Media are often present to report the opening of polling stations around the country in the early hours of election day and they also often show images of the queues later in the day, both of which can affect voter turn-out in particular areas. Newspapers, radio, or television often have their own polls and these might be directed towards a particular policy issue. Polls conducted immediately after voters leave the voting booth can help predict the result ahead of the official announcement, and they can help protect the public from voter fraud. But similarly to opinion polls, they are often criticised for their potential to be manipulated, and are therefore restricted. As with the case of public opinion polls above, social media has had a significant impact on the immediacy and oversight of such polls, making them far harder to regulate within a short time period such as polling day.

There is a range of different rules for conduct around voting stations that reach into communications beyond the mass media. Election observers often look for whether voters are given clear indications of who they can vote for through a list and displays at voting stations. Regulations may be designed to support a secret ballot, and one that aspires to limit opportunities for corruption, bought votes, or voter pressure. These efforts may include a ban on publishing voter lists and restrictions on handing them out to the polling stations up to a few hours before voting starts. In some cases, there may be restrictions around whether interviews can be conducted near voting stations. For example, in Ethiopia during the 2005 election, the media were instructed not to 'interview voters, candidates' representatives, observers, or election observers, during registration or polling' (Teshome-Bahiru 2009, p. 94). And while election standards often stress that access to all polling stations should be open to representatives of political parties, accredited observers and the media, electioneering in or around polling stations is often banned. In the Philippines for example, there can be no propaganda or soliciting of votes 'within the polling place and with a radius of thirty meters thereof'. One task of staff at polling centres is to ensure that booths are free of campaign posters or flyers or that posters or music, and in some cases even certain T-shirts or badges, may be banned within a certain radius of the polling station, the latter of which is often difficult to restrict. The US, often regarded as the most liberal with regard to information controls around elections (and regulations vary across individual states) shares some of the most notable restrictions including a ban on electioneering within 100 feet of the polling station and the prohibition of photographs and social media posts within polling stations.

### *Information Controls Post-Elections*

One of the most delicate moments during an election period involves the timing and announcement of election results. The most important task for electoral

bodies after elections is ensuring that results are accepted as credible and freely available for scrutiny. When the results are not released in stages, but the electoral body decides to wait until releasing the final result, the individual tallies from local communities can go missing, as was the case in the second round of the presidential election in Ghana in 2007 (Fridy 2009). A long, drawn-out counting of the vote has the potential for increasing tension and creating more opportunities for protest. Again, Kenya's 2007 election serves as a case in point; the election turned tense when a lead of one million votes for opposition leader Raila Odinga suddenly vanished, leading to a slim victory for the incumbent, Mwai Kibaki. In the face of public outrage and confusion, the Electoral Commission declared that they could not tell if the vote was valid. Journalists were ordered out of the Kenyatta International Conference Centre. In the Electoral Commission's headquarters in Nairobi a press conference was called to announce the delayed results. A heckler forced the spokesperson off the stage under protection of security, only to return to the podium to announce Kibaki as president with a lead of 230 000 votes. A team of observers from the European Union said the Electoral Commission had failed to ensure credibility. Nonetheless, Mr Kibaki was hastily sworn in.

What followed was one of the continents' most referenced cases of post-election violence. In what has been described as three waves of violence, 1 200 people were killed: the spontaneous looting of government buildings and Kikuyu families in Nairobi and Kisumu; the targeting of anti-Kibaki opposition actors; and retaliatory attacks by the government and Kikuyu militia that often targeted migrant workers (Schuberth 2018). The media was ordered to suspend live broadcasts of the violence. The ban was imposed on the basis that viewers of violence were being incited to commit more violence and were becoming increasingly radicalised by witnessing police brutality. The Kenyan internal security minister John Michuki ordered the ban 'in the interest of public safety and tranquillity' (Kivuitu 2007). Some, however, have argued that the blackout of media coverage caused more harm as protesters, desperate to know what had happened with the vote, took to the streets perpetuating the protests and violence. Reporters Without Borders said that the media blackout was 'counter-productive' and 'impose[d] a climate of intimidation... and confusion' (AllAfrica 2007).

There were prohibitions on the media covering candidate announcements before the election body had declared the official results. An opposition member could declare themselves the winner before the official announcement, causing doubt about the publication of results. In 2017, Raila Odinga proclaimed himself the winner in a presidential election based on results compiled his own party. The country's electoral commission chairman, Wafula Chebukati, responded by saying it was the only body legally allowed to count votes (BBC 2017).

Media often face a difficult task in determining whether to provide media coverage to the losers who are likely to claim election fraud and unfair elections. For example, after his election loss in 2020, former US President Donald Trump persistently and vociferously undermined the electoral process. He filed more than two dozen lawsuits, particularly in swing states around the country, claiming voter and ballot-counting fraud. To any media that would listen, Trump advanced conspiracy theories of rigged voting machines, electoral fraud and an international communist plot against him.

This section has focused on the range, depth, and variety of approaches that different actors, often government or electoral bodies, have adopted as part of an effort to protect the integrity of elections and to address concerns around the potential role of media during election-related violence. Trump presents one of the most well-publicised examples of a politician exacerbating electoral polarisation and inciting election-related violence on social media. His example leads to the next argument that seeks to contextualise internet shutdowns (both full and partial) within this range of earlier efforts to shape the information environment around elections.

### THE SWING TOWARDS SHUTDOWNS

It has been only in the last several years that the discourse around social media and democracy has shifted. Much of the early literature on the internet's impact on democracy was fundamentally positive, highlighting the opportunities for broadening participation, connecting communities, and evading restrictions on speech. Now academics, journalists, and even politicians are more likely to lead with questions such as 'Can Democracy Survive the Internet?' (Persily 2017), or concerns such as that by former US President Obama argued that social media is 'well designed' to destroy democracies because platforms have the wrong incentives and are 'turbocharging some of humanities worst impulses' (as quoted in Hatmaker 2022). Much of the debate, however, has centred on attempting to control mis/disinformation around elections in North America and Europe.

Trump's use of social media, and Twitter in particular, during the 2021 elections reflected a turning point in corporate accountability for the responsibility (or not) platforms have in addressing the potential harms of political speech on election integrity. Notably, Facebook and Twitter both placed bans on Trump's use of their platforms, citing risks to public safety in the aftermath of the insurrection in the US Capitol on 6 January 2021. Both platforms have typically been more lenient in enforcing their rules or community standards for elected officials and world leaders. While Twitter, for example, has been eager to emphasise that 'the accounts of world leaders are not above our policies entirely', they also allow

for such leaders to violate Twitter rules if there is a clear public interest value in keeping the tweet on the platform (Twitter 2019). And Facebook continues to instruct the fact-checking organisations it partners with not to fact-check political speech, whether by government or opposition, and allow such speech to remain.

There are, however, deep inequalities between how content is moderated in countries in the global north and global south. In the north, rich governments can provide significant oversight and pressure on companies, and companies gain significant advertising revenues from their users while collecting robust and profitable data about them. Countries in the global south, and those affected most by internet shutdowns, are peripheral markets. These levels of prioritisation were made explicit in a series of whistle-blower leaks from former Facebook employees. This included, for example, what the *Guardian* newspaper (which led the investigation), termed the 'Facebook loophole'. This referred to the breadth of state manipulation of content and how the company handled a variety of cases by non-western, small, and poorer companies. What emerged was a company that was quick to address political manipulation around elections in countries such as the US, Taiwan, South Korea and Poland, but slow to move in cases such as that of Honduras where the president, Juan Hernandez, was implicated in a large disinformation programme that Facebook did not take action on for more than a year. This reflected its priority system for protecting political discourse around elections. In an email that was leaked by a Facebook executive, it was argued 'We have literally hundreds or thousands of types of abuse....That's why we should start from the end (top countries, top priority areas, things driving prevalence, etc) and try to somewhat work our way down' (Wong 2021). Another email indicated that the priorities for investigating this type of interference should prioritise 'the US/western Europe and foreign adversaries such as Russia/Iran/etc.' (ibid.).

Furthermore, when it comes to moderating content in Africa, whether hate speech or misinformation, it is clear that the existing mechanisms (both human and machine learning) fall far short of addressing the scale of the problem. Content moderation is available in limited African languages leading some spaces to have minimal, if any moderation. And the same is true for the terms of service (or rules that govern content) and opportunities to report harmful content in languages such as Somali or Tigrinya.

It is in this context that we see the turn towards internet shutdowns, partly as a response to uneven practices of content moderation and the sense, on the part of many African governments, that they have few tools for addressing harmful speech around elections. The decision-making processes by the Cameroonian government around the 2017–2018 shutdown reflect this challenge. While this shutdown did not occur immediately around elections (it was, however, in response to opposition supporters), the choices the Cameroonian government

believed it had are indicative of elections as well. This shutdown was also notable for its totality (it cut-off the anglophone regions of Cameroon) as well as its duration (nearly 240 days).

During interviews with leaders, activists, and internet service providers about the shutdown, a technical advisor to the president of the Republic of Cameroon explained that when faced with the threat of violent protests in the anglophone region, his government believed they had three options. All three options were targeted strategies focused on restricting what they saw as harmful online content in the specific regions, rather than the country as a whole. The first option they identified was access to the customer database of mobile telephone operators in order to identify and locate the separatist groups in the region. The second was to seize the persons in charge of the main social networks in which the messages and the images of the separatists are diffused. And the third was to shut down the internet in the specific region.

The advisor explained that the telecommunications operators in the country refused the first option. This was corroborated by an employee of Orange (the French-owned telecoms company active across Africa) who was directly involved in the shutdown, and who explained that despite frequent and forceful demands from governments, they refuse to give out the personal data of their clients. The second option, the technical advisor explained, 'was slower to implement, because our request had to be studied on a case-by-case basis by social networks. And honestly, we weren't sure it would succeed. Cameroon does not have the economic or political weight of China, which is capable of imposing decisions on social networks'. He continued, 'we only had the third position left, which we finally adopted and applied on January 17, 2017', initiating the long shutdown. While this decision was reportedly not taken easily, it evolved into a longer-term policy and set a precedent for the subsequent growth in shutdowns across the continent.<sup>4</sup>

## CONCLUSION

The threat of an internet shutdown looms over many competitive or contested African elections. But shutting off the internet during elections is not always the first reaction, as some advocacy groups assume. Nor is the spirit behind many election shutdowns entirely different from that of other information controls around elections.

The rise of shutdowns as a tool to address information flows around elections also does not mean that media shutdowns will cease or become less relevant. In the aftermath of the contested 2017 elections in Kenya, as previously noted,

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4 Interview with a technical advisor, 2022.



the government turned to a television shutdown, blocking the broadcasts of several private television channels that were covering the mock 'presidential inauguration' of the opposition leader, Raila Odinga as the 'people's president' that was held in protest. In this case, television was targeted because of its breadth and reach, including the larger demographics it covers. The government justified the television shutdown, arguing that the broadcast of the Odinga 'swearing in' was 'an illegal act' that had the potential to spark further violence by undermining, or casting doubt, on the highly contested election results. Kenya's National Cohesion and Integration Commission attempted to assuage concerns that the 2022 elections could see a social media shutdown. Instead, the government's Strategic Plan focused on barring perpetrators of hate speech, and those that mobilise ethnicity for violence, from running for political office (Kejitan 2022). In Kenya, social media companies invested more in addressing online hate around the elections than in other elections on the continent. These efforts, however, fell far short as companies regularly approved advertisements calling for ethnic violence, and failed to take down hateful comments and posts in the lead-up to the elections (Global Witness 2022).

Just as restrictions around mass media have long been circumvented or evaded through other means of communication, shutdowns too have their limits. There is a growing array of tools to evade partial internet shutdowns, such as the use of VPNs or Virtual Private Networks. These create a private network giving users privacy and anonymity, and circumvent many efforts to block access to certain sites or tools such as Tor that help to provide anonymity to users. In Uganda, for example, VPNs have been particularly popular in order to avoid the country's well-known social media tax. But many users started downloading them in 2016 to evade election-related restrictions, foreshadowing the restrictions of 2021.

Evading total internet shutdowns is more difficult and requires more technical expertise on the part of users. Techniques such as using a mesh network, which helps users communicate in clusters over wifi or Bluetooth (but not with the outside world) have been used during times of protest such as in Sudan. And in some contexts, satellite connectivity, while expensive and risky for users, has enabled connectivity when governments impose a total shutdown. Continued development, investment, and advocacy around these tools, particularly by internet freedom organisations, may place limits on the perceived utility of shutdowns in the future.

Shutdowns, particularly during African elections, are seldom discussed as legitimate tools for mitigating violence or election manipulation, at least in the terms that we engage in here. But to address concerns around the misuse, and abuse, of internet shutdowns, we must take seriously the justifications and

underlying rationale for imposing them. As we have described, in some cases shutdowns may be the response to legitimate concerns of violence, and efforts to control the spread of misinformation or incitement. However, in other instances a shutdown may clearly be motivated by political ends, or efforts to silence certain opposing voices. In many cases, a shutdown may be a mix of both or more reasons.

Social media has undoubtedly made implementing information controls around elections more difficult. Facebook did, for example, institute a ban on all new political advertisements for the week prior to the US elections in November 2020; this was then expanded into the post-election period and lasted for several months. However, this has not been uniformly extended to other election periods, particularly in African countries which remain marginal to the concerns of large companies. There are few tools for governments to place on targeted restrictions or information controls on the flow of social media during the election period. In the absence of other options – or the array of options available when governments are addressing national media outlets – this is one factor that we have argued here makes internet shutdowns so appealing.

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# COVID-19 PANDEMIC AND ELECTORAL PARTICIPATION IN AFRICA

## *Likelihood of Ugandans Voting in the 2021 'Pandemic Elections'*

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### ABSTRACT

*The COVID-19 pandemic wreaked havoc on political dynamics, as it did on other aspects of human life. The outbreak of the pandemic in 2020 almost brought the world to a standstill. This was mainly due to pandemic mitigation measures put in place, including social distancing. These actions greatly affected all levels of human interaction – politically, socially, and economically. Politically, it meant minimal or no electoral activities, no local or international face-to-face meetings, and the abuse of power. The restrictions saw elections postponed indefinitely in some countries, rescheduled or delayed in others, or held with minimal interaction elsewhere. Uganda is one of the few African countries that went ahead with holding elections in 2021 amid the pandemic. The study sought to examine and contribute to the broader understanding of the effects of COVID-19 on electoral participation by analysing available literature, Uganda's electoral laws and reports, and Afrobarometer survey data collected in Uganda before and during the pandemic. The focus was on individual-level predictors of voting intentions by Ugandans: demographic, political, social, and economic. Descriptive and inferential analyses were performed on citizens' likelihood of voting. The results demonstrate that party affiliation/identification and ethnic/regional identity are the strongest predictors of the likelihood of voting during the pandemic.*

**Keywords:** COVID-19, democracy, election, electoral participation, voter turnout, Uganda

## INTRODUCTION

Holding regular/periodic, free and fair elections is considered one of the essential defining elements of representative democracy. This is fundamental because elections allow citizens to choose who should take political office, who should be removed and who should replace those who are removed from office (Birch 2010 & 2011; Harrop & Miller 1987; Heywood 2000). This entails the democratic right to elect and/or be elected, as granted in the Universal Declaration of Human Rights, Article 21(3) which states:

The will of the people shall be the basis of the authority of governments; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Elections must thus be not only periodic, but most importantly need to be free, fair and credible. Elections are credible if they reflect the people's free will and adhere to the norms of inclusivity, transparency, accountability, and competitiveness (Kaburu 2022, p. 45; Lindberg 2009). However, COVID-19 preventive measures and safety regulations had a devastating impact on democratic practice. Holding an election during the pandemic meant foregoing some or all of these attributes. Given the unprecedented nature of the pandemic and the uncertainty of how long it would take for the situation to improve, a few countries made the difficult decision to hold elections during the pandemic, while most others postponed them (see Table 1 in the Appendix).

The decision whether to hold or postpone an election in such difficult times was prompted by factors that benefitted the incumbent in several ways. Firstly, there were concerns that the incumbents, especially those with authoritarian tendencies, attempted to exploit the restrictive measures to justify and consolidate their grip on power (Chirwa et al. 2021) by choosing to hold elections while limiting their competitors' ability to participate freely and fairly, as well as restricting various other political rights (Brown et al. 2020). This was more likely to occur in countries with a plurality voting system (winner takes all) than in countries with a majoritarian voting system (absolute majority). Plurality electoral systems are more susceptible to incumbent manipulations to win an election regardless of the low voter turnout the election attracts (Heywood 2002). Most countries that held elections during the pandemic experienced lower turnouts than in preceding elections (Figure 1), and most incumbents won these elections regardless of the low turnouts.



Secondly, in countries where institutions were weak or skewed in favour of the ruling party, the incumbent preferred to hold an election than to postpone it because the COVID-19 restrictions offered grounds for manipulation and electoral malpractice by the incumbent. This involved extensive use of the police, the army, and the media in favour of the incumbent while leaving the opposition side-lined (as discussed in detail below). Thirdly, other governments postponed elections indefinitely in order to extend their stay in office, citing COVID-19 as the reason (Brown et al. 2020). Therefore, in both cases, the incumbent benefited from the COVID-19 restrictions, either by taking advantage of the electoral system and weak institutions that could work in their favour, or by postponing elections and justifying their extended stay in office.

An election conducted in such restrictive conditions limits citizens' participation and jeopardises the principles of representative democracy. The restrictions affected the quality of the elections. With the low voter turnouts recorded in these elections, the responsibility and accountability of the elected leaders might be compromised as they are elected by a small number of voters or by a specific section of society. In broader terms, this might affect the policies made and the policy outcomes. Highlighting the significance of reasonable electoral participation in a polity and the quality of the outcome of this process, Birch (2011), Lijphart (2007), and Schlozman et al. (2012) correctly assert that an election should have the intent or effect of influencing government action – *directly* by affecting the making or implementation of public policy, or *indirectly* by influencing the selection of public policy, or by influencing the selection of people who make those policies.

Large open-air campaign rallies where candidates present and sell their manifestos to the voters are commonplace in Uganda, as they are in many other African countries. However, during the pandemic, candidates and voters could not hold outdoor rallies and gatherings as they would normally do. Therefore, COVID-19 indirectly deprived citizens of the opportunity to fully and openly participate in this important democratic activity. Most studies of the impact of COVID-19 on electoral democracy have focussed on electoral participation, voter turnout, the legitimacy and the quality of leaders elected, and the health risks of conducting elections during the pandemic (Chirwa et al. 2021; Landman & Splendore 2020; Matlosa 2021; Palguta et al. 2022; Picchio & Santolini 2022; Santana et al. 2020). The current study goes further by examining the impact of citizens' willingness or likelihood of going to the polls during the pandemic, who was likely or unlikely to do so, and why. The study also investigated the impact of enforced COVID-19 restrictive measures such as 'media-only campaigns' on electoral participation in Uganda.

## DATA AND METHODS OF ANALYSIS

### *Data*

This study reviewed available literature on COVID-19, Uganda's electoral laws, COVID-19 guidelines, and media reports on the experiences of electoral participation during the pandemic. It further complemented this with the Afrobarometer survey data for Uganda. Afrobarometer is a pan-African, nonpartisan survey research network that has provided reliable data on experiences and evaluations of democracy, governance and quality of life in Africa since 1999. Afrobarometer conducts face-to-face interviews in the language of the respondent's choice with nationally representative samples. In Uganda, these surveys consist of a sample size of 2 400 respondents. Respondents are randomly selected, representing citizens of the voting-age population (18 years and above).

Using Afrobarometer survey data, the study could make an empirical and comparative analysis of Ugandans' likelihood of voting before and during the pandemic. Uganda is purposely chosen for two reasons: first, because of the availability of data. Uganda conducted two Afrobarometer surveys<sup>1</sup> not too far apart. The first was conducted between 30 September 2019 and 31 October 2019, a few months before the first COVID-19 case was reported in Uganda on 21 March 2020. The second COVID-19 survey was undertaken during the pandemic, from 22 December 2020 to 7 January 2021, and ended just one week before the elections on 14 January 2021. The COVID-19 survey also serves as a pre-election survey for this study as it, along with the COVID-19 modules (questionnaire), also contained pre-election modules. Data from these two rounds provide an excellent comparative framework within the context of this study to gauge Ugandans' likelihood to vote before and during the pandemic. The second reason for the choice of Uganda is because Uganda is one of the few countries in Africa that went ahead with holding elections during the pandemic.

### *Operationalisation of the Variables and Empirical Analyses*

The likelihood of voting formed this study's dependent variable. The study chose Afrobarometer's Round 8 survey question (the pre-COVID-19 survey for this study) which carried a question asking respondents how likely they were to vote should an election be held tomorrow. For the COVID-19 survey (Round 8.5), respondents were asked how likely they were to vote in the 2021 general elections, understanding that these elections would be held during the pandemic. It was hypothesised by this study that most respondents would be less likely to

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1 The regular/scheduled survey (Round 8) and the Covid-19 survey (Round 8.5).



vote. Responses to these questions were recoded in a binary variable (i.e., 0=No, for those who said they would not vote/not likely to vote, and 1=Yes, for those who said they would vote/likely to vote). Using SPSS, descriptive and inferential analyses were performed on variables of interest (Table 2). Considering that the dependent variable is binary, logistic regression was performed to estimate the likelihood of voting (as discussed in the results section).

### COVID-19 AND ELECTIONS: THE AFRICAN EXPERIENCE

According to the African election calendar, citizens from about 20 countries were supposed to go to the polls for presidential and parliamentary elections in 2020 and 2021 (Asplund & Akinduro 2020). However, some countries postponed their elections and rescheduled them for a later date. These include Senegal, Sudan, Ethiopia, Somalia, Libya, Burkina Faso, Mauritius, and Angola. Despite organisational challenges and barriers to participation, others held their elections as scheduled. These include Malawi, Burundi, Cameroon, Ghana, Liberia, Mali, Namibia, Togo, Zambia, Ivory Coast, Tanzania, and Uganda. Like presidential and parliamentary elections, lower-level elections in most countries were equally affected and positioned, as shown in Table 1.

The pandemic put political leaders and decision-makers to the test regarding the handling of elections during this time (CSPA 2020; Orlando 2020). They were supposed to make careful planning, risk mitigation and significant operational adjustments while protecting the integrity of the democratic process by increasing inclusivity while protecting democratic rights (Atkinson et al. 2020). The postponements of elections were protected and guaranteed by Article 4 of the International Covenant on Civil and Political Rights, which explicitly states that:

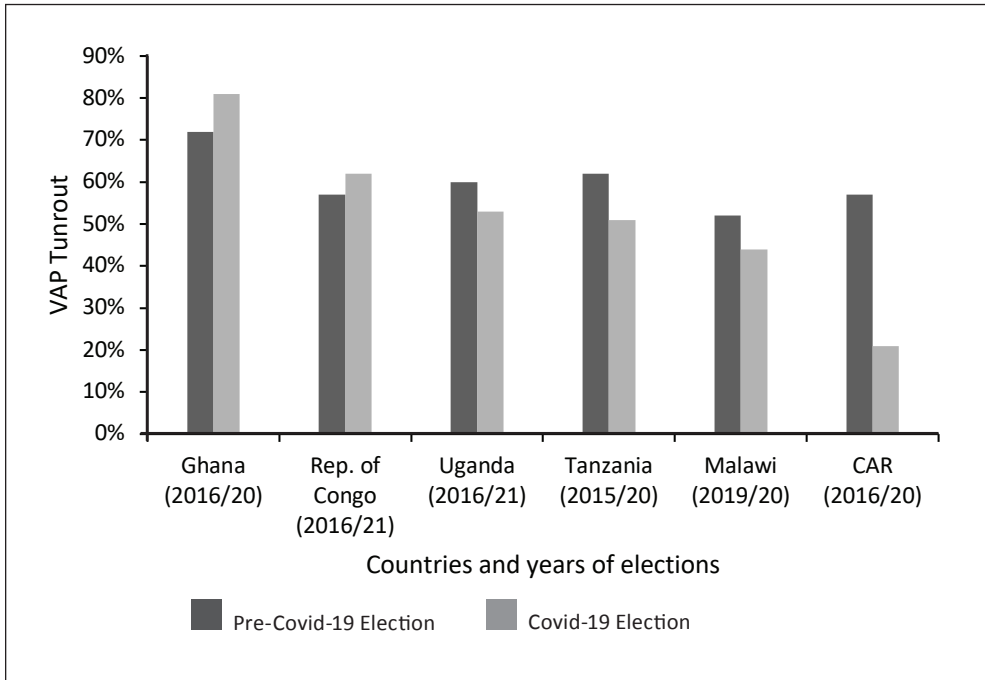
In times of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

(United Nations 1966)

Countries that postponed elections justified their choice to limit the spread of the disease (Asplund & Akinduro 2020), and they claimed doing so in order to protect the lives of their people. Conversely, those that went ahead with holding

elections defended their position on the grounds that they had to do so to allow citizens to exercise their political rights of choosing their leaders.

Whichever choice was taken, COVID-19 has indisputably affected electoral participation in several ways. Firstly, countries that decided to postpone elections denied citizens the opportunity of exercising their political rights. These governments became susceptible to a legitimacy crisis and a reduced or lack of trust and political support from citizens by not holding elections and remaining in power. On the other hand, countries that chose to conduct their elections recorded low voter turnouts (see Figure 1). Eventually, this also affected the legitimacy, trust and support of the elected representatives and governments as they were elected by a significantly small number of the people (low voter turnout) or a particular section of the society.



Source: International IDEA 2021

**Figure 1: VAP turnout before and during the pandemic in countries that conducted elections during the pandemic**

Therefore, any measures taken by governments affected not only the levels of electoral participation but also the legitimacy of elected leaders. While the postponement of elections denied the electorate their political right, holding elections during the pandemic exposed citizens to the risk of contracting and/or spreading the disease. As a result, governments were accused of exploiting the pandemic to extend their rule if they chose to postpone the elections, and of exposing citizens to the risks of the disease if they chose to hold elections (Atkinson et al. 2020, p. 4; Ellena & Shein 2020).

### COVID-19 AND THE 2021 ELECTIONS IN UGANDA

Uganda's 2021 national election was its eighth successive election since the National Resistance Movement (NRM) took control in 1986. Yoweri Kaguta Museveni had been the sole candidate the NRM had put forward for all eight elections and had won every one of them, making him one of the longest-serving African presidents. Nevertheless, he has not always breezed to victory without much effort. At various times he has been challenged by opposition candidates, including Kizza Besigye of the Forum for Democratic Change (FDC), who ran against Museveni four times. In the 2021 elections, Museveni faced tight competition from the youngest-ever presidential candidate in the history of Uganda. Political analysts characterised this as a generational battle between father and son (Brooks 2019), i.e., the 76-year-old Museveni and the 38-year-old Robert Kyagulanyi, better known by his stage name Bobi Wine, a popstar turned-politician standing for the National Unit Platform (NUP) political party.

Politically, the detection of the first COVID-19 case in Uganda on 21 March 2020 sparked fear, speculation and contemplation over whether the country would still hold elections as scheduled on 14 January 2021, a little less than a year away. Uganda was unprepared to hold its elections amid this unprecedented pandemic. Hence, there were calls from a section of the public for the postponement of the elections to curb the spread of the disease. It was feared that holding elections would expose people to a substantial risk of contracting the virus if they participated in electoral activities such as attending campaign rallies and going out to vote on election day (Chirwa et al. 2021; Yang et al. 2020).

In the first few months of the pandemic President Museveni, his supporters, and some members of his party were among those who were sceptical about holding elections. In an interview with NBS TV in May 2020, Museveni was of the view that holding elections in the COVID-19 environment was suicidal, and he declared that 'it will be madness to say you go and people gather. I do not think it will be wise' (Kyeyune 2020). Similarly, some staff from the country's electoral management body (EC) were sceptical. For example, Jotham Taremwa, a

spokesperson for Uganda's Electoral Commission, said, 'you cannot have electoral activities conducted in a COVID-19 environment the same way as before' (Kyeyune 2020). Others, however, were opposed to the opinion. Among them is the national coordinator of the Citizen's Coalition for Electoral Democracy Uganda (CCEDU), a civil society organisation that had monitored Uganda's elections for years. He observed that postponing the elections would pose a significant legal challenge since it is not provided for under the national Constitution (Kyeyune 2020).

The public was equally caught in this impasse. However, after thoughtful deliberations by the government, the Electoral Commission (EC), political parties and other stakeholders, it was decided to have elections on 14 January 2021. Even so, Uganda held these elections when it had about 40 000 confirmed cases and a death toll of about 350 people (Wordometer 2021).

#### MEDIA-ONLY CAMPAIGNS AND IMPLICATIONS FOR ELECTORAL PARTICIPATION

With the government's determination to press on with the elections, the Electoral Commission instituted COVID-19 regulatory guidelines under which 'COVID-19 elections' would be managed. The guidelines comprised several precautionary measures and adjustments to contain the spread of the disease, which aligned with the Ministry of Health Standard Operation Procedures (SOPs). Some of these rules were the banning of outdoor election campaigns and rallies in favour of 'media-only campaigns'. This meant that election campaigns would only be conducted on traditional media channels (newspapers, radio, and television) and new media channels (digital media) like Facebook, Twitter, Instagram, WhatsApp, and internet-based social networking sites. Additionally, candidates and parties were advised to use other non-contact means to interact with the electorate. This included using flyers, pamphlets, brochures, posters, billboards, and banners (Ministry of ICT and National Guidance 2020).

For the media to serve its functions effectively, it must be free, independent, and impartial. However, the Ugandan press has often been subject to state interference, harassment, intimidation by state authority and security officials, abhorrent laws and regulations, and skewed media ownership (African Center for Media Excellence 2021; International Press Institute 2020; Ssenoga 2021). Because of the escalation of these tactics, especially during politically-charged periods such as during elections and other times of contentious political debate, Uganda's position in Reporters Without Borders' annual ranking of global press freedom has steadily dropped over the past three years, from 117 in 2018 to 132 in 2022 (Reporters Without Borders 2022). Uganda has also been labelled by Freedom House as NOT a democracy, with a score of 34 out of 100 on their 2022 index of political

rights and civil liberties (Freedom House 2022) . According to Freedom House, a country is an electoral democracy if its elections adhere to certain standards, including a competitive, multiparty political system; universal adult suffrage for all citizens over the age of 18 without criminal convictions; regularly contested elections conducted under conditions of ballot secrecy; reasonable ballot security; the absence of massive voter fraud yielding results that are unrepresentative of the public will; substantial public access of candidates and political parties to the electorate through the media; and generally open political campaigning.

The media felt the state's harsh hand on multiple occasions and this is more pronounced during elections. In 2021, despite a media-only election, the government shut down the internet and banned social media just two days before the election. ACME reports that it registered two dozen instances between the beginning of the campaigns in November 2020 and the day of the election on 14 January 2021. These involved the harassment, detention, attack, and injury of journalists, as well as damage to or loss of property perpetrated by various state security agencies, and sometimes agents and supporters of the different presidential candidates (African Center for Media Excellence 2021, p. 5).

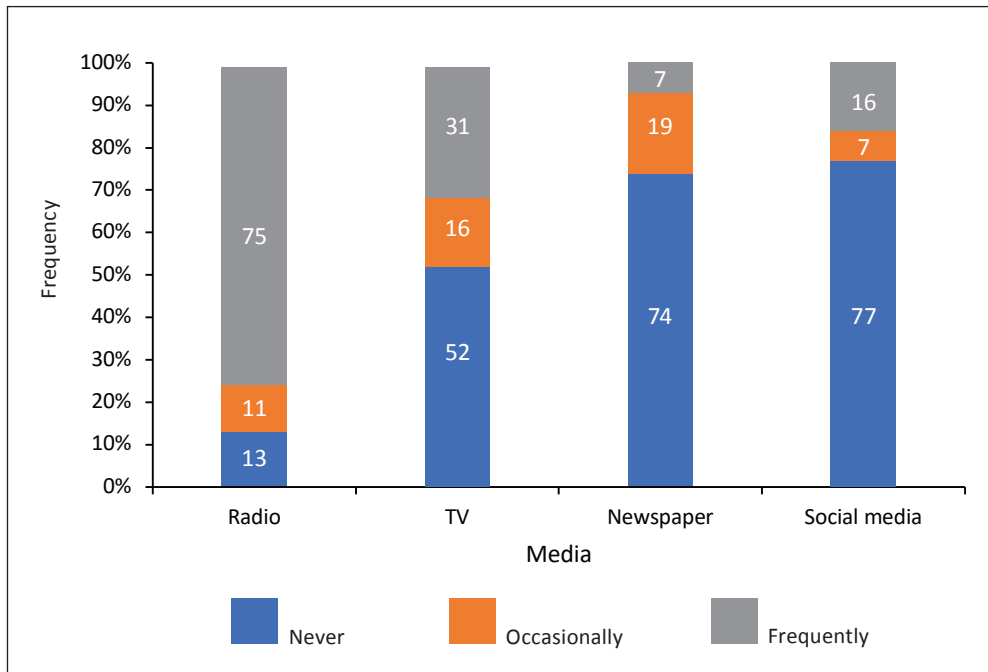
When preventing people from breaking the COVID-19 guidelines, the government's security agencies took an even harder stand, particularly against those who violated the guidelines and attempted to conduct face-to-face campaigns. As a result, many young people were brutally beaten, teargassed, arrested and/or jailed. This included the presidential opposition candidate Bobi Wine, who was arrested in November 2020. There was increased violence during the election due to such enforcement, with security personnel interfering with demonstrators and election campaigns. On 18 November, for example, there was a riot in which 54 people died when police dispersed demonstrators (OSSREA 2021; Sempijja & Brito 2022). The opposition alleged that the government and its security agencies were using the rules to target the opposition (Sempijja & Brito 2022; Siegle & Cook 2021).

To abide by the government's decision to continue with the elections and the implementation of media-only campaign regulations and guidelines, as pointed out above, political parties, candidates, and the entire electorate had no choice but to adjust, adhere to and conform to them. And, for the first time in the history of multiparty democracy in Uganda, the electorate was compelled to hold media-only campaigns despite uncertainties about the efficacy of this approach. These concerns were reasonable, given the unpreparedness of the political parties, candidates and voters, as well as the fact that some parts of the country have limited media penetration (both traditional and digital) and that not all citizens have access to all forms of media.

A survey conducted by Afrobarometer in 2020 examined, among other things, the viability of ‘media only 2021 election campaigns’ and access to media. According to this survey, while more than eight in ten (87%) of Ugandans said they own a mobile phone, just a quarter (26%) of them own a mobile phone which can connect to the internet (Afrobarometer 2020). This is consistent with the 2014 census data, which shows that of the estimated population of 46 million people, only one million homesteads had television sets, and 3.4 million had radio sets. Internet penetration stood at only 42%, with up to 19 million Ugandans connected to the internet (UBOS 2014). These findings reveal that only a small proportion of Ugandans could make full use of the media-only campaigns, despite the country having more than 300 registered radio stations across the country, more than 30 television stations, and more than 30 newspapers (African Center for Media Excellence 2021).

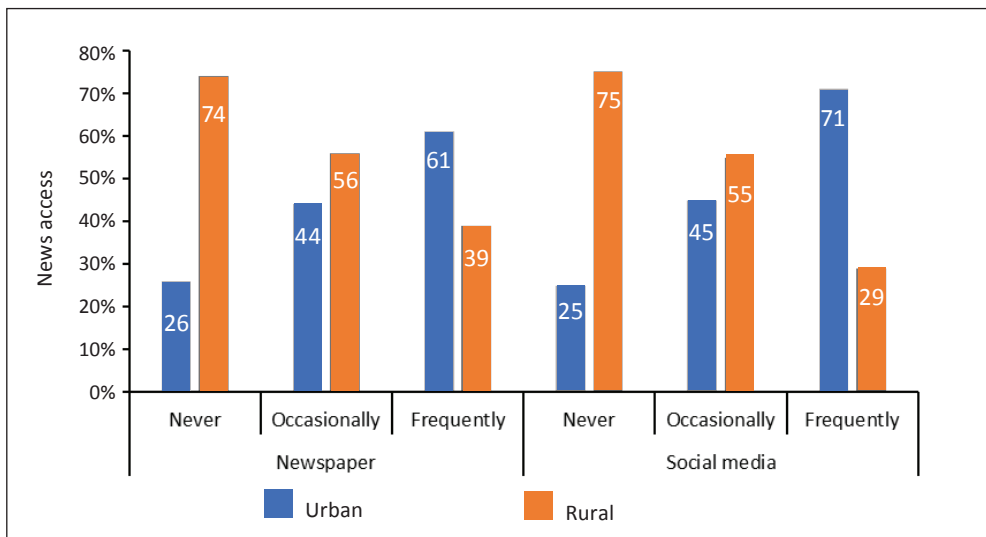
The reliance on this approach left many voters underinformed because only a fraction of the population had full access to the media outlets. Older individuals, persons with lower levels of education, rural dwellers, women, and the destitute were among those disadvantaged by lack of media access. Although radio is widely available across the country, not everyone has radio access. For instance, while about three-quarters (75%) of the respondents cited radio as the source from which they frequently get news, the breakdown of rural and urban residents’ access to media shows that of those who never listen to radio news, the majority (74%) are rural dwellers (Figure 2). On the other hand, while 71% of urban dwellers frequently access social media, more than 71% of those living in rural areas, who constitute the majority of Uganda’s population, do not have access to social media (Figure 3). Regarding newspapers (presented in Figure 3), only 39% of rural dwellers frequently read newspapers, against 61% frequent newspaper readers from urban areas. These findings compare with those of the African Centre for Media Excellence (ACME) in their February 2021 election report, which reported that radio was the most significant source of information for 80% of Ugandans, followed by television (31%), social media (13%) and lastly, newspapers (12%) (African Center for Media Excellence 2021).

Secondly, the media-only campaigns were not only a challenge to the voters but also to candidates. For instance, opposition and private candidates accused the state-owned media of giving more airtime to the ruling party NRM and its candidates at various levels (Ssenoga 2020). The ruling party’s presidential candidate enjoyed uninterrupted coverage by the presidential press unit and the state-owned media, which covered his official and non-official activities countrywide (African Center for Media Excellence 2021; Ssenoga 2020). This is true, particularly in a country where the public media is dominantly state-owned.



Source: Afrobarometer, 2021

**Figure 2: Frequency of news access from different forms of media in Uganda (%)**



Source: Afrobarometer, 2021

**Figure 3: Frequency of news access from different sources between rural and urban residents in Uganda (%)**



Similarly, the privately-owned media was accused of a lack of balanced, free, and fair coverage, and deliberately, or under coercion, denying access by opposition parties and their candidates (Daily Monitor 2020). This is justified by the court cases pursued by opposition candidates, in particular by Bobi Wine against government officials (including the Mbale Resident District Commissioner (RDC)), who reportedly denied him access to a radio station at which he (Wine) had booked a talk show (Daily Monitor 2020). Indeed, the media-only campaign mostly affected the opposition parties by giving them little or no opportunity to leverage election campaigns and mobilise their supporters and voters to vote for them.

### SOCIAL MEDIA AND YOUTH ELECTORAL PARTICIPATION

Despite the obstacles and challenges noted above, the media-only campaign enhanced the country's use of social media and demonstrated its value in elections, particularly in nascent democracies. This follows technological advancement and internet penetration, which is seeing social media overtake traditional media in terms of influence and use.<sup>2</sup> Social media has had a tremendous impact on electoral engagement and voter turnout, particularly among the youth, who comprise most of the voting-age population in Africa and Uganda. The use of social media allows people with similar or dissimilar interests and opinions to easily interact, debate, and even challenge one another, regardless of the physical distance between them.

Based on this reality, candidates and political parties strategically invested in social media to reach out to their followers and potential voters. They did so mainly because voters and candidates could only engage virtually under the lockdown and social distance norms. Secondly, the youth make up the majority of voters and are the leading social media users. The World Population Review (2022) and UBOS (2017) estimate that around 70% of Uganda's population is under 40 years. This is similar to the Electoral Commission (EC) data, which shows that the total number of registered voters for the 2021 elections was 17 658 527, with more than seven out of ten (72%) being youthful, between 18 and 40 years. Therefore, politicians needed to use social media to reach this vital political constituency.

Thirdly, as more people own devices that are fitted with internet access and can access and afford the internet, platforms like Facebook, Twitter, Instagram, and WhatsApp (particularly WhatsApp groups) gained popularity and importance during the pandemic in mobilising voters. Because of this widespread use of

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2 Social media has become more convenient to users due to the ease of use and the ability to sidestep the bureaucracy involved in accessing traditional media, such as radio, television and newspapers.



social media, the 2021 election was dubbed, as noted above, a ‘generational battle’ between the old, Born Before Computer (BBC) generation, which uses social media minimally, and the digital or dot-com generation that uses the most social media.

The presence of a young presidential contender, Bobi Wine (38), and many other young people standing for various political positions, including candidates for parliamentary seats, amplified unprecedented youth participation in the 2021 elections. Popular young candidates for a parliamentary seat included 24-year-olds John Katumba and Kabuye Frank and the youngest Member of Parliament, Hellen Auma, who was 23 years old when she stood for the position. Due to the massive youth mobilisation and widespread use of social media among the youth, many young people were elected to the Parliament, making the 2021–2026 Ugandan Parliament the most youthful in Africa.

Bobi Wine’s role in the 2021 Ugandan elections is crucial and cannot be overemphasised. Using online music shows and social media, he garnered a large following among young voters because of his musical lyrics that addressed social and economic problems mainly afflicting the youth (African Union 2021, p. 19). With his campaign slogan ‘New Uganda’ and his campaign song *Tuliyambala Engule* (literally meaning, an era where all will be perfect, happiness, no toil, no stress but jubilation), he appealed to the youth for change.

In what can be categorised as ‘the Bobi Wine factor’, coupled with the ‘media-only campaigns’, the influence of social media use among the youth, and ‘the NUP election vote weave or Vote the Umbrella weave’, some young candidates won elections despite never campaigning in person. As a result, 26 seasoned politicians, including the previous government’s vice president, Edward Kiwanuka Ssekandi, lost their parliamentary seats (OSSREA 2021; *The Chronicles*, 2021).

## EMPIRICAL ANALYSIS

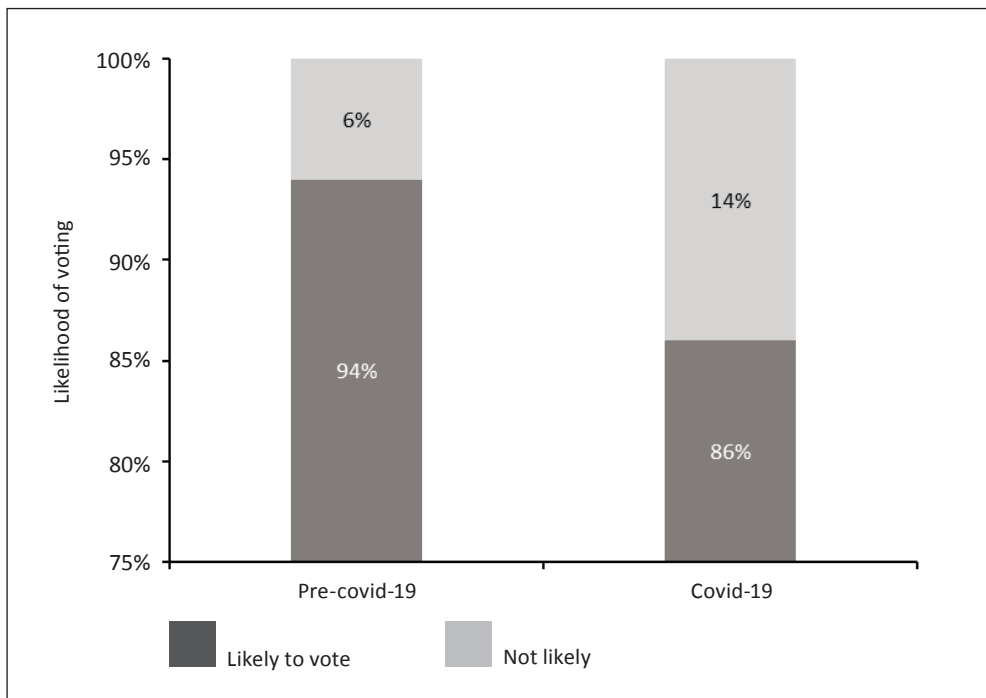
### *Descriptive analysis*

From the univariate analysis (Table 2 and Figure 4) the results show that a majority of Ugandans expressed the likelihood that they would vote both before (94%) and during the pandemic (86%). However, they were generally 8% less likely to vote during the pandemic than they were before the pandemic.

Reflecting the fact that Uganda’s population is predominantly youthful, more than three-quarters (75%) of survey respondents were 45 years old or younger for both pre-COVID-19 and COVID-19 surveys. Regarding education, our data show that the majority (60%) of the respondents for both pre-COVID-19 and COVID-19 surveys had no formal or primary school education. This is closely followed by respondents with secondary and high school education who make up slightly

more than one-third (38% in the pre-COVID-19 survey and 40% in the COVID-19). Furthermore, fewer than 5% of respondents in both rounds had a college and university education.

Regarding party support, when asked which party's candidate they would vote for if elections were held tomorrow, the univariate results for both rounds reveal that more than two-thirds would vote for the ruling party NRM, (75%) in the pre-COVID-19 survey and (72%) in the COVID-19 survey (Table 2).

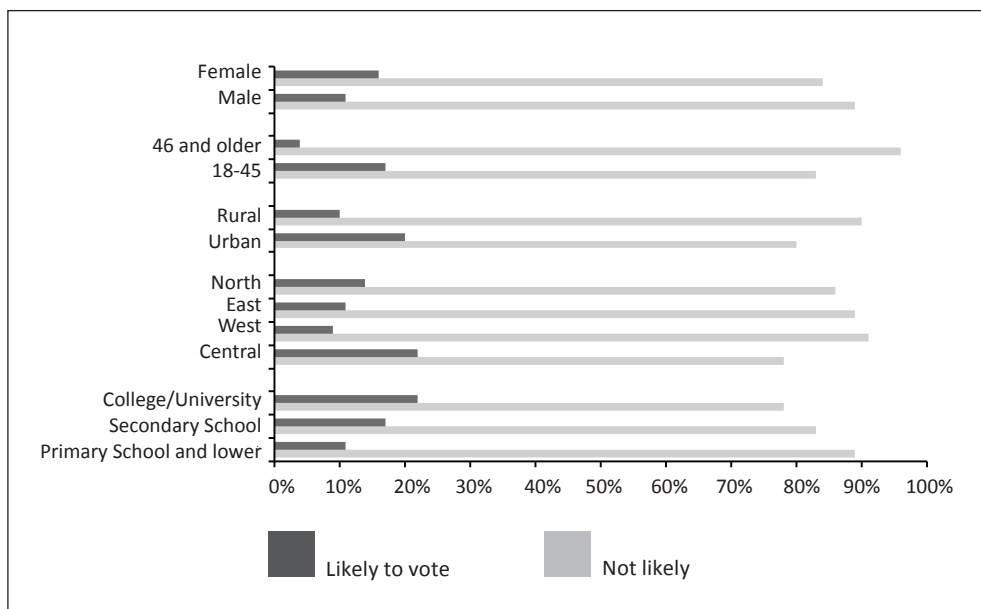


Source: Afrobarometer, 2020 and 2021

**Figure 4: Likelihood of voting, pre-COVID-19 and during COVID-19 in Uganda (%)**

A simple crosstabulation between the likelihood to vote and socio-demographic factors (Figure 5) shows that, on average, more than eight in ten (80%) Ugandans across all demographic categories were likely to vote during the pandemic. However, there were variations in a few categories. For instance, the results reveal that the more educated Ugandans were less likely to vote. Ugandans with no formal or primary education were more likely to vote (89%) than those with secondary education (83) and college or university education (78%). Regionally,

Ugandans in the West were much more likely to vote (91%) than the rest, with those in the Central being the least likely to vote (78%). Urban residents were 10% less likely to vote (80%) than rural dwellers (90%). Despite being the largest demographic group and having the most access to social media and use, young people were less likely to vote than those aged 46 and older (96% vs. 86%, respectively). Lastly, when broken down by gender, females were 5% more likely to vote (89% vs 84%).

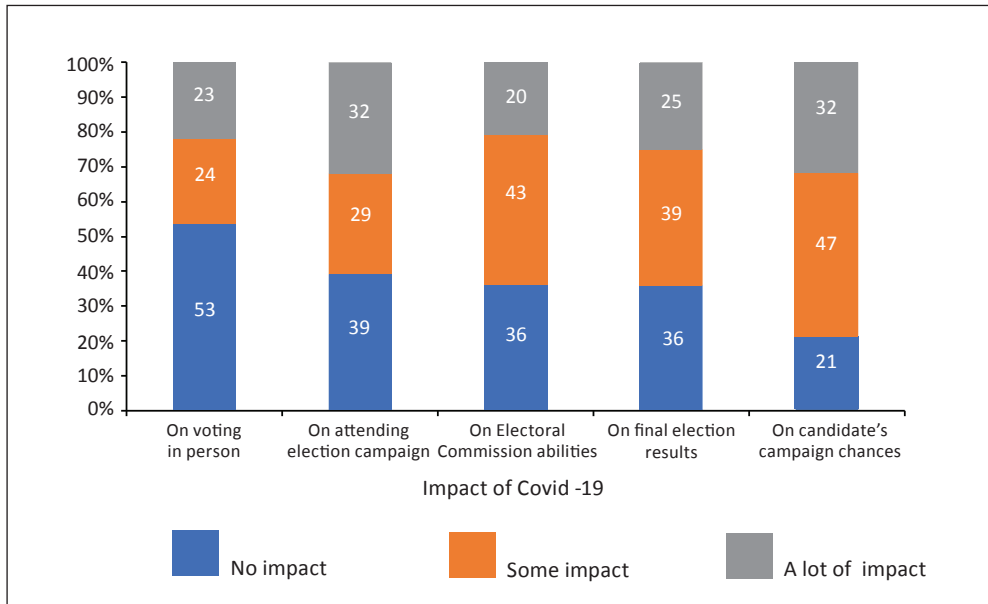


Source: Afrobarometer, 2021

**Figure 5: Likelihood of voting during the pandemic by socio-demographic factors**

Besides the socio-demographic characteristics and likelihood of voting, we also examined Ugandans' opinions on how COVID-19 would affect the upcoming 2021 elections (Figure 6). Expressing their overwhelming likelihood of voting despite the pandemic, when asked whether COVID-19 would have an impact on the 2021 elections, more than half (53%) said there would be 'no impact' on voting in person, less than a quarter (24%) said there would be 'some impact' and only 23% said that COVID-19 would have 'a lot of impact'. Nonetheless, the majority of Ugandans agreed that COVID-19 would have 'a lot of impact or some impact' on attending the election campaign (61%), the ability of the Electoral Commission to manage the elections (63%), and the final results of the election (64%).

When asked whether it was reasonable to postpone elections due to COVID-19, more than half (52%) favoured postponement, of these 24% said they 'strongly agree' and 28% 'agree'. Likewise, the majority (73%) agreed that COVID-19 would 'somewhat likely and very likely' spread due to elections (Table 2 in the Appendix).



Source: Afrobarometer 2021

**Figure 6: The impact of COVID-19 on Uganda's 2021 elections (%)**

### *Logistic regression*

Three multinomial logistic regression models were performed to determine the respondent's likelihood of voting before and during the pandemic. This involved the likelihood of voting as the dependent variable, and a number of individual-level predictors of the likelihood of voting as independent variables. The selected independent variables included demographic (age, gender, and regionalism), SES/resource (education), psychological (trust in the president and political interest), and mobilisation (partisanship and media exposure). In the first model, we looked at respondents' likelihood of voting in the round that was held before COVID-19 (the pre-COVID-19 model). The second model constituted the same variables but from the pre-election survey (the COVID-19 model). In the third model, we pulled COVID-19 variables into the second model to see their effect on the likelihood of voting during the pandemic. The COVID-19 variables included variables like

COVID-19 will spread due to elections, postpone elections during the pandemic, and COVID-19 impacting election campaign attendance. An overview of the results from these three models is summarised in Table 3 (in the Appendix).

The overall model fitting for the pre-COVID-19 model showed not to be statistically significant (14.95,  $p=0.09$ ). However, the other two models were both statistically significant with the result (93.20,  $p=0.00$ ) for the COVID-19 model without COVID-19 variables, and (60.70,  $p=0.00$ ) when COVID-19 variables are introduced into the model (Table 3).

In the pre-COVID-19 model, none of the socio-demographic variables yielded any statistically significant results. However, in the second model, trust president, political interest, age, and partisanship were all statistically significant. In the third model, the same variables remain statistically significant, but with the addition of three COVID-19 variables the variable on the postponement of elections showed to be statistically significant.

This implies that respondents who trust the president were more likely to vote during the pandemic than those who do not trust the president. The same can be said for those who share membership of and support for the ruling party; these were similarly more likely to hold on and vote during the pandemic than were supporters of the opposition. Regarding age, even with COVID-19, the model shows that younger voters were four times more likely to vote than older voters (OR=3.56,  $p=0.00$ ). Supporters of the ruling party were two times more likely to vote than those who support the opposition (OR=2.29,  $p=0.04$ ). Those whose opinion was to postpone elections were less likely to vote ( $p=0.00$ ) than those who did not support the idea of going ahead with holding elections.

Regarding age, younger people (18–45 years) seem to be more willing and likely to vote than older people. While age is not statistically significant in the model before COVID-19, it is significant in the other two models, without COVID-19 variable ( $p=0.00$ ) and in the COVID-19 model ( $p=0.04$ ).

## DISCUSSION

According to descriptive analysis, most Ugandans had a 94% likelihood of voting before the pandemic and an 86% likelihood of voting during the pandemic. Despite survey data showing a high self-reported likelihood of voting, the official voter turnout was lower than that in the 2016 and 2021 elections. The official voter turnout data declared by the Electoral Commission was 68% in 2016 and 57% in 2021 for presidential elections (Electoral Commission of Uganda 2021). According to Bernstein et al. (2001) and Chirwa et al. (2021), this inconsistency is usual in surveys as respondents tend to exaggerate their likelihood of voting in order to appear to have more politically and socially desirable behaviour than is the case. Regardless of these numbers, the decline in the likelihood of voting

expressed by respondents before and during COVID-19 is consistent with official voter turnout data from the Electoral Commission, which shows about 10% decline in turnout in the election before (2016) and during the pandemic (2021). With these findings, it is apparent that COVID-19 had an impact on the low voter turnout in the 2021 elections. This could be attributable to a number of causes, including fear of contracting COVID-19 and the impact of restricted campaign activities, which were limited to 'media-only'.

COVID-19 had a significant impact on Ugandans' likelihood of voting during the pandemic, as evidenced by the overall COVID-19 models being significant and the number of variables significant in the two COVID-19 models (Table 7 in Appendix), as discussed below. This is inferentially supported by the fact that none of the variables in the first model (pre-COVID-19 model) were statistically significant.

### *Partisanship, Loyalty and Trust in the President*

The results show that partisanship had a significant influence in predicting the likelihood of voting, even in the face of the pandemic. The majority of Ugandans express support for the ruling party, the National Resistance Movement (NRM). Given that Uganda is a dominant one-party state which has had only one party and one president in power since the restoration of multiparty democracy in the 1990s, the ruling party may have registered loyal supporters who are unwilling to let their party lose an election to the opposition. Even in tough times like the pandemic, they are likely to stand by their party. This was particularly important given that the 2021 election was hotly contested between the incumbent NRM's Yoweri Museveni and the youngest-ever presidential and opposition candidate, Bobi Wine. Hence, supporters of the ruling party might have been determined to support both their party and their leader lest they lose the election to the young opposition candidate. Such a display of loyalty is consistent with findings from empirical studies in Western European and American established democracies. These indicate that partisanship is a strong predictor of propensity and the likelihood of voting; and that they do so in support of their party's policies and ideology due to long-established loyalty (Dalton 2014; Dalton et al. 2011; Holmberg 2007; Norris 2002). However, African voters are generally perceived as being less devoted to parties, and have weak partisanship personalities (Bleck & Van de Walle 2019; Wahman 2014).

### *Age and the Likelihood of Voting*

Regarding age, the entry of a young candidate in the presidential contest for the first time in Uganda's history of multiparty democracy might have attracted

substantially more young voters to vote than older voters. The other factor likely to have been influential in the likelihood of voting is the use of media-only campaigns, which attracted younger voters as they are the majority of users of the social media that gained significance during the 2021 elections. Similarly, the perception that older people were more susceptible and likely to succumb to COVID-19 than the young (Athumani & Bearak 2021; Maragakis 2020) could have made young voters more willing and likely to vote than older voters. Considering that Uganda is relatively youthful, this massive likelihood of voting by the majority of young voters had a significant effect. These results corroborate what has long been established in the literature, that there is a significant relationship between age and voting, with an individual's likelihood of voting increasing with age to adulthood (Lane 1959; Blais 2007, p. 630; Bratton 1999, p. 565; Dalton 2014) and then declining with ageing and the withdrawal from social and political life (Cutler & Bengtson 1974). Hence, it is not surprising that young Ugandan voters were more likely to vote than older voters, particularly during the pandemic.

## CONCLUSION

COVID-19 drastically altered all political dynamics. It impacted levels of political participation, voter turnout, and egregious violation of human rights by governments and individuals, particularly in Africa. There was, for instance, an increase in cases of arbitrary detentions and security forces placing opposition candidates under house arrest, allegedly for violating COVID-19 protocols, as with Bobi Wine in Uganda. Consequently, most of Africa experienced the 'consolidation of authoritarianism' rather than the 'consolidation of democracy'.

In countries where the election calendar coincided with the pandemic, governments and the electorate were faced with the uncertain choice of whether to postpone elections and keep the same governments in office until the situation permitted reasonable participation, or go to elections in order to have 'legitimately' elected leaders and governments while risking contracting and spreading the disease. Despite the challenges of the 'COVID-19 election' Ugandans had the opportunity to exercise their right to vote and be voted in for political office. The turnout was relatively more impressive than expected, falling by only 10% from the previous election. Citizens were given a chance to elect their representatives at various levels in an election that saw the ruling party, the National Resistance Movement, losing 20 parliamentary seats to the opposition and the main opposition party, the National Unit Platform (NUP), accruing 56 seats out of 529.

However, the challenges that COVID-19 posed to electoral democracy call for governments to devise hybrid modes of conducting elections, both physically



and virtually or digitally. This should be achieved by using media to campaign and for electronic or postal voting avenues that have not been fully utilised thus far in Africa. Such efforts will make future ‘pandemic elections’ more credible, inclusive, and participatory.

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## APPENDIX

**Table 1: Elections postponed or delayed due to COVID-19, as of 11 May 2021**

| Country         | Electoral event                                | Decision  | Scheduled date of elections                                     | New date                               |
|-----------------|------------------------------------------------|-----------|-----------------------------------------------------------------|----------------------------------------|
| <b>Botswana</b> | Local by-election                              | Postponed | May 2020                                                        | Postponed indefinitely                 |
| <b>Cameroon</b> | Local by-election                              | Postponed | First round:<br>04/04/ /2020<br><br>Second round:<br>14/04/2020 | Postponed indefinitely                 |
| <b>Chad</b>     | Legislative elections                          | Postponed | 10/06/2020                                                      | Postponed indefinitely                 |
| <b>Ethiopia</b> | Parliamentary elections                        | Postponed | 29/08/2020                                                      | August 2021                            |
| <b>Gabon</b>    | Partial legislative elections                  | Postponed | 04/04/ and<br>18/04/2020                                        | Postponed indefinitely                 |
| <b>Ghana</b>    | New Patriotic Party primary elections          | Postponed | 25/04/2020                                                      | Postponed indefinitely                 |
| <b>Kenya</b>    | Local by-elections                             | Postponed | April, June and July 2020                                       | 15/12/2020                             |
| <b>Liberia</b>  | Midterm Senate Elections and referendum        | Postponed | 13/11/2020                                                      | 08/12/2020                             |
| <b>Libya</b>    | Municipal elections                            | Postponed | Beginning 18/04/2020 (7 municipalities)                         | First week of June (12 municipalities) |
| <b>Nigeria</b>  | Local elections (Cross River and Benue States) | Postponed | 28/03/2020                                                      | 31/10/2020                             |
| <b>Somalia</b>  | Presidential election                          | Postponed | Before 21/02/2021                                               | 08/02/2021                             |
| <b>Tunisia</b>  | Municipal elections                            | Postponed | 29/03/2020                                                      | 05/07/2020                             |
| <b>Uganda</b>   | Elections of Special Interest Groups           | Postponed | April-May 2020                                                  | 11, 13, 17/08/2020                     |
| <b>Zambia</b>   | Local by-elections                             | Postponed | 01/05/2020                                                      | Postponed indefinitely                 |
| <b>Zimbabwe</b> | Local by-elections                             | Postponed | 04/04 and 25/042020                                             | 2021                                   |

Source: International Foundation for Electoral Systems (IFES) 2021

**Table 2: Univariate analysis for dependent and independent variables**

| Variable                     | Variable description      | Pre-COVID-19 Round | COVID-19 Round |
|------------------------------|---------------------------|--------------------|----------------|
| <i>Dependent variable</i>    |                           |                    |                |
| Likelihood of voting         | Likely                    | 94%                | 86%            |
|                              | Not likely                | 6%                 | 14%            |
| <i>Independent variables</i> |                           |                    |                |
| Age                          | ≤45                       | 75%                | 77%            |
|                              | 46≥                       | 25%                | 23%            |
| Gender                       | Male                      | 50%                | 50%            |
|                              | Female                    | 50%                | 50%            |
| Residence                    | Urban                     | 25                 | 32             |
|                              | Rural                     | 75                 | 68             |
| Region                       | Central                   | 27%                | 23%            |
|                              | West                      | 25%                | 29%            |
|                              | East                      | 26%                | 23%            |
|                              | North                     | 21%                | 26%            |
| Education                    | Primary school and lower; | 58%                | 56%            |
|                              | Secondary and high school | 38%                | 40%            |
|                              | College and university    | 4%                 | 4%             |
| Trust president              | Not at all                | 12%                | 27%            |
|                              | Just a little             | 23%                | 21%            |
|                              | Somewhat                  | 22%                | 21%            |
|                              | A lot                     | 42%                | 31%            |
| Partisanship                 | Ruling party              | 75%                | 72%            |
|                              | Opposition                | 25%                | 28%            |
| Political interest           | No interest               | 29%                | 39%            |
|                              | Interested                | 71%                | 61%            |
| Media exposure               | Never                     | 11%                | 13%            |
|                              | A few times a week        | 33%                | 35%            |
|                              | Everyday                  | 56%                | 52%            |





|                                       |  |  |  |  |  |  |       |            |         |
|---------------------------------------|--|--|--|--|--|--|-------|------------|---------|
| COVID-19 will spread due to elections |  |  |  |  |  |  | .849  | .642-1.123 | .252    |
| Postpone elections during pandemic    |  |  |  |  |  |  | .823  | .678-.999  | .049*** |
| COVID-19 impacts attending campaigns  |  |  |  |  |  |  | 1.145 | .942-1.393 | .174    |

Source: Afrobarometer Survey

Significance: \*\*\*  $p < .001$ , \*\*  $p < .01$ , \*  $p < .05$ .

**Table 4: Variable definition**

| Variable                                      | Variable description                                                                                           |
|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <i>Dependent variable</i>                     |                                                                                                                |
| Dependent variable (likelihood to vote)       | Binary variable: 1=likely to vote; 0= not likely                                                               |
| <i>Independent variables</i>                  |                                                                                                                |
| Age                                           | Binary: $\leq 45=1$ ; $\geq 46$                                                                                |
| Gender                                        | Binary: 1=Male; 2=Female                                                                                       |
| Region                                        | Binary: 1=Central; 2=West; 3=East; 4=North                                                                     |
| Education                                     | Categorical variable: 1=Primary school and lower; 2=Secondary and high school; 3=College and university        |
| Trust president                               | Categorical variable: 0=Not at all; 1=Just a little; 2=Somewhat; 3=A lot;                                      |
| Partisanship                                  | Binary variable: 1=Ruling party; 2=Opposition                                                                  |
| Political interest (discuss politics)         | Categorical variable: 0=Never; 1=Occasionally; 2=Frequently                                                    |
| Media exposure                                | Categorical variable: 0=Never; 1=A few times a week; 4=Everyday                                                |
| COVID-19 will spread due to elections         | Categorical variable: 0=Not at all likely; 1=Not very likely; 2=Somewhat likely; 3=Very likely                 |
| Postpone elections during pandemic            | Categorical variable: 1=Strongly disagree; 2=Disagree; 3=Neither agree nor disagree; 4=Agree; 5=Strongly agree |
| COVID-19 impacts attending election campaigns | Categorical variable: 0=No impact; 1=A little impact; 2=Some impact; 3=A lot of impact                         |

**Table 5: Pre-COVID-19 Model**

| Parameter Estimates                                       |                    |                |            |       |    |      |        |                                    |             |
|-----------------------------------------------------------|--------------------|----------------|------------|-------|----|------|--------|------------------------------------|-------------|
| Likelihood of voting <sup>a</sup>                         |                    | B              | Std. Error | Wald  | df | Sig. | Exp(B) | 95% Confidence Interval for Exp(B) |             |
|                                                           |                    |                |            |       |    |      |        | Lower Bound                        | Upper Bound |
| Not likely                                                | Intercept          | -2.674         | 2.063      | 1.680 | 1  | .195 |        |                                    |             |
|                                                           | Education          | -.140          | .921       | .023  | 1  | .879 | .870   | .143                               | 5.290       |
|                                                           | Trust president    | -.182          | .402       | .205  | 1  | .650 | .833   | .379                               | 1.834       |
|                                                           | Political interest | -.840          | .844       | .991  | 1  | .319 | .432   | .083                               | 2.257       |
|                                                           | Media exposure     | -.468          | .569       | .677  | 1  | .410 | .626   | .205                               | 1.910       |
|                                                           | Region             | .731           | .402       | 3.297 | 1  | .069 | 2.077  | .944                               | 4.570       |
|                                                           | [Age=1]            | -1.542         | .856       | 3.245 | 1  | .072 | .214   | .040                               | 1.145       |
|                                                           | [Age=2]            | 0 <sup>b</sup> | .          | .     | 0  | .    | .      | .                                  | .           |
|                                                           | [Gender=1]         | -1.304         | .960       | 1.843 | 1  | .175 | .272   | .041                               | 1.783       |
|                                                           | [Gender=2]         | 0 <sup>b</sup> | .          | .     | 0  | .    | .      | .                                  | .           |
|                                                           | [Urban/Rural=1]    | 1.032          | .991       | 1.084 | 1  | .298 | 2.807  | .402                               | 19.592      |
|                                                           | [Urban/Rural=2]    | 0 <sup>b</sup> | .          | .     | 0  | .    | .      | .                                  | .           |
|                                                           | [Partisanship=1]   | -1.677         | .944       | 3.156 | 1  | .076 | .187   | .029                               | 1.189       |
|                                                           | [Partisanship=2]   | 0 <sup>b</sup> | .          | .     | 0  | .    | .      | .                                  | .           |
| a. The reference category is: Likely.                     |                    |                |            |       |    |      |        |                                    |             |
| b. This parameter is set to zero because it is redundant. |                    |                |            |       |    |      |        |                                    |             |

**Table 6: COVID-19 Model (without COVID-19 variables)**

|                                                           |                    | Parameter Estimates |            |        |    |      |                       |                                    |       |
|-----------------------------------------------------------|--------------------|---------------------|------------|--------|----|------|-----------------------|------------------------------------|-------|
| Likelihood of voting in 2021 election <sup>a</sup>        |                    | B                   | Std. Error | Wald   | df | Sig. | Exp(B)<br>Lower Bound | 95% Confidence Interval for Exp(B) |       |
|                                                           |                    |                     |            |        |    |      |                       | Upper Bound                        |       |
| Not likely                                                | Intercept          | -2.232              | .486       | 21.140 | 1  | .000 |                       |                                    |       |
|                                                           | Education level    | .268                | .148       | 3.291  | 1  | .070 | 1.308                 | .979                               | 1.747 |
|                                                           | Trust president    | -.178               | .083       | 4.543  | 1  | .033 | .837                  | .711                               | .986  |
|                                                           | Political interest | -.615               | .166       | 13.765 | 1  | .000 | .541                  | .391                               | .748  |
|                                                           | Media exposure     | -.176               | .117       | 2.262  | 1  | .133 | .838                  | .666                               | 1.055 |
|                                                           | Region             | -.066               | .081       | .654   | 1  | .419 | .937                  | .799                               | 1.098 |
|                                                           | [Age=1]            | 1.272               | .310       | 16.798 | 1  | .000 | 3.566                 | 1.942                              | 6.551 |
|                                                           | [Age=2]            | 0 <sup>b</sup>      | .          | .      | 0  | .    | .                     | .                                  | .     |
|                                                           | [Gender=1]         | -.260               | .169       | 2.346  | 1  | .126 | .771                  | .553                               | 1.075 |
|                                                           | [Gender=2]         | 0 <sup>b</sup>      | .          | .      | 0  | .    | .                     | .                                  | .     |
|                                                           | [Partisanship=1]   | -.513               | .208       | 6.063  | 1  | .014 | .599                  | .398                               | .901  |
|                                                           | [Partisanship=2]   | 0 <sup>b</sup>      | .          | .      | 0  | .    | .                     | .                                  | .     |
|                                                           | [Urban/Rural=1]    | .067                | .181       | .136   | 1  | .712 | 1.069                 | .750                               | 1.523 |
|                                                           | [Urban Rural=2]    | 0 <sup>b</sup>      | .          | .      | 0  | .    | .                     | .                                  | .     |
| a. The reference category is: Likely.                     |                    |                     |            |        |    |      |                       |                                    |       |
| b. This parameter is set to zero because it is redundant. |                    |                     |            |        |    |      |                       |                                    |       |

**Table 7: COVID-19 Model (with COVID-19 variables)**

| Parameter Estimates                                |                                                            |                |            |       |    |      |                       |                                    |       |
|----------------------------------------------------|------------------------------------------------------------|----------------|------------|-------|----|------|-----------------------|------------------------------------|-------|
| Likelihood of voting in 2021 election <sup>a</sup> |                                                            | B              | Std. Error | Wald  | df | Sig. | Exp(B)<br>Lower Bound | 95% Confidence Interval for Exp(B) |       |
|                                                    |                                                            |                |            |       |    |      |                       | Upper Bound                        |       |
| Not likely                                         | Intercept                                                  | -2.070         | .791       | 6.844 | 1  | .009 |                       |                                    |       |
|                                                    | Education level                                            | .283           | .213       | 1.763 | 1  | .184 | 1.327                 | .874                               | 2.016 |
|                                                    | Trust president                                            | -.267          | .125       | 4.533 | 1  | .033 | .766                  | .599                               | .979  |
|                                                    | Political interest                                         | -.592          | .243       | 5.910 | 1  | .015 | .553                  | .343                               | .892  |
|                                                    | Media exposure                                             | -.275          | .172       | 2.562 | 1  | .109 | .760                  | .542                               | 1.064 |
|                                                    | Region                                                     | -.031          | .127       | .059  | 1  | .808 | .970                  | .756                               | 1.244 |
|                                                    | COVID-19 will spread due to elections                      | .164           | .143       | 1.314 | 1  | .252 | 1.178                 | .890                               | 1.558 |
|                                                    | Q84c. Postpone elections / limit campaigns during pandemic | .195           | .099       | 3.875 | 1  | .049 | 1.215                 | 1.001                              | 1.475 |
|                                                    | Q87b. COVID-19 impacts attending in-person campaigning     | -.136          | .100       | 1.844 | 1  | .174 | .873                  | .718                               | 1.062 |
|                                                    | [Age=1]                                                    | .766           | .377       | 4.124 | 1  | .042 | 2.152                 | 1.027                              | 4.507 |
|                                                    | [Age=2]                                                    | 0 <sup>b</sup> | .          | .     | 0  | .    | .                     | .                                  | .     |
|                                                    | [Gender=1]                                                 | -.196          | .250       | .614  | 1  | .433 | .822                  | .504                               | 1.341 |
|                                                    | [Gender=2]                                                 | 0 <sup>b</sup> | .          | .     | 0  | .    | .                     | .                                  | .     |
|                                                    | [Partisanship=1]                                           | -.831          | .303       | 7.527 | 1  | .006 | .436                  | .241                               | .789  |
|                                                    | [Partisanship=2]                                           | 0 <sup>b</sup> | .          | .     | 0  | .    | .                     | .                                  | .     |
|                                                    | [Urban/Rural=1]                                            | -.060          | .269       | .049  | 1  | .825 | .942                  | .557                               | 1.595 |
| [Urban/Rural=2]                                    | 0 <sup>b</sup>                                             | .              | .          | 0     | .  | .    | .                     | .                                  |       |

a. The reference category is: Likely.

b. This parameter is set to zero because it is redundant.

# THE TRANSFORMATIVE POWER OF THE OROMO PROTESTS IN ETHIOPIA

## *Resilience and Political Change*

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### ABSTRACT

*This article explores why the Oromo protests have transformed the Ethiopian political landscape since demonstrators took the streets in November 2015. It also examines the relationship between the two pillars of the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF), ethnic federalism and developmentalism, and the Oromo protests. The study aims to illustrate the connection between the Ethiopian state's fundamental strategies and the capacity of popular movements to bring about political change. The study has used a qualitative research approach with both primary and secondary data. Semi-structured in-depth interviews were conducted and recorded with a voice recorder, and data was analysed through thematic analysis. The findings of the research show, first, that the securitisation of development strategy performed by the EPRDF triggered the protests. And second, that the primordial understanding of ethnicity, as defined in the Constitution, contributed to the articulation of the Oromo protests as a movement. The study concludes that the Oromo protests will pave the way for reform because they reflect the regime's failures and also represent the demands of the larger part of Ethiopian society.*

**Keywords:** EPRDF, Ethiopia, Oromo, protest, securitisation, TPLF

### INTRODUCTION

November 2015 witnessed a wave of popular protests beginning in Oromia region in the centre of Ethiopia. The demonstrations spread rapidly around the region, enjoying enormous support from the Oromo population, and were articulated

under the banner of Oromo identity. The size and strength of the protests grew rapidly, with issues of land grabbing, state oppression, and marginalisation among the main claims. Protestors were brutally repressed by the state, resulting in hundreds of deaths. After months of popular protests, the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF), which had been in power since 1991, started to recognise the protestors' demands and began a reformist agenda. This study investigates the political conditions that have driven this situation in an attempt to explain the massive popular expressions of rejection against the Ethiopian government and the transformative power of the Oromo protests (OP). It also considers the outcomes of these changes and how these relate to the current situation in Ethiopia.

This study uses a method of triangulation combining literature, theory, and qualitative data made up of interviews, diary notes, and participatory observations. The Oromo protests were a crucial element for political change, materialising the contradictions and problems of the EPRDF era. In sum, the Oromo protests paved the way for political reform in Ethiopia, bringing at the same time unexpected consequences.

## TWO CONTRADICTIONARY PROJECTS ETHNIC FEDERALISM AND THE DEVELOPMENTAL STATE

According to Fiseha (2006), two projects coexist in a contradictory situation Ethiopia. On the one hand is the country's governmental structure, an ethnic federation based on the recognition of historical inequalities. This political model aims to address this issue through the devolution of power and guaranteed self-determination (up to the point of secession) of the different ethnic groups (Clapham 2017). In theory, the model has its foundations in two core principles, the decentralisation of decision-making, and ethnicity, as the primary identification for politics (Vaughan 2013). Conversely, the EPRDF began full implementation of a developmental plan after the 2005 elections, using all the state machinery available (Gebresenbet 2014). This project demanded hegemony, a national discourse assumed by the society, and a powerful central administration. The consequences of this developmental plan were a massive concentration of power in the hands of the central government (thus contradicting the devolution of powers to the regions enshrined in the Constitution) and the extremely authoritarian and anti-democratic behaviour of the state.

### *Ethnic Federalism*

The historical reasons that explain the emergence of ethnic federalism in Ethiopia are crucial in order to understand the choice of this political model and

the revolutionary adoption of ethnicity as its organising principle. Two main points are central to providing adequate context: first, the anti-Derg struggle characteristics, and second, the national question.

Ethiopian historian Bahru Zewde described this political movement with a reference to three major points: first, Marxist ideology was the dominant framework for the analysis; second, there was an emphasis on land reform, idealised in the motto 'land to the tiller'; third, there was an emphasis on the national question (Zewde 2001). This ideological basis was crucial in the formation of the different liberation movements that fought the military regime, known as the Derg ('committee' in Geez and Amharic), from the peripheries of the country. Once in power, the Derg regime annihilated any political resistance at the centre of the state, installing a period known as the 'red terror'. Ethnic-based resistance movements began to fight the central government from peripheral positions. Among these liberation movements were the Tigray People's Liberation Front (TPLF) and the Oromo Liberation Front (OLF); the former was a Marxist-Leninist peasant-based group from the Northern region of Tigray whose agenda '[spoke] in the first place to a legacy of national self-consciousness built on the widely held perception of Tigray's destitution and underdevelopment within an Ethiopia dominated by Shoan Amharas' (John 1997, pp. 90–91). The latter was also a liberation movement that included independence for the Oromo in its agenda (Gudina 2007).

Furthermore, the former prime minister – an ideologue of the post-1991 regime – argued that 'ethnic-federalism was the only way of democratically restructuring the country, enhancing the political participation of the Ethiopian population and giving ethno-regional rights to the previously oppressed peoples or nationalities' (Lovise 2006, p. 245). On 8 December 1994, Ethiopia adopted its new Constitution and was no longer a unitary state. Nine regional states and two federal cities compose the Federal Democratic Republic of Ethiopia (FDRE): Tigray, Afar, Amhara, Oromia, Somali, Benishangul-Gumuz, Southern Nations, Nationalities and Peoples, Gambela, Harari, and two cities under federal jurisdiction – Addis Ababa and Dire Dawa.

### *The Process of Making a Federation*

Federalism refers to a broad range of issues, including state structures, constitutional design, territory organisation, identity markers (nationalities), and more. Daniel Elazar characterised federalism as a democratic unity organised 'upon a matrix of constituent institutions that together share power, not through a single centre but a multi-centred or non-centralised structure' (Elazar 1996, p. 2).

Several scholars have noted that the TPLF imposed this type of federal arrangement following their own strategic position and to ensure control of state



power. Throughout the transformation of Ethiopia into federal states organised by ethnicity, and by putting political parties under their control in those regions, the Tigrayan elite was capable of managing the central government. In such a vast and extremely diverse country, this was the only way for the TPLF leadership, taking in account the location and population of Tigray (Clapham 2017). In order to implement this, the TPLF leadership first created the EPRDF, a coalition led by the TPLF and composed of three other parties, the Ethiopian People's Democratic Movement (EPDM) (which subsequently changed its name to the Amhara National Democratic Movement (ANDM) in 1994) the Oromo People's Democratic Organisation (OPDO) (Abbink 2011), and the Southern Ethiopian People's Democratic Movement (SEPDM) (Mengisteab 2001). Secondly, when the EPRDF came to power, the Addis Ababa Transitional Conference (July 1991) was called and they invited a wide range of political formations (Vaughan 2013). However, their opinions were ignored and the EPRDF agenda was imposed almost in its entirety (Lovise 2006). A Transitional Government of Ethiopia (TGE) was created to manage the country while the Constitution was written. This was eventually approved in December 1994, and finally, in 1995, national elections took place. The transitional period was totally controlled by the EPRDF; the party sought legitimacy in the new Constitution and institutions, which it also controlled. During this period, only the OLF stood against the EPRDF's views:

[in 1992] The thin rope that tied the OLF to the TPLF-dominated TGE broke off as distrust and suspicion reached their climax. Consequently, the OLF, which was the major contender of power, was forced to withdraw from contesting the elections and subsequently from the TGE itself. This made the elections totally an EPRDF affair.

(Gudina 2007, p. 94)

This example demonstrates the lack of a federal bargain, a crucial element in the building of a federal system because, in theory, it must be a voluntary and negotiated agreement among the different sub-units of the federal state. Moreover, the lack of bargain made for weak foundations for the new federal state and undermined the legitimacy of the whole project from the outset (Lovise 2006). In addition, a real and socially perceived notion of Tigrayan domination spread throughout the country, thus substituting Amhara for Tigray domination and arguably leaving the notorious national question unresolved (Abbink 2011, p. 597).

The objectives stated during the transitional period were: to facilitate ethno-regional self-determination, to minimise ethnic conflicts, to contribute to the development of the cultural rights of the different groups, to build a democratic society, to address social and economic problems, and to guarantee a non-partisan,

non-biased way of politics at a federal level. In addition, the main aim of the ethnic federation is 'decentralisation and devolution of power and decision-making to the ethno-regions' (Abbink 2011, p. 598). The Constitution states that the regional states have the power and capacity to develop their own policies and plans. However, the reality is an all-powerful central government and a lack of funds and capacity for the regional administrations to manoeuvre (Lovise 2006). The federation adopted a hybrid system of revenue sharing, whereby the central government shares tax and other revenues with regional states and much of the sharing takes the form of block grants from the federal to the regional state governments (Keller & Smith 2005, p. 272). This creates a total budgetary dependence of the regional states on the federal government's grants and undermines the autonomy of the sub-units (Chole 1994, pp. 7-30).

To sum up, the process of the reconfiguration of Ethiopia after 1991 reveals two crucial points: one, the historical and sociological reasons that made a federation the best political model to keep the country together; and two, how the transitional process already indicates a tension between theory and practice.

### *The Genie of Ethnicity*

The current Ethiopian Constitution is based on the concept of ethnicity, or Nations, Nationalities and Peoples (NNP) as it is officially termed in Ethiopia (FDRE 1994). Many have argued that the Ethiopian federal system is based on a primordial and static understanding of ethnicity (Habtu 2004). The Constitution defines NNPs (article 39.5):

A 'Nation, Nationality or People' for the purpose of this Constitution, is a group of people who have or share large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable predominantly contiguous territory.

This definition assumes ethnicity to be a fixed identity attached to a particular territory, even though ethnic groups are usually fluid and complex entities. This is a problematic approach because it does not reflect the social network of the country, particularly in urban areas that tend to be plural in their composition. It also makes territories mono-ethnic even if this does not correspond to historical developments. Several scholarly works argue that this vision of ethnicity does not match the Ethiopian reality and also that it has a difficult partnership with democracy (Gudina 2007). Ethnicity has become the main rhetorical factor in Ethiopian politics and society; it appeared as the first principle for state policy,

articulation of citizenship, and political organisation. In this sense, it has penetrated the self-consciousness of groups and individuals, emerging as the primary identification layer 'every citizen must belong to an ethnic group and define themselves along ethnic lines' (Lovisa 2006, p. 247). According to Abbink (2011, p. 612):

Ethnicity is the prime basis of people's identity: for voting in elections, for party membership, and for identifying yourself when you come to a police station to report a stolen object. Ethnic federalism as an institutional set-up privileges ethnicity as one marker of identity over many others (economic, citizenship, occupation, religion, class, or gender) and, in a sense, freezes this one marker of identity, or rather encourages people to identify in ethnic terms.

This idea has its foundations in the Constitution in which article 8 states: 'All sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia' (Abbink 2011). Therefore, sovereignty resides in the NNPs and not in the members of the Federation, as usually occurs. Furthermore, article 39 states: 'Every Nation, Nationality and People in Ethiopia has an unconditional right to self-determination, including the right to secession'. Beyond its practical application, this has a symbolic meaning: it emphasises the importance of ethnicity, situating the NNPs above Ethiopian national unity (FDRE 1994).

### *Securitisation of Development*

In the aftermath of the contested 2005 elections, the EPRDF accelerated its developmental strategy. The 2005 elections were relatively free and fair and posed a serious challenge to the EPRDF (René 2007). The ruling party faced defeat in Addis Ababa and other major cities, and performed under its expectations in rural areas (Abbink 2005). The reaction of the EPRDF machinery was brutal:

The regime responded to this totally unexpected setback by increasing the level of repression, as evidenced by a series of draconian laws, arrests on a massive scale, and parodies of elections in 2008 and 2010.

(René 2007)

On a more strategic level, the focus of the EPRDF turned towards development. Former Prime Minister, Meles Zenawi, an ideologue of the Ethiopian developmental state, defined it in the following manner:

Development is a political process first and an economic and social process second. It is the creation of a political set-up that is conducive to accelerated development that sets the ball of development rolling.  
(Zenawi 2012)

The implementation of developmentalism seems to contradict the promises and basis of ethnic federalism as enshrined in the Constitution. The securitisation of development and its consequences seem to threaten the self-determination of the NNPs, the crucial point in the post-1991 recasting of the Ethiopian state (Gebresenbet 2014). The developmental plan needs long-term certainties; therefore, an authoritarian and uncontested rule becomes a *sine qua non* to guarantee the state's loyalty to the plan. Developmentalism as the state's ideology has to be hegemonic, meaning that its discourse must be internalised and shared by the majority of the population (Zenawi 2012). To achieve this hegemonic position within Ethiopian society, the EPRDF began a process of securitising development.

Security is about survival. [Securitisation] is when an issue is presented as posing an existential threat to a designated referent object (traditionally, but not necessarily the state). The special nature of security threats justifies the use of extraordinary measures to handle them. The invocation of security has been the key to legitimising the use of force, but more generally it has opened the way for the state to mobilise, or to take special powers, to handle existential threats.

(Buzan 1998, p. 21)

Thus, the Ethiopian regime's strategy was to frame poverty as an existential threat to the survival of the Ethiopian state. The EPRDF, as the securitising actor, aimed to convert the public to the creed of developmentalism.

Securitisation also meant the institutionalisation of the instruments of repression, and a series of draconian laws was approved to facilitate the government's actions against opposition movements or voices. These laws were: the Charities and Societies Proclamation, which basically banned any NGO that could monitor issues such as human rights violations; the Mass Media and Freedom of Information Proclamation, which imposed serious restrictions on the practice of journalism and harsh sanctions for violations; and the Anti-Terrorism Proclamation, which used a broad definition of terrorism, leaving its interpretation open to criminalise almost any dissent (Jon 2017). The government tried to crush the OP with all the machinery at hand; the use of lethal force was the general rule, as well as incarcerating Oromo leaders, journalists, and activists through these draconian laws. Williams (2003) makes two important points regarding securitisation theory. The first is that:

as a speech-act, securitization is located with the realm of political argument and discursive legitimation, and security practices are thus susceptible to criticism and transformation. This means that because the securitization strategy must be hegemonic, it is always at risk of being contested.

(Williams 2003, p. 512)

In specific terms, development in the EPRDF meant any action directed at fighting poverty and improving the economic situation of Ethiopia. In this sense, crucial sectors such as infrastructure, education, industrialisation, business, banking and communications were under strict government control. Moreover, key examples of the developmental state were: large-scale farming looking for efficient and exportable products such as flowers (usually managed by foreign companies under leasing licenses); huge infrastructure projects like dams (Gibe III in the Omo Valley or the Ethiopian Renaissance Dam in Benishangul-Gumuz region); a multiplication of schools and universities across the country; and urban expansion such as the Addis Ababa Master Plan.

The OP is closely related to the securitisation move because it is a social movement that could create a counter-narrative. Their activism could question the developmental project and dispute or subvert its national ideological hegemony. It showed the authoritarianism and brutality of the state apparatus, de-legitimising the EPRDF party and policies. Furthermore, the OP illustrated the second point made by Williams (2003, p. 512) – that political communication is nowadays a complex issue, as there are several channels to produce and transmit information; therefore, ‘the processes of securitization take on forms, dynamics, and institutional linkages that cannot be fully assessed by focusing on the speech-act alone’.

To conclude this section, it is important to underscore once again the contradiction between the securitisation of development and the federal model. On the one hand, the federal architecture was based on the devolution of powers to the regional states, a decentralisation model that guarantees self-determination. On the other hand, the securitisation of development implies a centralisation of power and a series of instruments meant to enforce the central authority, favouring authoritarianism. This contradiction is crucial to understanding the Oromo Protests.

### THE OROMO PROTESTS

In November 2015, the Oromo began to protest against the government (Chala 2016). These demonstrations took place across Ethiopia and were violently

repressed by the state's security apparatus; the use of lethal force resulted in over 1 000 deaths, innumerable injured people, and according to Human Rights Watch (2018), 21 000 were imprisoned. The Federal government declared two States of Emergency (SOE), the first in October 2016 for ten months, and the second at the beginning of 2018, which is still in place at the time of writing. The state crackdown on protests was accompanied by massive restrictions on access to communications, in particular the internet and social media, which were blocked on a regular basis (Human Rights Watch 2018). In addition, Ethiopia's economy was seriously affected. Once the fastest-growing economy among developing countries, it is now witnessing a slow path, experiencing serious inflation. The government was even forced to devalue the Birr in order to balance the drop in exports.

The EPRDF found in the securitisation of development the perfect excuse to quash opposition voices and to neglect democratic and constitutional rights (Hussein 2017). The adoption of a developmental model prioritised speedy economic growth, with active state intervention and a centralising strategy. To legitimise the developmental project, a hegemonic discourse was put in place; the aim was to enlist most of the population in the plan, using either persuasion or coercion. Sooner rather than later, the resort to coercive means began to be the norm. The proclamation laws illustrate the institutionalisation of the instruments of repression under the securitisation strategy.

However, the resilience and strength of the OP against the brutality of the security forces inspired other groups to join the protests; demonstrations also spread across Amhara and the Southern region. Eventually, this forced the ruling party to accept the social rupture and pledge to undertake reforms to open the political space and promote a national consensus. Because of this reform, thousands of political prisoners were released (among them were key opposition political figures such as Merera Gudina and Bekele Gerba) and Prime Minister Hailemariam Desalegn resigned from office. A few weeks later, the OPDO chairman, Dr. Abiy Ahmed, was elected by the EPRDF to succeed Hailemariam and on 2 April 2018 he was sworn in as prime minister. Abiy Ahmed's election has a powerful meaning. Although he himself is a devoted Protestant, being Oromo and from a Muslim family through his father, his nomination is seen as a product of OP demands.

The new prime minister brought hope and a reformist spirit; during the first months of his tenure he released political prisoners, opened the doors for exiled political opponents to return, sponsored the Ethio-Eritrea rapprochement (earning him the Nobel Peace Prize), and brought issues of corruption and human rights violations to justice in order to address the public interest (Jima 2021). In one of his first visits as prime minister, he visited Ambo, a town in Oromia that was the epicentre of the OP. He performed a highly symbolic minute of silence in



memory of those who had died in the protests and said: 'You have expressed your grievances and have made demands. We give you our unwavering commitment to resolving them' (BBC Africa 2018).

This analysis aims to understand the power of the OP, how a popular and transversal revolution, determined and fearless, was able to transform an authoritarian government deploying largely non-violent methods (Allow 2016). The contention is that the OP can be explained by two different facets – ethnic identity and the securitisation of development – and that these two aspects were also crucial in building the EPRDF regime, as we have seen in the previous section. Therefore, the OP are a product of the system and its failures, and here resides the transformative power of the popular movement.

### *The Oromo Protests and Ethnic Identity*

A crucial point in the success of the OP was its inclusive and transversal articulation. The study argues that this was largely possible thanks to the ethnic narrative of the Oromo as a cohesive group operating against the oppression of the government. And here resides the key feature – this was facilitated by the ethnic federation system.

In parallel, ethnic federalism has Balkanised the country and produced a territorialisation of ethnicity. That is, it has drawn borders where before there were none and has encapsulated ethnic groups within the borders of these regions. As Abbink (2011, p. 600) notes: 'ethnicity was territory, with exclusivist tendencies, and forms of mixture did not fit the scheme'. He also underscores the fact that under this system, territories are of 'one "original" ethnic group, and of one only'. The ethnic federation, through primordialism and the territorialisation of ethnicity, contributed decisively to unifying the Oromos in Ethiopia. If Oromo nationalism and identity were previously diverse and, arguably, fragmented, now Oromia had clear borders for the first time. It had ID cards, an Oromo (regional) government, the language Afaan Oromo was used in schools and regional administration and the political articulation of Oromo identity was also more evident (Abbink 2011).

When the OP began in November 2015, the expansion of the protests throughout Oromia was very fast, solidarity was expressed, and local grievances were framed as an attack on the whole Oromo people (Allo 2016). The Oromos believed that the Addis Ababa Master Plan (referred to in more detail below) was opposed to the territorial integrity and identity of the Oromo and their constitutional right to self-determination. The protestors rapidly articulated their demonstrations as the Oromo Protests; the key factor in facilitating this organisation was ethnicity. The OP was able to capitalise on this identity framework, ironically derived from the political system designed by the EPRDF.



Political affiliation became framed in ethnic terms. After 2005, the EPRDF launched a campaign to massively extend its base, increasing membership from 760 000 in 2005 to 4 million in 2008 (Aalen 2009). However, this strategy brought unexpected consequences. Many joined the party seeking opportunities, as Etana Habte (2016) summarises:

In Oromia region, access to state services, employment, promotion in civil service, opportunities of further education, prospects of graduate and postgraduate studies, chances to secure urban land and any form of business licenses have long become highly dependent on party membership. Non-OPDO/EPRDF members in rural towns and urban centres have scant chance of benefitting from any advantages related to these opportunities.

When the OP first started, a considerable portion of the OPDO membership was sympathetic to the protests and able to influence the party's own perspective towards national politics (Habte 2016). The pressure on the EPRDF's authoritarian rule was now in the streets and within the coalition and the OPDO leadership began to rebel against EPRDF's central power. In 2017, Lemma Megersa, the Oromia regional state president, declared:

Why persist with costly street protests when we have made your demands our own? If we fail to deliver using existing legal and institutional mechanisms, I and all of us here will join you in the protests.

(Gardner 2018)

It is important to remember that the OPDO was designed by the EPRDF-TPLF as a device to legitimise their ethnic-based coalition. In other words, the OPDO was seen as a puppet organisation, a Trojan horse sent by the TPLF to control Oromia (Ademo 2017). That is why the transformation of the OPDO from puppet to 'opposition party' is so relevant. On the one hand, the politicisation of ethnicity forced the OPDO to listen to their own constituency's demands, usually framed in ethnic terms. On the other hand, for previously explained reasons, the membership expansion brought thousands of new recruits. The vast majority of these recruits were new college graduates, including those who had been active in the protest movement centred around university and college campuses. Therefore, the OP resorted to using their ethnic identity to articulate their movement; but their political affiliation was also framed in ethnic terms, and in this case the OPDO was transformed by the protests. A few months later, in 2018, the OPDO

began to transform the EPRDF and the Ethiopian government, finally leading to the nomination of Abiy Ahmed (OPDO member) as the first Oromo Prime Minister (*Addis Standard* 2018).

### *The Oromo Protests and the Securitisation of Development*

The protests began on 12 November 2015 in Ginchi, a small town in the West Shewa Zone of Oromia Region, located 80km west of the capital. The trigger was the Addis Ababa Master Plan, a government-designed strategy to expand the capital Addis Ababa's administrative control of the capital, Addis Ababa, into Oromo territorial border (Jon 2017). For a regime that based its hegemonic position, discursively and practically, in the securitisation of development, this expansion was strategic. When the Oromo people started to take to the streets against the master plan, they were protesting against a broader oppressive situation (Jason 2017). The government's developmental plan was not improving the life conditions for large portions of the society. When the Oromos seized the streets and began the protests, they articulated their concerns, first, in constitutional terms, and subsequently, in human rights terminology.

When the OP were directed against the master plan, the demonstrators' chants were 'Oromia is not for sale!', 'the matter of land is the matter of life!' and 'we want self-rule!' (Jon 2017, p. 211). These actions clearly pointed to article 39 of the Constitution, which guarantees the right to self-determination, up to secession, of every NNP, and to article 49(4) (Jason 2017), which defines Oromia's preferential relationship with Addis Ababa. According to this researcher's fieldwork diary, several informants from Ginchi, Ambo and Nekemte linked the protests with these issues. They also felt that the master plan was aimed to displace Oromos from their ancestral lands in order to wipe out Oromo culture from the area around the capital city.

Moreover, land grabbing had been one of the key strategies within the developmental plan; an important point here is that as land is state-owned in Ethiopia, the master plan was technically legal. As we have been examining above, the Federal government was responsible for land grabbing large areas surrounding Addis Ababa that were considered sacred by the Oromo community. This strategy was also implemented in other parts of the country with the purpose of developing large-scale farms (mostly in the south of Ethiopia) or state-sponsored infrastructure such as dams (Gibe III, Renaissance Dam), in all cases disregarding the communities' concerns but aiming overall at (securitised) development. However, the implementation was done in an authoritarian way that surpassed any limit (Jon 2017). This is one example of how the securitisation of development fuelled the OP and, eventually, had negative implications for the EPRDF regime.

Economic plans were prioritised without consulting the affected communities and without any kind of inclusive measures or appropriate compensations for farmers (Chala 2016). The OP confronted the political core of the securitisation of development, and their motivations went beyond the master plan. Once the expansion of Addis Ababa was cancelled, the OP not only continued but also spread across Oromia state. Some of the grievances were localised, but the main problem was the distance between constitutional rights – self-determination, decentralisation, democracy – and the reality of an authoritarian regime governing with an iron fist (Chala 2016).

The level and number of protests around Oromia escalated rapidly in 2016, as did the state's violent repression. Land grabbing continued to be a major issue in the OP; some protesters began to attack foreign firms with perceived links to the government, and torched several farms (Al Jazeera 2016). These attacks, however sporadic, demonstrate the lack of congruency between the developmental plan and the protesters' concerns. They localised the problem clearly; the regime's discourse on fast economic growth and development was translated into land grabbing and leasing those lands to foreign companies. The impact on local communities was devastating: not only were they not directly involved in the industrialisation processes, for instance with jobs and opportunities, but they were also penalised and stripped of their farms (Jason 2017).

EPRDF's securitisation of development, the crucial point of the securitisation process, was to construct a hegemonic discourse: 'Securitization only succeeds when the society accepts the message and internalises the threat' (Buzan 1998, p. 25). However, for many years the grievances accumulated. Despite the country's economic success in the decade 2005–2015 when the economy grew at an average of 10.3% a year, the lack of welfare and the curtailing of freedoms by the government ended up delegitimising the EPRDF's narrative. The disproportionate use of violence by governmental forces was a crucial element that contributed to the erosion of EPRDF's legitimacy. Following the securitisation textbook, the government tried to frame the protesters as enemies of the nation; the Minister of Communication Affairs defined protesters as: 'an organised and armed terrorist force aiming to create havoc and chaos have begun murdering model farmers, public leaders and other ethnic groups residing in the region' (Human Rights Watch 2015). That same day, the Prime Minister said: '[the government] will take merciless legitimate action against any force bent on destabilising the area'. The response against the demonstrators was brutal, resulting in a death toll of hundreds. Violence was confronted with popular protests, the gesture of crossing the arms above the head became a symbol of the OP and was internationalised by runner Feyisa Lilesa, an Oromo, who made the gesture while crossing the line in second place in the 2016 Olympics marathon in Rio (Human Rights Watch

2018). Protestors were fearless and determined; their initial concerns about land grabbing had escalated, issues such as Oromo marginalisation, lack of freedom, economic opportunities, and demands for the release of political prisoners were the norm. Now the OP aimed for regime change.

The point of no return was the Irrecha Massacre on 2 October 2016. Irrecha is the most important annual festival for the Oromo; it takes place in Bishoftu (50km southeast of Addis Ababa) and celebrates Oromo culture. In 2016, the atmosphere was pessimistic, the military presence at the festival was more than evident, and when anti-government chants started, a catastrophe was precipitated. As well documented by Human Rights Watch (2017), in previous protests, the government forces' *modus operandi* was first to use teargas, followed by live ammunition. When teargas was used the crowd panicked. The stampede generated by the chaos killed tens of hundreds of people (*Addis Standard* 2016). Different informants confirmed this outrage in personal conversations with these researchers; a witness named Gemechu Merara stated:

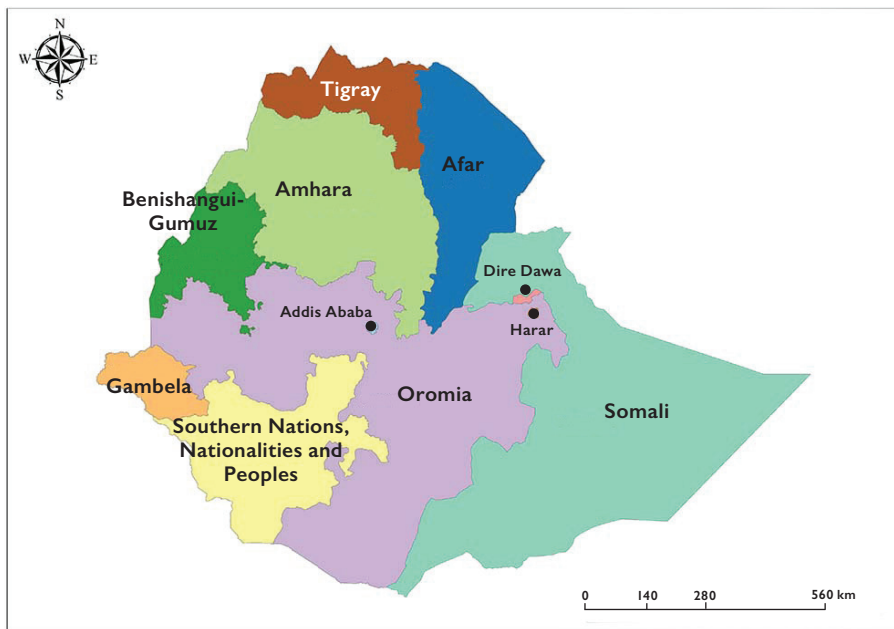
I used to think, until that very day, that the government could fix things and make them right if it is willing to do so; but not after Sunday. The people were fleeing from the police, the entity they know that will take their lives from experience since November 2015. I am still in shock and trauma, and at the same time raged. I would like to see someone be held responsible for it and be hanged for what he/she did to the people, literally.

(*Addis Standard* 2016)

In reaction to the outrage, and expecting general unrest around the country, the EPRDF declared a State of Emergency (SOE) on 8 October 2016. As Awol Allo (2017, p. 133) argues: 'Ethiopia's de jure emergency is merely the latest manifestation of the de facto state of emergency in operation since the new Constitutional order was set in motion'. In other words, the SOE had just made official the normal behaviour of the federal government, trying to legitimise in law the very same practices that had been previously employed.

The OP was able to produce a counter-narrative that dismantled the securitisation move. Their resilience has revealed the prevailing injustice and their power has contested the hegemony of development as a national discourse. These events demonstrate the failure of the securitisation of development. First, the whole strategy of development generated considerable grievances among the Oromo population. Second, it triggered protest-specific measures, namely the Addis Ababa Master Plan. And third, the level of violent repression and use of lethal force employed by the government, based on the supremacy of

developmental discourses, fuelled the OP to the point of demanding profound changes in the political system. EPRDF's securitisation of development not only failed in becoming a hegemonic ideology, but also ended up delegitimising the very same regime.



**Figure 1: Political map of Ethiopia, 2022**

#### CURRENT SITUATION AND FACTORS FOR CIVIL CONFLICT IN ETHIOPIA

The armed conflict between the Tigray People's Liberation Front (TPLF) and the Ethiopian government has cost thousands of lives, the humanitarian situation in Tigray, Amhara and Afar regional states is dire, and the end of the war still does not seem clear. Some of the reasons that fuelled the escalation of the conflict into civil war relate to the factors analysed in this paper, namely the controversy around the ethno-federation and the strong grip of state power by the TPLF clique. It seems important to offer a brief highlight of some important political developments after the election of the current Ethiopian Prime Minister Abiy Ahmed Ali (Federal Democratic Republic of Ethiopia 2022). The first disagreement took place in TPLF's refusal to aid justice by hiding suspected criminals in Tigray region (Ylönen 2021). According to Ethiopian Prime Minister Abiy Ahmed Ali, he had informed the House of People's Representatives that the TPLF was also the

master mind for 114 inter-ethnic conflicts in Ethiopia in 2018 and 2019 (Dugo & Eisen 2018a). Moreover, the Prime Minister added that the TPLF has sponsored, trained, and equipped ethnic extremist forces such as Shena, Kemant and Gumuz. All are armed groups accused of massacring innocent people (Simie 2019).

Secondly, in 1995 Ethiopia adopted multinational federalism, but in a way that raised boundary and identity-based conflicts (Allaro 2019). Hence, most of the regional governments have disagreements with one another concerning administrative boundaries; in line with this the Tigray regional administrative boundaries are in conflict with the Amhara and Afar regions, and also have a long-standing feud with Eritrea.

Thirdly, the Prosperity Party was formed and formally recognised by the National Electoral Board of Ethiopia (NEBE) in December 2019 through the merging of three former EPRDF member parties, the Amhara Democratic Party (ADP), the Oromo Democratic Party (ODP) and the Southern Ethiopian People's Democratic Movement (SEPDM). The Afar National Democratic Party (ANDP), the Benishangul-Gumuz People's Democratic Unity Front (BGPDUF), the Ethiopian Somali People's Democratic Party (ESPDP), the Gambela People's Democratic Movement (GPDM) and the Hareri National League (HNL) were also included in the merger (Prosperity Party by Laws 2020). Upon its formation the TPLF, the only one not to join the new party, was critical of it. According to TPLF, the PP embraced a pan-Ethiopian political agenda as opposed to a multinational federation conception. In this context, the TPLF decided to retain their autonomy and stand independent of the new party and government. Importantly, this ideological change came allegedly in contradiction to the main pillar of the former regime, which, as we have seen in this paper, is an ethnic-based federation. The alleged threat to the ethnically-based federal system could be considered the main reason for the war, according to TPLF views.

In the fourth place, Article 54 of the FDRE Constitution of 199, states that the term of office of the House of People's Representatives shall be five years. National elections were scheduled by date; however due to the COVID-19 pandemic these elections were postponed by the central government. Nonetheless, the TPLF leadership unilaterally decided to keep the election date in Tigray regional state, challenging the new Ethiopian government and increasing tensions with the PP leadership. In these elections the TPLF won 98% of all the seats in the Regional Council. Moreover, the Tigray government accused the federal government of postponing the election schedule. Following this, the House of the Federation (Ethiopia's upper house) decided that the Tigray region election board, laws, and regional election was counter to articles 9 and 102 of the FDRE constitution; therefore, such elections were declared null and rejected by the Federal government (Legesse 2021; Jima 2021).



Finally, on top of all the previously-mentioned factors for civil conflict in Ethiopia, the so-called Tigray war started on 4 November 2020. According to the Federal government, TPLF militia forces attacked the base of the North Command of the Ethiopian National Defence Force: 'Tigray People's Liberation Front (TPLF) junta has officially admitted that it attacked the Northern Command of Ethiopian National Defence Force in the Tigray Region' (ENA 2020). According to TPLF sources this attack was of a preventive nature. Aljazeera reported that 'a top official of the TPLF, Sekutire Getachew, has confirmed the federal government's claim that TPLF forces sparked the conflict by attacking a military base', adding:

Should we be waiting for them to take the first strike? Or take preemptive action to avert the looming war? ... No, it was imperative to take a thunder-like strike. If these attacks were not taken, Tigray now would not be in its present situation. We would not be talking like this now. There would be huge number of casualties.

(ENA 2020)

### *OLF Shena (Oromo Liberation Army) as Internal Challenge*

The Oromo Liberation Front (OLF) is a nationalist organisation formed in 1973 to promote self-determination for the Oromo people. In 2018 the OLF signed a peace agreement with the Ethiopian government, and several OLF members have joined government camps as per the initial agreement to integrate with the regional security forces. The OLF has no relation with the ODP (a member of the ruling coalition EPRDF), as the ODP was originally intended to strengthen the new ethno-federation by supporting the TPLF leadership. Moreover, after the official return of OLF to Ethiopian politics in 2018, a splinter wing of OLF (*Shena* – also known as the Oromo Liberation Army [OLA]) refused to give up the armed struggle. They formally separated from the OLF, and have been identified as perpetrators of several violent attacks, mostly in rural areas, including killing civilians in Oromia and Amhara regional states (Abebe 2020). The OLA joined efforts with the TPLF, at least on paper, as officially announced by both groups, and they have been working jointly against the federal government of Ethiopia (EHRC 2021). As indicated in this paper, ethnicity has been the key organising principle for Ethiopian politics, economy, security, foreign policy, and the entire polity of Ethiopia since 1991. This process gave birth to a number of ethnic political parties and even armed movements with the purpose of protecting their own ethnic group, self-administration, and administrative territorial border demarcation (Demiessie 2020).



### *Human Rights Violations*

In November 2021, the Office of the UN High Commissioner for Human Rights (OHCHR) and the EHRC published the report of their joint investigation into human rights violations and abuses committed by all parties in the context of the Tigray conflict between 3 November 2020 and 28 June 2021 (Human Rights Watch 2021). According to Human Rights Watch (2021), the conflict spread into the Amhara and Afar regions resulting in large-scale population displacement. Tigrayan forces were also implicated in serious abuses against Amhara civilians.

### CONCLUSION

Ethiopia has been immersed in a crisis that has threatened stability, security, and governance in the country. Tireless anti-authoritarian demonstrations demanding freedom, respect for the Constitution, and the end of inequality has shown the failures of the EPRDF regime. The government has followed a path of violence and repression; however, these coercive methods have proven futile against the will and resilience of protestors. The first quarter of 2018 witnessed a transformation in the political landscape of Ethiopia; the EPRDF ceased to exist as such, the TPLF retained its autonomy and separated from the coalition, and the Prosperity Party took central place in government, a change that finds its origin in the Oromo Protests.

In this paper, we have shown the relationship between ethnic federalism and the securitisation of development, the two main pillars of the EPRDF regime for more than 25 years, and the OP. Ethnic federalism was meant to address historical inequalities among the NNP, recognise the rights of different groups, and guarantee self-determination; therefore, it was based on decentralisation and the devolution of powers. However, we have demonstrated that the EPRDF-TPLF had their own motivations in imposing this type of model and they were able to control the entire process of state-building in the early 1990s. Nevertheless, the core organising principle, ethnicity, was miscalculated by the ruling party. Eventually it provided the backbone for articulating a powerful popular movement capable of contesting state authority. The second pillar, developmental strategy, was intrinsically opposed to the principles of the federation. This fact generated important grievances and institutionalised the instruments of repression. The securitisation of development backfired and brought the EPRDF to a dead end.

Acting as a trigger for the OP, it unchained the demands of the Ethiopian society. Securitisation relies on its capacity to convince the public, either using persuasion or coercion, and becomes a hegemonic ideology. As demonstrated in this paper, the OP dismantled the EPRDF's narrative, transforming the public's

imagination and delegitimising the government, thereby forcing those in power to change their approach and to bring deep structural transformations to the political realm.

The OP is explained as being at the heart of the regime (ethnic-federalism and developmentalism); at the same time the OP has acted as a mirror to the government, showing them the broken parts of Ethiopian governance and society. Repressive methods have risked the fragile balance of the federation and have also damaged the economy. The OP brought change at a high price; too many have unnecessarily perished in the struggle and a bloody civil war keeps draining Ethiopian youth and resources. Prime Minister Abiy Ahmed addressed the protestors and promised to bring reform, greater democracy, and national reconciliation to Ethiopia. He should respect the Constitution and understand the complexity of a vast and diverse country, allowing decentralisation but also promoting unity and peace in Ethiopia. The OP has shown that Ethiopian society is ready to demand accountability from their leaders and to leave authoritarian rule in the past. In this sense, Ethiopia must find a peaceful resolution to the war in Tigray and a way to establish durable peace and reconciliation through national dialogue in order to guarantee security for all its citizens.

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# ELECTIONS AND ELECTORAL PROCESSES IN SOMALILAND

## *A Fading Democracy*

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### ABSTRACT

*After declaring its independence from Somalia in 1991, Somaliland has built a system to deliver basic services to its citizens. Despite having relatively good security, Somaliland has to date received no international recognition. With the presidential term extension made by the House of Elders (the Guurti) in October 2022, politics in Somaliland is at fever pitch. Public demonstrations, sporadic clashes, mass arrests, and hate speech add to a general sense of political disorder. Several factors have shaped the current outlook for democracy in Somaliland, including clan politics, a rent-seeking mentality, and weak institutional and legal frameworks. This study seeks to emphasise the contentious way in which elections have been held in Somaliland, and which have led to a loss of confidence in the country. The results, as witnessed in the 2017 presidential election, led to disputes, mass protests, and loss of life. Election time in Somaliland has therefore been a cause of concern for both political parties and the Somaliland Election Commission. In the battle for political leadership, the pre- and post-electoral aftermath has become conventional. But the main victim of the battle for political leadership has been the Somaliland Election Commission which is torn between contesting political parties.*

**Keywords:** elections, Somaliland, democracy, Africa, political parties, clan politics

### INTRODUCTION

This study explores the impulses associated with elections in Somaliland, using existing discussions and experiences from similar African contexts to support the recommendation for better electoral processes for Somaliland.



Somaliland declared independence from Somalia in 1991, since when it has remained stable, led by democratically-elected governments. While the current government provides a few basic services such as water and education, significant challenges persist, such as high unemployment (Somaliland Ministry of Employment, Social & Family Affairs 2020). While other governance structures in neighbouring Somalia have been less successful, Somaliland's traditional clan-based governance has provided an enabling environment for the consolidation of governmental power and political stability, social and economic recovery, and relative peace and security (International Crisis Group 2015).

Continued stability and prosperity in Somaliland are essential for the region, given the intractable fragility of the Somalia Federal Government (SFG) and civil war across the Gulf of Aden in Yemen. Yet continued stability requires political reforms aimed at greater inclusion, respect for institutions (especially the judiciary and the parliament) and an internationally-backed framework for external cooperation and engagement (International Crisis Group 2015). Moreover, this peace has been costly to maintain, with 52% of the national budget allocated to security services, while the provision of social services remains dependent on foreign aid (World Bank 2014).

The Varieties of Democracies (V-Dem) reports on 'Autocratization changing nature' (2022) and 'Democracy facing Global Challenges' (2019) offer election data, indicating that several features contribute to election rigging, including the restriction of media freedom. It cites 'the government manipulation of media, civil society, rule of law, and elections' as the first of many challenges (VDem 2022; VDem 2019) faced by elections and the efforts to change leadership in democratic societies. The challenge with elections in Africa is not only the breaches of election laws, but also the influence of the ruling party in shaping the laws and regulations unchecked by the other stakeholders. Given the prospects for election reforms, it is important to understand the dynamics at play and draw lessons from topical experiences before investing in Somaliland's elections.

The following section provides the analytical and conceptual framework surrounding the concept of oligopolistic states. Section one has a brief overview of current electoral processes in Somaliland. Building on existing election literature to provide a catalogue of election rigging approaches experienced by several African countries, it relates these to ongoing election processes in Somaliland. Section two provides an outline of methods used to influence election processes in fragile/post-conflict settings. This is designed to help stakeholders in Somaliland's elections to navigate, adapt and adjust their approaches to elections in complex contexts, including law and policy demands. Section three assesses funding for elections, political parties and campaigns and their implications, while section four concludes with recommendations for different stakeholders.

## METHOD

The article is based on data collected in Hargeisa, the capital of Somaliland, from April 2022 to July 2022. The data consists of 14 structured interviews with political party leaders, members and supporters, government officials, members of parliament, local council members, leaders of former political associations, former members of election commissions, traditional elders, members of civil society, election programme leaders and academics. Through these interviews the article established an understanding of the realities, challenges and opportunities in Somaliland's elections. During the interviews, it was important for the researcher to comprehend the different perspectives of election stakeholders and to zoom in on relevant cases, events, and realities that have shaped the current outlook for Somaliland's democracy. These include clan politics, a rent-seeking mentality, and weak institutional and legal frameworks. Additional information is drawn from government, research organisations, academic institutions, election programme reports, service provider reports, and media-hosted debates and interviews.

## ANALYTICAL AND CONCEPTUAL FRAMEWORK

Clan identity in Somaliland politics is an indicator of Somaliland's underdevelopment and political stagnation, and also reflects far greater structural problems. Before the colonial era, Somaliland's society was based on notions of identity, such as the family and the clan. Colonial rule used the same structures and encouraged greater use of clan structures which largely contributed to situation found today in Somaliland's governance structure.

The relationship between identity politics and democratisation establishes a complex feature of Somaliland's election realities. Part of the complexity originates in clan competition, if not direct conflict. In addition, several other factors need consideration to further understand the role of identity in Somaliland politics. These include the state's approach to inclusive politics, including the eminence of its leaders, the organisation of political parties, and the structure of electoral systems.

While state-building efforts in Somaliland have been relatively successful, especially in comparison to southern Somalia, there are still a number of dynamics that drive fragility and pose a risk for future conflict. The political class has grown more distant from and less willing to consult with communities (International

Crisis Group 2015), the independence and legitimacy of the Guurti<sup>1</sup> has dwindled (Stremlau 2018), justice institutions are not able to check human rights abuses, and executive interference in the judiciary is commonplace (Abdulahi 2022). Meanwhile, the general perception amongst the public is that the Isaaq clan dominates government power structures, while its sub-clans compete for control through various political parties, government institutions, and private businesses (Elder 2021).

Although Somaliland remains committed to democracy, elections have become points of increasing tension, and concern of a possible return to civil war has led to political repression and media crackdowns (Krug 2016). Centralisation of power in the executive has led political elites to turn away from oligarchical governance (clan-based consensus) towards greater democratisation, but this shift has not led to increased participation in government, nor the development of institutional accountability structures (Elder 2021). The Somaliland government tends to rely on a close network of advisers from particular clans and regions for advice, rather than consulting with bureaucrats from state institutions. This contributes to a feeling of marginalisation among certain clans and constituencies that are excluded from high-level decision-making (Ingiriis 2018).

Broadly speaking, ruling and opposition parties compete in an uneven election process with terms that contribute to the conduct of rigged elections (Cheeseman & Klaas 2018). The more leaders stay in power the more likely they are to rig elections, due to the fact that these leaders have more time to engage in illegal practices without any consequence. African leaders in leadership positions are also more than twice as likely to be killed, expatriated or incarcerated after leaving a leadership role than those in any other part of the world (Cheeseman & Klaas 2018).

As Somaliland prepares for the presidential and political party elections, the same challenges that sparked post-election clashes in the 2017 presidential election persist. In late 2021 and 2022, politics in Somaliland remains highly splintered, factionalised, and predicated along clan lines, especially in Hargeisa. The aftermath of all elections held in Somaliland to date has left citizens struggling to overcome their disappointment at not being able to support the political party of their choice. To avoid out-and-out loss, all ruling political parties have made the effort to manipulate both the vote and state security machinery to their advantage. Legislation governing the elections in Somaliland has not been of much use as it has also been manipulated by the ruling party.

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1 The Somaliland upper House of Parliament has 82 members, representing traditional leaders. Elders are mandated to consider bills proposed by the lower House of Parliament, the Somaliland House of Representatives. The term of office for the House of Elders is six years, but they have never been elected since it was founded in 1993.

## EXISTING ELECTORAL PROCESSES

Elections are the most easily noticeable feature of democratic societies (Arnesen & Peters 2018). The African Union (AU) is leading efforts to coordinate elections and commit its members to holding elections on a regular basis, and also to establish political commitments and support systems for election governance (Arnesen & Peters 2018). Most election results in Africa enjoy positive support from African citizens and other pro-democracy regional and international organisations when election results bring about opposition leadership. Bratton et al. (2008), estimate that one in six elections in Africa results in the transfer of leadership to an opposition-led political party (Renner-Mugono & Schmidt 2022), compared to other democratic societies in the world, where the average is about one in three (Therkildsen & Bak 2019).

The main obstacles to democratisation in Africa have been the division and distrust between citizens and their political leaders (Cheeseman & Willis 2020). Due to increasing levels of mistrust, and as political leaders endeavour to retain their power, the challenges of change continue to be a huge risk (Kramon 2017). This is because, in many cases, politicians used illegal channels that sometime resulted in a loss of life, and also conducted fraudulent election results (Cheeseman & Willis 2020). The end result has been the continuation of a culture of counterfeit election results that have tainted both the governance and image of Africa (Kramon 2017).

Several researchers, including Agomor, Adams & Asante, Victoria Melkisedeck Lahir, and Numvi Gwaibi provide a critical analysis of the election processes of Tanzania, Kenya, Ghana, Nigeria, Cameroon and Ethiopia. The experiences of these countries indicate what happens in many African states before and/or after elections, where election results have left a trail of mistrust and disputes manifested through ethnic/clan conflicts, leading to death, loss of property, injuries, and displacements. Such experiences could have been avoided if local realities had been considered rather than geopolitical and economic interest conditions (Agomor, Adams & Asante, 2020). In Somaliland, these include identity politics, legal and institutional limitations, and the shrinking role of CSOs.

### *Effect of Identity Politics on the Somaliland Election System*

African countries are replete with multi-ethnic and multi-clan structures, a dynamic that has affected the handling of its elections (Kramon 2017). Many of the conflicts in Africa are ethnic in nature, a factor influencing election periods when one ethnic group attempts to dominate the others (Arriola 2012). This is true in the case of Somaliland, where clans also play an influential role in socio-economic

and political structures (Musa & Horst 2019). This influence was replicated in the contestation between political parties, where clan elders and members follow their clan leaders. In the past decade, there have been several clan conferences aimed at supporting specific political parties, or between two major leaders from the same clan attempting to preserve the unity of that clan. These include the Garadag Habar-jeclo clan conference, Gacan-libah Habar-Garhajis clan conference, the Burao Habar-jeclo and Habar-Awal Traditional Elders clan handshaking. Furthermore, the political economy of African countries and their leaders offers an opportunity to understand why Africa is susceptible to election mismanagement and disputes (Brandt & Turner 2003) as aspects of post-colonial African countries encourage a winner-takes-all attitude (Chikwanha & Masunungure 2007).

In Somaliland, clan-based political parties and politics contributed to a similar outcome to those of the above-mentioned scenarios. In the struggle for Somaliland's re-independence from Somalia, clan played an important factor as the leaders of the Somali National movement (SNM) used clans to mobilise fighting groups against the Somali regime of Siad Barre. This was a counter strategy to that of Siad Barre when he targeted specific clans that he perceived as the main opposition groups to his leadership. Reflecting this view when Somaliland adopted a multiparty system, clan groups vote along clan lines, believing that their fellow members can best act as gatekeepers to protect their clan interests if they are voted into a leadership role. Each clan is populated in and around one geographic area of urban cities and rural settlements, which makes it easy for politicians to mobilise clan voters (Musa & Horst 2019).

Clan identity has been a crucial driver in Somaliland's elections, with political party leaders fanning clan emotions among clan members as a foretaste of potential disputes. This situation is not exclusive to Somaliland. Indeed, it is a widespread problem in Africa, as violent election-related clan and ethnic conflicts have been witnessed in Kenya, Cameroon, Nigeria, Liberia, Ghana, Sierra Leone, Uganda, Sudan, and others (Bleck & van de Walle 2018). One common characteristic of these election conflicts is the attempt by one dominant clan or ethnic group to use state resources and power to hinder opposition political parties (Long & Gibson 2015).

### *Legal and Institutional Limitations*

In order for any country to arrange free and fair elections, certain institutional, policy, and legal frameworks should be in place (Duodu 2010). These include ensuring that citizens are free to elect and be elected under systems and regulations that are clear to all opposing parties, and that political party leaders are not only mindful of these systems, but agree to follow them (Hammar 2009).

In Somaliland the election commission witnessed several challenges including opaque election laws, constant change and reshuffling of commission members, and delays with the resource and election budget.

The independence and impartiality of election commissions are central to election management (Dacey 2005). The degree of independence focuses on operational and institutional dimensions. Makulilo (2016) emphasises the types of practical and institutional independence of election commissions in Africa. The first is the non-autonomous election commission within the government structure. The second is the semi-autonomous election commission in the government structure, in which government retains the majority and leadership, and the remaining members (normally 30% of commission members) represent opposition party nominations.

These two types of election commissions are usually described by a legal framework, in particular issues such as the appointment and dismissal of commission members, funding, controls, structures and functions. But the dilemma is the composition of the members, as both options assume that bureaucracy is always partisan and favours the ruling system. In the Somaliland context, there have been several complaints prior to the 2017 presidential elections and 2021 parliamentary and local council elections regarding the integrity and neutrality of election commission members. This is also common in countries such as Zambia, Kenya, Malawi and Ghana.

Different meanings and levels of election commission independence are applied in different African countries. But the key understanding is the principle of natural justice that 'No man [may be] a judge in his own cause' (Wade & Forsyth 2000). This norm is usually intended to ensure equality and neutrality in decision-making processes. Based on this principle, any relationship of an election commission member to a political party or a party leader or candidate is likely to adversely affect the independence, neutrality and validity of election results (Makulilo et al. 2016). This principle confirms the concern in Somaliland that the nomination of election commission members from the ruling party indicates that the president and the ruling party nominate hard-core party members, former ministers, heads of agencies, and members of other commissions. These all serve the ruling party and its supporters which undermines the trust and independence of commission members from the start.

In 2003, African initiatives were made to standardise common principles on the independence and impartiality of election bodies. To ensure the principles of independence and impartiality of election bodies, they suggested that election bodies should be clearly described in the constitution, including their budget and mandate. As seen in Somaliland, these efforts undermined the importance of representation, selection and appointment procedures for commissioners.



This belongs to Parliament to determine, an opportunity the ruling party took full advantage of when they secured a majority in Parliament to tailor the representation, selection and appointment procedures for commissioners to suit their interests. This concern revolves around the constitutional assurance of the independence of an election commission.

The leader of Somaliland's National Electoral Commission (NEC) is chosen from three members nominated by the president, and that gives the president an extra edge in swaying decisions and processes as commission decisions are decided through simple majority. This is not new to Africa, where similar experiences have been witnessed in other countries; for example, Côte d'Ivoire's election commission is dominated by government nominations. The 2016 Côte d'Ivoire election commission consists of twelve members, eight representatives of the ruling party and only four opposition representatives, and yet it makes decisions by a simple majority. Efforts were made by some AU member states who engaged the regional African Court of Human and Peoples Rights (ACHPR) to challenge the composition of African election commissions. Regarding Côte d'Ivoire's 2016 case, the ACHPR found that Côte d'Ivoire and other state-dominated election nomination commissions lack fundamental independence and impartiality, thus they will eventually infringe citizens' political rights (Ronceray & Aggad 2018).

### *Shrinking Role of Civil Society Organisations*

Another reality is the shrinking role of civil society organisations (CSOs) in Somaliland's elections. One of the primary reasons for CSOs in elections is as a watchdog and to provide information to citizens. Civic education has a major role in fostering a free and fair elections. Somaliland's election commission created civic education guidelines (VE guidelines 2022) intended to foster awareness and empower voters and community actors with tools and information on elections. In some African countries, this role is performed by government-approved institutions with the mandate to provide awareness to the general public (e.g., Ghana); in others, this role is reserved for the election commission (e.g., Kenya and Somaliland).

Civil society organisations also provide awareness-raising, complementing the work of the government and elections commission using various creative methodologies. Observers have had another CSO role in Somaliland in past elections, particularly the non-state forum. In the last presidential election of 2017, opposition political parties accused CSOs of having misused their mandate and sided with government decisions. These affected the credibility and neutrality of two prominent CSOs (the Somaliland non-state actors' forum and Academy for



Peace and Development) and their role in the election process in Somaliland. The downside of these accusations is that they question CSO's role in future elections; but the positive side is that they make it possible for other organisations to fill the void.<sup>2</sup>

### *House of Guurti curbs*

The House of Elders (Guurti) is the Upper House in Somaliland's Parliament. As an influential political and legal body, the Guurti played an important role in effectively managing clan and intra-clan conflicts; but as these institutions grew, Guurti also became influential in elections. The House of Elders was established 1993 and later changed its members through a clan-based selection process in 1997, in the Borame and Hargeisa clan resolution conferences. The 2001 Somaliland constitution gave the Guurti its mandate as the Upper House of the legislative entity with special mandate on peace, religious and cultural issues. In the last two decades, however, the Guurti have faced some criticism.

There is a constant drain of elders with traditional experience and leadership. Interviews with current Guurti members indicated that the experienced members of the House are either leaving their seats because of medical reasons or because of death. Both are replaced by closely-related family members. This has resulted in almost half of the Guurti being young men (under 40 years old) with no experience in either the traditional or state system. This is a violation of the age limit set by the Somaliland constitution for Guurti membership.<sup>3</sup> Interviews with current Guurti members indicated that the government finds it increasingly easy to use these inexperienced members and old members to extend elections. This is not to say that the Guurti was not involved in an extension in the earlier 2000s.

During the establishment of the election institutions, the Guurti extended the terms of the president with clear reasoning and rationale;<sup>4</sup> but in the past decade these have become a political motive to secure extra years for the office of the president and for the Guurti. In particular, the October 2022 extension was not only for the president but also for the Guurti. The Guurti extended their term of office for another five years, an unprecedented move that received widespread criticism from both local stakeholders and international partners. In the past the Guurti extension was less than three years at a time. Members of the international

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2 In light with these developments, a new coalition platform has been established, the Independent Somaliland Civil Society Organizations (ISCO).

3 Article 59 defines the eligibility for candidacy with the age limit for Guurti membership at 45 (forty-five) years old, and that the person must have a good knowledge of the religion, or be an elder who is well-versed in the traditions.

4 Absent election laws, droughts in some parts of the country and a limited election budget were among the reasons mentioned by the Guurti for the extension of the first three elections.

community who support Somaliland's elections called for consultation on the election process, a move that was negatively received by the government. This call by the international partners came just days after the Guurti voted for an extension for themselves and for that of the president.

#### OUTLINE OF METHODS USED TO INFLUENCE ELECTION PROCESSES

Elections in Africa have been linked to several instances of malpractice, including vote-buying, politically-motivated harassment and intimidation of political opponents, imprisonment, threats, and possible killings (Duodu 2010). This has exposed elections in Africa as being deeply flawed, with political leaders who seek to legitimise illegal practices by compelling and pressuring citizens to vote for them in a milieu of proliferating election rigging (Hoffman & Long 2013). The donor(s) frequently request that the elections process should meet international standards of free and fair elections, as that is the only basis on which the donor and international community at large can accept and work with the incumbent leaders (Chikwanha & Masunungure 2012).

In the 2017 presidential election in Somaliland, two protestors were killed and several were shot and wounded by the police in inter-clan protests arising out of disappointment at the election results, as declared. This divided Somaliland along clan lines (You 2017). Citizens and their relatives were lost or injured in these political contestations. These election clashes are driven by the political manipulation of clan differences against a background of other structural causes, including grievances around the national resource management and allocation. These grievances are used to mobilise people along clan lines, and feed on the fear of exclusion from higher political leadership which includes economic, political, and psychological benefits. These past concerns remain fundamentally fluid and are intensified by a decreasing level of trust in public institutions.

The reputation of elections lies in the way they uphold or trim democracy (Bratton & Masunungure 2008). Although there is some debate around what constitutes a free and fair election, there is an understanding that at various levels free and fair elections should have an election process and results with no discernible fraud or rigging. These reflect the maturity of the election institutions that represent the will of the people (Bracking 2007). With this understanding, elections are tools for democracy that are only facilitating the selection of leadership or representatives of the people (Bratton, 2008). From the discussions about essentials of free and fair elections, certain assumptions are itemised as 'global norms' by the National Development Institute (2000). These norms are also associated with African realities and challenges on elections (Chitiyo 2009).

The norms and assumptions that free and fair elections are as important as a functioning democratic government are sometimes exaggerated by international development partners; and certainly, recent elections in Africa have revealed that this may not always be the case (Melber 2002). Such assumptions discount important factors such as tribalism/clannism, and how elections contribute to divisions and expanding the base competition of clans in some African countries, for example the presidential elections of Kenya in 2007 and in Somaliland in 2017. Nevertheless, running free and fair elections remains a significant factor in politics.

### *Strategies Applied to Influence Elections in Somaliland*

From the interviews conducted in Hargeisa, it was clear that the Somaliland House of Representatives and external development partners (donors) are generally aware when the ruling party attempts to influence or postpone the amendment of election laws, and of their underlying motives. Many voters and politicians consider election day as the key moment in Somaliland's election processes, but strategies by government to influence the outcome start long before election day. Many of the strategies detailed in this section are also available to the opposition, though the ruling party may have more influence to change participants or change the elections laws.

Several methods were used to rig the electoral process in Somaliland in order to secure re-election. These strategies include amendments to election laws, changing election commission members, delays in allocating funds for the election in general and election procurement materials in particular, and manipulating the voter registration process. All these downgrade the probability of a competitive election leading to representative politics. With these issues in mind, this section focuses on strategies used to influence Somaliland's elections process and results.

### *Amendment to the Election Laws*

Somaliland's democratic process started in 2001 when a constitution was approved in a referendum, followed by elections. The Constitution created a democratic form of government with a multiparty political system. According to Articles 1 and 37 of the Constitution, the power vests with the people of Somaliland who delegate the exercise of power to elected authorities through periodic elections. Elections are thus the cornerstone of Somaliland's democratisation process. The Constitution establishes the separation of powers and checks and balances and ensures that power does not fall under one person or body. In the Constitution, the following elections are listed: A presidential election, parliamentary elections,

local council elections for districts, and regional council elections. The Constitution of Somaliland, article 28, remains the key legal structure for elections, together with the General Law for Elections and Voter Registration, Law No. 91/2020, the Law for the Regulation of Political Associations, and Certification of Political Parties (hereafter the Law No. 14/2011).

In Somaliland, elections are the trademark of democracy with a growing focus on generating public debate, discussions and policy agendas, together with discussions in the private media aiming at influencing public policy. However, all these positive signs hinge on a clear, consistent and comprehensive election legal framework. The existing legal framework governing elections in Somaliland is regressive. There is need for electoral reforms, one of which is the revision and consolidation of all election management laws into one statute. The General Law for Elections and Voter Registration, Law No. 91/2020, the principal law governing elections, has been amended repeatedly and declared unconstitutional by opposing political parties, more than any other statute in Somaliland's legislative history. The law is incomplete and fails to regulate certain aspects such as the election process management, decision of election dates, and monitoring of elections. In 20 years no public discussion about electoral reform has been conducted, on what did and did not work in crafting an amendment of the election laws.

Furthermore, from the analysis of the current election laws, it is clear that Somaliland faces significant challenges in assessing whether the gaps in the electoral laws were substantial enough to warrant an extension of the terms of office of both Parliament, and the president. To address these challenges and enable Somaliland's electoral management institutions to make consistent rulings on future election processes, the Parliament (House of Representatives), newly elected in 2021, needs to clarify the issues that government needs to apply when considering what constitutes an extension of these terms.

A first strategy used to influence the election is to change the election laws. The assumption is that if these can be changed in your favour, there is less need to cheat. But Somaliland's Constitution categorically limited the presidential term in order to prevent incumbents from staying in power. Changing election laws has therefore been part of the re-election strategy of many different incumbents, across different political parties in Somaliland, with a diversity of results reflected in the trend of the so-called 'extension'.<sup>5</sup>

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5 The first democratically elected president of Somaliland, Mr. Riyaale extended his term by three years; the second, Mr. Siilanyo, extended his term to two years, the third president Mr. Muse Bihi is expected to extend his terms to two years minimum. All these leaders used funding challenges, incomplete election laws and unexpected natural forces (droughts) as key reasons for extending their terms, all of which were politically-motivated decisions.

In the past, presidential term extensions by President Riyaale in 2008 and President Siilaanyo in 2015, the specific clauses and reasons for amending election laws were: the bid to use ICT in elections, the introduction of new voter registration systems, delimitation of regional and district boundaries, region-base allocation of seats in the House of Representatives, sequencing of the different elections,<sup>6</sup> and the selection of election commission members. These election law-related discussions usually start one year before the scheduled date of the election, which itself is a tactical manoeuvre to buy time as these political discussions may be lengthy, making extension inevitable. This prior dossier is likely to complicate future efforts to reform the electoral system through legislation because the ruling party will use delaying tactics on any changes to the legal framework that are viewed as contrary to their bid for extension. This is an opportunity all the presidents have exploited in their own interests since the inception of the Somaliland's democratic elections in 2003.

### *Tactical Prohibition of Political Parties in Elections*

A frequent election tactic beyond, or sometimes in parallel with election law amendments, is to exclude possible opposition political party rivals from standing for election. The political parties have a ten years certificate in Somaliland, a politically inspired attempt introduced by President Silanyo and supported by Parliament in 2012.

The presidential election of November 2022 witnessed another delay, and prospects of a timely election were thrown into disarray in December 2021 when the Somaliland government started to change course by calling for the 're-opening of political parties'. The election law allows a three-party limit and provides for time-specific licensing certification. As it stands, the certificate of the political parties expires on 26 December 2022 but the presidential election scheduled for November 2022 was postponed to 2024 by the Guurti. As part of these delaying tactics, the ruling party is pushing for political party elections first in a move anticipating that the ruling party aims to discharge or the biggest opposition party and add new political parties that will take time to mobilise support. In early November 2022 the Political Parties Registration Committee announced nine new, preselected political associations that will compete for the next political parties/association election alongside the three political parties. Following this election, three new political parties will be selected for the next ten years. One of the pre-selection criteria for each new political association is to secure 1 000

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<sup>6</sup> The presidential, parliamentary and local council elections plus the political party elections scheduled to happen every ten years.

supports from each region. This number is to be verified by the national political parties' registration committee which is nominated solely by the president and approved by the parliament.

Article 9 of the Somaliland Constitution restricts the number of political parties to three, which arguably restricts freedom of association. The intention of this restriction is to avert an abundance of clan-motivated political parties rather than national interest, as the current political parties are divided and host alliances from the major clans. These alliances are approved by clan leaders and political representatives.

### *Intimidating the Election Watchdog Systems, Actors and Institutions*

A number of actors, policy objectives, legal frameworks and institutions can discourage the influence of the above manoeuvres by raising civic awareness. These watchdogs include the judiciary, media, and civil society organisations. A strategy to influence elections can therefore also imply silencing and undermining these watchdogs. The election commission is an essential watchdog but also a structure with typically limited resources outside election periods, where reports of state capture are frequent. In Somaliland, the election commission has seven members, three of whom are nominated by the president, two are nominated by the speaker of the House of Elders (Guurti) and two are nominated by opposition parties. This nomination formula allegedly places the election commission under the control of the government, hence unable to perform its critical role of watchdog.

In the past, commercial and news TV stations, social media and as well as newspapers played the role of watchdogs in Somaliland; but this is being thwarted by the current ruling party. Between April 2018 and July 2022, 330 journalistic and freedom of expression-related violations and arrests were made by the government (Human Rights Centre 2022). On a single day in April 2022 the government arrested 13 journalists for reporting on an attempted prison escape. Ten were released later, but the chairperson of a prominent local TV station that held popular debates on the election, government budget and democracy, was sentenced to two years imprisonment and threatened with closing down the TV station (Human Rights Centre 2022), though he was subsequently released. In June 2022 the government ordered similar mass arrests after opposition political parties attempted to organise a peaceful demonstration to indicate their discontent about any extension of the term for the current president. The journalist remained reluctant to report the June 2022 mass arrests for fear that they would have similar experiences to that of April 2022.

In the absence of comprehensive domestic sources of funding, and the lack of international donor-led funding, most of the civil society dealing with democracy



issues dwindled or turned their attentions to tie in with ruling party. During the tenure of the last two presidents Silaanyo and Biihi, several CSO leaders received nomination to higher government positions such as commissioner, heads of independent agencies and ministers, and many considered this as a reward for their close ties with the ruling party. For the second time, in April 2022, the opposition party withdrew their trust from two prominent CSO forums and organisations<sup>7</sup> after these CSOs met the president to discuss the current election situation and possible options ahead. The opposition felt that these engagements were aiming at paving the way for potential CSO support for the upcoming president's extension. This would prevent CSOs from playing a neutral role during elections as local observers in polling stations, opening up possibilities for unreported, last-minute vote-rigging.

### *Divide and Rule: Promoting some Constituencies, Clans and Allies*

Hindering the watchdogs can be effective, but promoting a specific constituency, clan or ally can often achieve similar effects at a lower cost and with less risk. Identity politics (clans in the case of Somaliland) allows ruling parties to mobilise constituencies along the lines of clan and sub-clan structure (Elder 2021). In this tactic, a successful battle for government positions and resources offers material and symbolic advantages for the clans whose representatives/members do well in elections. The instrumentalisation of the Somaliland clan system of identity politics is a notorious fact of life in Somaliland (Elder 2021). In Somaliland's 2010 and 2017 presidential elections, an analysis of the votes revealed strong patterns of voting along clan lines. Politicians can promote specific constituencies by promoting the transfer of ruling party leadership to motivate clan collision. In addition, they may spearhead efforts to channel public services and funding (including government and donor development projects) to regions and/or districts they want to foster with the next elections in mind (Elder 2021).

Election literature from sub-Saharan Africa countries implies that ethnic bias in the provision of public services is a common divisive approach by ruling parties. Governments may devote more resources to areas and regions which are ethnically closer to the leader's clan (Nakitimbo 2018). Evidence from several African countries such as Kenya and Tanzania indicates that tax exemptions to mobilise or incentivise constituents are becoming an organised pre-election feature (Nakitimbo 2018). African experiences such those in Kenya indicate that promoting a specific constituency may indirectly strengthen all other election-

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7 Somaliland Non-state actors' forum (SONSAF) <https://www.sonsaf.org/> and Academy for Peace and Development <https://apd-ipp.com/apd-somaliland/about/>



rigging efforts, since the ruling party can count on personalised support across the constituency (Etieyibo, Musemwa & Katsaura 2020).

When African presidents reshuffle the government or change the heads of security immediately before an election in order to place members of his constituency and clan allies in key government positions, it serves as an incentive for election loyalty. This is well documented for Kenya in the 1990s, and in Somaliland in 2010 and 2017, where appointments in the key government ministries were clan-motivated. Interviews with a parliamentarian established that clan-allied nominees have the greatest incentive to engage in intimidation on behalf of the ruling party. As a result, the ruling party sends them to the most electorally valuable constituencies in the rural areas as party representatives in election polling stations.

Other approaches used by the ruling party to undermine opposing constituencies is the 'divide and rule' approach, which takes the shape of integrating political and clan leaders of opposition constituencies within a ruling party to neutralise the opposition. The Somaliland constitution and election laws encourage party politics on a programmatic basis and discourage clan-based politics. But favouring a constituency is a form of political programme in itself in Somaliland, and this is also true in other African states such as Kenya, Nigeria and Ghana (Nyiayaana 2019).

#### ELECTIONS, POLITICAL PARTY FUNDING AND THEIR IMPLICATIONS

In Somaliland, election finance has been one of the reasons used by the ruling party to justify an extension of the government in the past. In 2010, Somaliland was heavily criticised for the fact that elections relied on external assistance. This assistance consisted of support for the development of legal frameworks for elections; assistance in organising elections, for example delivering voting material and election equipment; the provision of political party training and voter registration arrangements; as well as support for civil society in areas such as awareness raising and training of local observers, party polling station representatives, journalists and the media.

Government increased the financial contribution to the 2017 presidential election from 20% for the 2005 parliament election to 70%. These numbers also increased in the last parliamentary and local council elections to 80%, and the balance was provided by international partners in the form of voting material, election equipment, the provision of political party training, and awareness raising. A cost-reduction model is probably one of the most essential additions that needs urgent consideration. This could be done through the consolidation

of elections (that is, to be held on the same day) rather than conducting elections separately.<sup>8</sup> It should also include efforts aiming at capacity building in election bodies as a cost-effective model contemplating the idea of establishing a permanent election body as the foundation for election management (Siegle & Cook 2022).

**Table 1: Somaliland's election financing in USD**

| Election date and description                            | Contribution from Somaliland Government budget | External assistance | Total cost per election |
|----------------------------------------------------------|------------------------------------------------|---------------------|-------------------------|
| 2002 local council elections                             | 346 982                                        | 750 000             | 1 096 982               |
| 2005 Somaliland parliament election                      | 500 000                                        | 1 672 705           | 2 172 705               |
| 2010 presidential election                               | 1 145 000                                      | 3 070 113           | 4 215 113               |
| 2012 local council and political party elections         | 2 200 000                                      | 8 826 480           | 11 026 480              |
| 2017 presidential election                               | 17 000 000                                     | 9 100 000           | 26 100 000              |
| 2021 House of Representative and local council elections | 15 241 379                                     | 6 558 620           | 21 800 000              |

**Source:** Academy for Peace and Development and Institute for Public Policy (2021)

Somaliland's political parties have several funding sources (Verjee et al. 2015) which fall into different categories. Firstly, the political party representatives who were interviewed established that Somaliland's political parties continue to receive very modest funds from membership fees. Political parties also noted that in addition to membership fees, leaders also donated in kind. They were, however, not willing to offer specifics on the exact amount received in subscriptions as this was managed by the party leaders and in particular the chairperson, the presidential candidate, his deputy and the general secretary.

The second source is public funding, as all political parties receive funds allocated under the annual budget every year. This is a fixed amount aimed at

<sup>8</sup> On different occasions in the past, the presidential, parliamentary, local council elections and political party elections were conducted separately.

covering operation-related costs for each political party, approximately USD 19 000 a month per party, according to Somaliland's annual budget in 2020 and 2021.

The third source comes from private contributions. Interviews by this researcher with leaders of CSOs established that approximately USD 20M was spent by political parties in the 2017 presidential elections. Most of this consisted of campaign-related financing and was donated by clan members, businesspersons, the diaspora, and companies expecting business favours from the candidate should he win. Interviews with former heads of campaign for one of the political parties in the 2010 and 2017 presidential elections confirmed that the production of billboards, travel costs, office rents, accommodation and venue expenses, television and radio adverts and social media posts form the bigger part of party spending. The political party representatives who were interviewed established that large contributions were received from businesses and affluent individuals who have become a key source of political party funding. There is a growing concern that this may lead to state capture and buying favourable treatment such as government contracts and tax exemptions.

Funding from the diaspora presents a unique option, and interviews with former ministers, members of the General Assembly and political parties confirmed that diaspora funding was a key source for previous elections. Presidential candidates in 2017 visited major cities in America and Europe with the highest number of immigrants from Somaliland. This contribution from the diaspora also follows the clan lines of political party leaders and candidates. The business sector also continues to invest in political parties and leaders (Elder 2021). In an interview, one of the political party leaders indicated that business is increasingly investing in candidates. Several attempts made by this researcher indicate that businesses were cautious about revealing their contribution or political affiliations for fear of retribution.

The fourth and most controversial source of funding is through the abuse of state resources, which was very obvious in the 2017 presidential election. Cases of the abuse of state resources related mostly to the ruling party. Political party officials noted in interviews that there was a trend for the ruling party to use government officials to campaign for the party from their constituencies, and use government vehicles for ruling party campaigns. Moreover, these benefits were not available to other political parties.

Finally, external contributions have recently started to feature in the discussions about Somaliland's election financing. Interviews with two Somaliland political party representatives indicate that there have been attempts by the political parties to solicit external contributions to fund their day-to-day operations and election campaigns. The interviewers understand that such contributions and other forms of support give external election contributors

the ability to influence election results and potentially manipulate upcoming government political and economic decisions. The interviewees also justified that the reasons for accepting these tempting external donations is the fact that in Somaliland there is persistent poverty and widespread unemployment which limit local political party funding.

A report titled 'A Vote for Change: Somaliland's Two Decades Old Electoral Democracy' was conducted by the Academy for Peace and Development and Institute for Public Policy in 2021. The report highlighted the election finance and politics which were characterised by the increasingly high cost of managing elections in Somaliland. Various drivers of these increasing costs include, firstly, that running for public office in Somaliland takes place in poorly-regulated party campaign funding. Second, the compensation package that comes with being an elected official is substantial and ranges beyond the legally prescribed wages and benefits.

Interviews with four officials mentioned that candidates do not run for office to serve the public; they run for office because if they win, they will secure many benefits and establish networks for easy self-enrichment. The officials also mentioned that in the last three elections voters and clan leaders also contributed to increasing election cost by demanding payments from the candidates. The previous two elections have become greatly contested because of the influence, stature and benefits attached to elected public office. Furthermore, Somaliland seems to fall into the practice of a winner-takes-all election system, in which those who win (party, constituency, or clan) cultivate opportunities to exclude the losers from the distribution of resource and projects in a systematic manner. This motivated for a strongly competitive environment and a win-at-all-costs approach. As witnessed in the last ten years, elections and campaigning never stop. As soon as an election is completed, the winners start immediately with efforts and strategies to incentivise the voters in their constituency to ensure continued support.

The findings from interviews with current and retired political leaders establishes that even with the best intention of contributing to Somaliland's development, in the current political, social and legal climate it is challenging for any potential candidate to contest for election to public office without substantial financial assistance.

To conclude: interviews with former parliamentarians established that money in politics goes beyond the election process, and it affects the performance of elected officials regarding critical issues such as effective parliamentary oversight on allocations and the distribution of the national budget. One of the parliamentarians added that once elected, an official focuses on replenishing the money spent during the election process. All his efforts are thus directed at accessing resources for personal or political gain.

## CONCLUSION

Challenges specific to Somaliland are the claim of secession from the rest of Somalia, and the absence of international recognition. These undermine the opportunity for Somaliland to access Africa-led initiatives such as the African Peer Review Mechanism (APRM) and AU processes and instruments including the (ACDEG), that support Africa's electoral architecture. These provide the framework and opportunities in which to address pre- and post-election problems.

A major concern is the need to invest in electoral institutions and increase the understanding of the citizenry about free and fair elections. In Somaliland, the capacity of institutions to carry out reliable election processes is either weak or undermined by structural governance issues rooted within the broader Somaliland political economy, including clan politics. These often results in exclusion and inequality which propagate the beginnings of clan conflicts. In these examples, elections *per se* do not cause violence; rather it is the political contest which intensifies existing conflicts, exposing structural inequalities which encourage the acceleration of these tensions into violent conflicts.

The capacity of the election commission needs enhancing to enable its members to carry out their mandates more effectively. This should take place between elections when the commission has been newly appointed. This process should target both full-time staff and technical directors of the election commission rather than the commissioners who have high turnover. The support for both staff and technical director should include training staff in election management, and support for information technology.

There is increasing scope for influencing Somaliland's elections. For instance, parliamentary scrutiny is inadequate, and there are new avenues and ways to manipulate elections. This is possible because of the poor public understanding of free and fair elections and weak institutional and legal frameworks. This ever-changing election situation is characterised by an improving voter registration system, increased demand for election financing and the adoption of new regulations. In this context undemocratic governments learn from one another and manage to deploy different tactics to manipulate the roles and intentions of opposition political parties as well as international partners. Political parties and external partners need to recognise the features, dynamics, factors, actors, and processes which influence elections. The details and typology offered by this article may help the relevant internal and external stakeholders to better understand the issues, realities and opportunities in Somaliland's elections.

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# AN ASSESSMENT OF ELECTION ADMINISTRATION IN ZAMBIA, 1991–2011

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## ABSTRACT

*The purpose of this study was to establish whether there had been an improvement in the governance of electoral processes in Zambia, in tandem with democratic principles, between 1991 and 2011. The study used interview material and secondary data on election administration activities gathered from Electoral Commission of Zambia (ECZ) documents on electoral laws and regulations, as well as election monitors and observers' reports. The investigation was centred on five core election administration activities, namely voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management. The article utilised the democratic governance theory and principles embedded in the principles for election management, monitoring and observation (PEMMO) to examine the performance of the ECZ in these five core election administration activities during the period under consideration. Based on the democratic gauge, the study found that the performance of the ECZ in election administration was worse between 1991 and 2006 but significant improvements were attained from 2006 to 2011. Subsequently, in 2016, the Constitution of Zambia was amended and the electoral laws were repealed and replaced.*

**Keywords:** electoral management, voter registration, political party funding, media collaboration, validating election results, electoral conflict prevention

## INTRODUCTION

A wave of democratisation swept across sub-Saharan Africa following the reintroduction of multiparty politics in the 1990s. Between 1991 and 2011, Zambia organised five consecutive general elections and one presidential by-election

in line with the democratic requirements in its constitution. Thus, Zambia was 'heralded as a model for democracy in Africa after a peaceful transfer of power' from one political party to another three times – in 1991, 2011 and 2021 (Human Rights Watch 1996, p. 1). Yet, the electoral process in Zambia was and still is marred by several political, institutional, and technical challenges and human rights violations (Carter Center 1996; Electoral Institute for Sustainable Democracy in Africa, EISA 2008; European Union Election Observer Mission, EU EOM 2012; Human Rights Watch 1996; Kabemba 2006).

Other problems included a cumbersome voter registration process which disfranchised many eligible voters, especially during the period from 1996 to 2006. The abuse of incumbency, public resources and the media remained endemic in the electoral process across all general and by-elections, which adversely affected the level playing field (Munene 2014). Also, the period between 2001 and 2010 witnessed a proliferation of political violence, electoral disputes and petitioning of election results (Cheeseman & Larmer 2013; Cheeseman & Marja 2010; Kapesa, Sichone & Bwalya 2020; Mukunto 2019). Therefore, effective election management is not only necessary for the Electoral Commission of Zambia (ECZ)'s efforts to organise successful free and fair elections, but also of great significance for the sustainability of democracy and peace. Additionally, effective election administration builds stakeholders' confidence in the work of the election management body to ensure that people's votes are not stolen, to increase the acceptance of election results, and legitimise those in power.

The ECZ is an independent commission which organises and administers elections in Zambia and was established a month before the 1996 general elections (O' Donovan 2006). Article 76(1) of the 1996 Amended Republican Constitution, which was in force at the time of this research, established the ECZ as an autonomous election management body (ECZ 2011). Since 1996, the ECZ has undertaken significant electoral and election management reforms.<sup>1</sup> In the period under review, the ECZ administered four national elections, in 1996, 2001, 2006 and 2011; the 2008 presidential by-election; and various local government and parliamentary by-elections (Fokwa 2012). The 1991 election was organised by its predecessor, the Elections Commission (Kaaba & Haang'andu 2020).

Even so, Fokwa (2012), Kaaba & Haang'andu (2020), O'Donovan (2006) and Rakner & Svasand (2003) have observed that election management in Zambia is administered with more weaknesses than strengths. These weaknesses are

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1 The paper was researched in 2013, when the old constitution, enacted in 1996, was in operation. The constitutional framework on elections changed drastically in 2016 when the new constitution was adopted. As a result, several electoral laws and regulations were repealed and replaced. Although the paper has been overtaken by these reforms, the lessons it brings out are still relevant to the administration of elections in Zambia. For further details, see: Government of the Republic of Zambia (GRZ) 2016, *Constitution of Zambia (Amendment) Act No. 2 of 2016*, Government Printer, Lusaka.

perpetuated by stagnation in electoral reform and fragmentation in the roles, power, interest and influence of key stakeholders such as the incumbent president, commissioners of the ECZ, and members of political parties (Fokwa 2012; Rakner & Svasand 2003). The weaknesses in election administration undermine the promotion of core electoral values of independence, professionalism, impartiality, transparency and accountability in the electoral process (Munene 2014). But there is need to protect and enhance electoral values to help the ECZ uphold high standards of electoral democracy, electoral liberalism and good governance in election administration (Wall, Ayoub, Dundas, Rukambe & Staino 2006). The purpose of this article is to evaluate the extent to which there was an improvement in core election administration activities in Zambia between 1991 and 2011.

The investigation is centred on five core election administration activities, notably voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management. The paper aims to answer one major question as it examines the performance of the ECZ in election management: How did the ECZ perform in these five core election administrative activities between 1991 and 2011? To answer this question, the article is guided by the research design and methodological approach described below.

## RESEARCH DESIGN AND METHODOLOGY

This study is designed as a case study of election administration in Zambia in the period from 1991 to 2011. The year 1991 is a natural starting point for this study as it coincides with the reintroduction of multi-party politics in this country. Zambia held her fifth presidential election in 2011, which is also the end of the period covered by this study. The study adopted a qualitative research design whereby the researcher poses a number of how and why questions to participants regarding the issue under investigation and summarises their responses. The researcher also draws inferences regarding the topic from the responses of the sample (Creswell 2009). Kombo and Tromp (2006) emphasised the essence of using a qualitative research design as generating important information to provide solutions to the problem at hand. In this view, this paper identified and discussed some contentious aspects of election administration in Zambia before making recommendations for solutions to some of the institutional problems.

The paper utilised interview material and secondary data on election administration activities gathered from ECZ documents on electoral laws, regulations, and election observers' reports, as well as journal articles and books. The study was guided by the democratic governance theory (DGT), which promotes democratic electoral management. Data was examined qualitatively

using relational content analysis. In line with this, the results were compared with values embedded in the principles for election management, monitoring and observation (PEMMO) to determine conformity with democratic standards. '[I]n contrast to reliance on generalised terms such as free and fair', PEMMO standards 'offer practical guidelines on establishing progress in [electoral management]' (Fokwa 2012, p. iii).

The research utilised semi-structured interviews. Interviews were conducted between 23 August and 2 October 2013 in Lusaka, where the institutional headquarters of the main stakeholders in the governance of the electoral process are based. Semi-structured interviews were used to investigate stakeholders' perceptions of the performance of the ECZ in the above-mentioned election administration activities. The population was categorised into five broad stakeholder groups, which included:

- a government institution, the ECZ, sanctioned to govern the electoral process;
- election observation institutions;
- civil society organisations involved in promoting democracy and good governance;
- active and popular political parties at that time; and
- church mother bodies (Council of Churches in Zambia (CCZ), the Evangelical Fellowship of Zambia (EFZ) and the Zambia Episcopal Conference (ZEC) now known as Zambia Conference of Catholic Bishops (ZCCB)) also involved in promoting democracy and good governance.

Each of these institutions was subjected to an interview to collect primary data on the performance of the ECZ in the five core election administration activities. The study used a simple qualitative technique of manually transcribing the interviews before interpreting and discussing their contents (Creswell 2009). To complement the empirical data, a review of the existing literature on election administration theories was conducted, as elaborated below.

#### THEORETICAL FRAMEWORK: DEMOCRATIC GOVERNANCE THEORY

Studies have applied various election administration theories at continental and in some instances national level in Africa, Europe, Asia and the United States of America. These include democratic governance theory (Cheema 2005; Gutto 2003), principal-agent theory (Alvarez & Hall 2006; Kimball & Kropt 2006), fiscal



federalist theory (Guess 2007), and public administration and policy theory (Ansell, Sorensen & Torfing 2021; Guess & Gueorguieva 2009; Montjoy 2008). Each of these seeks to provide solutions for improving election management (Fokwa 2012; International IDEA 2014; Torres & Diaz 2015). However, very few comprehensive academic and scholarly researches applied electoral theories on election administration to Zambia (see, for example, Cheeseman 2005; Eiseman 2006; Kaaba & Haang'andu 2020; Kabemba & Eiseman 2006; O'Donovan 2006; Rakner & Svasand 2003). Therefore, this study applied democratic governance theory (DGT) on election administration embedded in PEMMO standards. This theory is suited for this study for reasons given below.

First, as noted by Mikesell (2007) and Torres & Diaz (2015), DGT suits an independent model electoral management body (EMB) such as the ECZ instituted to effectively promote electoral principles of independence, professionalism, impartiality, transparency, accountability, responsiveness, respect, and integrity.

Second, the aforementioned electoral theories have undertones of democratic values but the DGT encompasses not only all the principles but also all the electoral theories. Third, the purpose of the DGT is to measure the Zambian electoral process against democratic standards in order to evaluate its performance. Fourth, DGT can contribute to strengthening the electoral management framework of Zambia in line with the principles of democracy, constitutionalism and good governance (Gutto 2003; Wall et al. 2006). DGT is thus appropriate both for providing comprehensive answers to the question highlighted above, and achieving the purpose of this study through the methodological approach described in the previous section.

The DGT comprises the basic elements of democracy and good governance (Ansell et al. 2021; Democratic Governance and Accountability Programme, DGAP, 2011). There are two main democratic principles that must be adhered to in order to attain good electoral management. These are electoral liberalism and good governance (Ansell et al. 2021). Electoral liberalism refers to paving the way for electoral contestation through political pluralism, competitive elections and mass participation. Electoral pluralism and contestation entail people having the freedom to form parties with associational autonomy and freedom to utilise the press or media for campaign (Christian 1997; International IDEA 2014).

Good governance refers to the process of making and implementing good decisions based on democratic principles. Good governance promotes genuine democracy, development, security and peace. It leads to greater respect for human rights, the rule of law, transparent and accountable processes, and also encourages people's participation in developmental agendas (Carrington et al. 2008; International IDEA 2014). Like good governance, democratic electoral management reflects the capacity of the EMB to make and implement functions



essential for collective well-being. This entails the EMB having sovereignty through monopoly control over its administrative activities according to established democratic electoral laws and regulations (International IDEA 2014). The theoretical underpinnings of democratic principles on the five core election administration activities under investigation in this article are elaborated below.

Voter registration is one of the most important processes of electoral management as it 'is a crucial factor to the legitimacy of the democratic elections, as numbers matter so much to portray the wishes of the people in issues of governance' (Evangelical Fellowship of Zambia 2012, p. 3). In addition, the 'purpose of voter registration is to identify those persons who are eligible to cast a ballot on election day, [and] the EMB is responsible for compiling a national voters' roll and undertaking voter registration' (ECF & EISA 2004, p. 15). With reference to many SADC countries, ECF and EISA (2004, p. 15) noted that the 'transparency and legitimacy of the voter registration process' had 'been disputed, resulting in a lack of acceptance of the election results'. Most conflicts and challenges linked to the voter registration procedure ranged from a legislative prescription for voting, to the accuracy of the voters' register. It is against this background that the PEMMO standards stipulated in Part 1 of the Appendix have been recommended to determine progress in voter registration process in individual nations in the SADC region.

According to ECF and EISA (2004, p. 21), the recommended principles governing campaign finance were based on three major reasons:

[The first reason being the fact that] not all political parties and candidates have access to public resources.... (p. 19). [Second], governing parties in [the] SADC have an unfair advantage [of] using the public resources to which they have exclusive access for campaign purposes or to further their political ends (p. 19). [Though] [t]he majority of SADC member states provide public funding to political parties for election purposes ... in some countries, public funding is not provided (p. 21). [Third], political parties do not always disclose the sources of foreign funding .... In some cases this has led to suspicion and tensions, particularly between ruling and opposition parties.

In view of the aforementioned problems relating to monitoring the financing of political parties and use of state resources, the ECF and EISA recommended the PEMMO standards stated in Part 2 of the Appendix.

Another election administration activity relates to media coverage and access during political party campaigns. Much research on the role of the media

in democratic elections demonstrates that both the public and private 'media are not sufficiently accountable to the populace often resorting to sensational and biased reporting' (ECF & EISA 2004, p. 18). The public media mainly supports the ruling party while the private media supports the opposition. In the SADC region, it is hoped that the recommendations in Part 3 of the Appendix would provide a remedy to the problem.

Validating election results involves the counting and announcement of election results. According to the ECF and EISA (2004), in most SADC nations slow tabulation of results, poor coordination and infrastructure lead to delays in announcing results. Consequently, the suspicion of election rigging by the incumbent political party increases, while the degree of acceptance of the results by those in the opposition reduces, which undermines the integrity of the electoral process. Therefore, to enhance the credibility and transparency of the counting process and announcement of election results, the PEMMO standards in Part 4 of the Appendix have been adopted in the SADC region.

With reference to conflict management and prevention, the ECF and EISA (2004, p. 12) noted that electoral-related conflict is a major threat to democracy and political stability in the SADC region. But even so, there are several alternative methods of dispute resolution 'and conflict management processes such as mediation, arbitration and conciliation, [which] are more accessible, cost effective and rapid means' of resolving electoral conflicts. Therefore, the PEMMO Standards on conflict management in Part 5 of the Appendix have been advanced.

Democratic principles embedded in this theoretical framework have been compared against the findings presented below in order to determine the extent to which the ECZ improved its management of the voter registration process, monitoring political party finance, regulating media coverage of elections, counting and announcing results, and resolving electoral conflicts in tandem with the democratic management of the electoral process.

## PRESENTATION AND DISCUSSION OF FINDINGS

This section presents and discusses the findings of the study. As indicated in the abstract and described in detail in the methodology and theoretical framework above, the purpose of the study was to measure the extent to which the ECZ improved its fundamental election management activities between 1991 and 2011. The research findings are based on the core election administration activities of voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management.

## VOTER REGISTRATION

In terms of voting rights, electoral rules and regulations established that ‘a person must be a Zambian citizen, at least 18 years old and in possession of both a national registration card and a voter card, and have their details included in the voter register’ (EU EOM 2012, p. 10). Before the law was changed in 2016, disqualified persons included ‘those of unsound mind, detained under the Criminal Procedure Code or any other law in force in Zambia, under a sentence of death or imprisonment, persons convicted of corrupt or illegal practices under the Electoral Act’, and persons ‘found guilty of such practices on an electoral petition within five years’ (EU EOM 2012, p. 10).

Between 1996 and 2006, the law provided for 21 days of voter registration (GRZ 2006). However, the Zambia Episcopal Conference (ZEC) (Interview, 28 August 2013) noted that ‘[twenty-one days were] not enough for new eligible voters to register and confirm their details on the register’. Therefore, to capture as many eligible voters as possible, the process had in most instances been extended. For instance, prior to the 2001 election, the registration process was extended twice from 25 June to 26 July, 2001 (Carter Center 2002). In preparation for the 2006 national election, the new voter registration exercise began in August 2005 and was concluded on 1 August 2006 (EU EOM 2007). Meanwhile, the mobile voter registration update for the 2011 tripartite election ‘was conducted in three phases from June 2010 until March 2011’ (EO EOM 2012, p. 11).

Between 1991 and 2006, ‘the quest for broad participation of eligible voters remained a challenge with several human rights violations’ (Forum for Democracy and Development (FDD) Interview, 22 September 2013). For example, cumbersome registration procedures disenfranchised many eligible voters in this period. Despite 75% (3.2 million) of the total voting age population registered for the 1991 elections, more than 4 million of the population assumed to be approaching the age of 18 prior to the election were not captured (National Democratic Institute for International Affairs & Carter Center of Emory University 1992). Meanwhile, most stakeholders regarded voter registration for the 1996 election as fraudulent (Carter Center 1996). Various reasons were advanced relating to court challenges; the semi-secret operations of the Nikuv Computer of Israel, a foreign company which was contracted to assist in the voter registration process; fading voter cards; and, more seriously, the registration of under-age voters (Carter Center 1996). It was also not clear who was in charge of determining the eligibility of voters, Nikuv or the ECZ (Carter Centre 1996).

After 2006, voter registration process in Zambia improved significantly. Behind the significant improvement was the fact that the ECZ introduced continuous voter registration and collaborated with the Ministry of Home

Affairs in issuing national registration cards faster through mobile issuance, the introduction of a faster automatic biometric registration kit that replaced the slow manual system, and a sufficient registration timeframe from June 2010 to March 2011 (EU EOM 2012). According to the SADC-PF (2012), such measures increased the total number of registered citizens from 3.9 million or 71% of the voters captured in 2006 to 5.2 million in 2011. This represented 86% of the eligible voters, putting Zambia over the regional average of 77%, with a large number of first-time voters totalling approximately 1.3 million. Suffice to say, the ECZ had progressed in registering eligible voters and aimed to register as many as possible.

Despite the continuous update of the voter register, clerical mistakes and technical challenges remained a huge problem for the ECZ. For instance, 'anomalies and clerical mistakes [resulted] in the appearance of the names of deceased persons and disenfranchisement of some registered voters' (United National Independence Party (UNIP) Interview, 8 September 2013). In the voter register for the elections of 2011, there were 'approximately 250 000 deceased persons on the register [who were] carried over from the 2005 database' (EU EOM 2012, p. 11). The 'new register [had been built upon] from the 2005 database with clerical mistakes in data recording and entries such as name spellings' resulting in the details of approximately 9 000 voters 'missing from the provisional voter register' unable to vote (EU EOM 2012, p. 11).

Another important aspect of voter registration relates to the cost effectiveness of the process. Despite huge funding of the ECZ from the state budget and donations made by the international community and other grants pursuant to section 13(1) of the Electoral Commission Act (ECZ 2011), the voter registration process was not cost effective, especially in the period from 1991 to 2006 (EU EOM 2006; SADC-PF 2012). For instance, the Zambian government contributed K152 million (K152 000 rebased currency: K1= USD0,062) in 2005 and K279 million (K279 000 rebased) in 2006 towards the voter registration process. The international community provided technical and financial support totalling about K35 billion (K35 million rebased) to the ECZ (EU EOM 2006). Although the law allows for continuous voter registration, the Southern African Centre for Constructive Resolution of Disputes (SACCORD) (Interview, 10 September 2013), noted that 'the process was done anew prior to each national election due to inadequate funding'. Political-party agents were allowed by law to monitor the voter registration process and inspect the voters' roll. But in most elections, access to voters' rolls was hindered by exorbitant prices for the lists. This was exemplified by the Foundation for Democratic Process (FODEP) in an interview held on 28 August 2013 with its executive director. In 1991 access to the final voter list cost as little as K500 (K0.5 rebased) but in 1996 it shot up to K11 000 (K11 rebased) (Carter Center 1996). Some improvement was attained during the 2008

presidential by-election, to the extent that the ECZ provided each presidential candidate with a free set of voters' registers while additional registers could be purchased for a fee of K25 (K0.025 rebased) (EISA 2010). However, in 2011 a copy of the voters' roll cost K2 500 (K2.5 rebased) (SADC-PF 2012).

In line with the stated PEMMO standards, the voter registration process in Zambia during the twenty-year period under investigation was a mixture of success and failure. The Electoral Commission had been successful in promoting voting rights in terms of voter registration, except in 1996 when it was alleged that the Nikuv Company registered under-age voters (Carter Center 1996). As stated above, lack of a continuous update of the voters' register between 1991 and 2006 made it extremely expensive to conduct a new process. Although political-party agents were allowed by law to monitor the voter registration process and inspect the voters' roll, in most elections access to voters' rolls or lists was hindered by the exorbitant prices for the lists and the secretive operations of the ECZ during the registration process. As observed by Kaaba and Haang'andu (2020, p. 184), the secretiveness of the process coupled with 'serious discrepancies in the register caused anxiety, mistrust and doubts about the integrity of the Election Commission and its neutrality'.

#### MONITORING POLITICAL PARTY FINANCE AND USE OF STATE RESOURCES

There was no provision allowing the ECZ to regulate campaign finance (Rakner & Svasand 2003; ECZ 2011; ECZ Interview, 9 September 2013). Specifically, the Zambian Constitution did not and still does not have provisions for regulating sources of campaign finance, which affect subsidiary laws (Electoral Act of 1996; Electoral Code of Conduct of 2011; GRZ 1996 & 2016). However, the 'only specific ban on the use of public property or revenues for campaigning' was 'in the Code of Conduct, which made it an offence to use governmental or parastatal transport or facilities for campaign purposes' (EU EOB 2012, p. 14; similar remarks were made by the EFZ (Interview, 5 September 2013). Further, the Finance Control and Management Act of 2012 and 2016 prohibits spending public funds on purposes or projects not sanctioned by law (Kaunda 2011; EU EOM 2012; ECZ 2011 & 2016). But these prohibitions did 'not apply to the president and vice-president' (EU EOM 2012, p. 14).

According to the EU EOM (2012, p. 14), 'In the past, government officials who diverted funds to political campaigns were convicted of abuse of office, but that offence was repealed by the Anti-Corruption Act 2010'. Before the 'abuse of authority of office' was reinstated in the Anti-Corruption Act No. 3 of 2012

(GRZ 2012, p. 24), lack of appropriate provisions and mechanisms ‘to ensure that rules in place such as those in the Code of Conduct were enforced, there was no transparency [and accountability]’ in sources and utilisation of funds, and the abuse of state resources for campaigns (EU EOM 2012, p. 14); similar sentiments to the concerns raised by the EU EOM were reiterated by SACCORD (Interview, 10 September 2013) and FODEP Interview, 28 August 2013).

There was also ‘no regulated use of public resources for political campaigns to promote a level playing field’ (UPND Interview, 29 August 2013). Public funding was not extended to all political parties and independent candidates. There was no restriction on the use of public resources by the ruling party for political party campaigns and activities. As a result, in the period from 1996 to 2011, ‘the members of the ruling party, the Movement for Multiparty Democracy (MMD), widely exploited the advantages of incumbency’ (Young African Leaders Initiative (YALI) Interview, 23 August 2013). For example:

[Prior to the 2011 elections, the then Republican President, Rupiah Banda], frequently attended ceremonial openings or inaugurations of large-scale public works, roads or hospitals that were widely reported in the mass media and blurred the boundaries between official functions of the presidential office and campaigning. The use of state resources for campaign purposes was at times overt, particularly in the use of public television, radio and newspapers. Use of government vehicles by the MMD to deliver campaign material was widely reported from the field. .... [Meanwhile], civil servants including provincial permanent secretaries and district commissioners were at times active in the election campaign for the MMD. [In addition], the publicly-funded relief maize programme was also frequently observed being used by the MMD in support of its campaign.

(EU EOM 2012, p. 14)

‘The rules and regulations governing monitoring of sources of funding for political parties and use of state resources for political campaigns by the ruling party were [and still] are very weak’ (YALI Interview, 23 August 2013). In the period under consideration, the ‘lack of clearly defined parameters between private and public resources further dissolved boundaries between legitimate use of state resources used in an official capacity and use of them to campaign’ (EU EOM 2012, p. 14). Such activities reduced the level of impartiality in the electoral process and disadvantaged opposition political parties.



## COLLABORATING WITH THE MEDIA

The important legal framework for media coverage of the elections was outlined in the Electoral Code of Conduct of 2011 in regulations 13, 14 and 15, which established rules for media coverage of the campaigns (GRZ 2011; EU EOM 2012).<sup>2</sup> Regulation 13 (1) obliged 'all print and electronic media to provide fair and balanced reporting of the campaigns, policies, meetings, rallies and press conferences of all registered political parties and candidates during the campaign period' (GRZ 2011, pp. 10–11; EU EOM 2012, p. 15). Media organisations were also required 'to report election news in an accurate manner [and make a clear distinction between news and opinion]' (GRZ 2011, p. 11; EU EOM 2012, p. 15). All these regulations were in line with PEMMO Standards as in Part 3 of the Appendix.

Regulation 14(1) stipulated that the public radio and television channels of the Zambia National Broadcasting Corporation (ZNBC) should 'allocate public airtime equally to all political parties and candidates for their political broadcasts' (GRZ 2011, p. 12). Also, there was a provision 'for parties to purchase no more than a maximum of 30 minutes airtime in any one language per week on one of the public radio or television outlets' (EU EOM 2012, p. 15). ZNBC was and still 'is under an additional obligation from section 7 of the ZNBC Act to broadcast news and current affairs programmes, which' should 'be comprehensive, unbiased and independent. Commentary should also be clearly distinguished from news' (EU EOM 2012, p. 15).

The Electoral Commission of Zambia has no control over either public or private media (EU EOM 2012). According to regulations 13 and 14 of the Statutory Instrument No. 52 of 2011, the role of the ECZ is to create a space whereby there is fair and balanced reporting of electoral issues by both public and private media organisations (GRZ 2011; ECZ 2011). With this at core, the ECZ does not necessarily collaborate with the media but has 'the powers to revoke the accreditation of the media in the interest of public safety or security where the Code of Conduct is contravened' (ECZ Interview, 9 September 2013).

Although media coverage of the elections is backed by a code of conduct meant to enhance fair reporting (GRZ 2011), there was no independent media authority to monitor and regulate the media on a continuous basis between 1991 and 2011. As a result, media bias and polarisation characterised the coverage of election campaigns by the media in Zambia in the period under study, as the same pattern was observed by the Carter Center in the 1991, 1996 and 2001 elections

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2 The Electoral Code of Conduct Regulations of 2011 is now a schedule within the Electoral Process Act of 2016. For further details, see: GRZ 2016, *Electoral Process Act No. 35 of 2016*, Government Printer, Lusaka.



(Carter Center 1992, 1996 & 2002); EU EOM in the 2006 elections (EU EOM (2006); EISA in the 2008 presidential by-election (EISA 2010); and SADC PF and the EU EOM during the 2011 elections (SADC-PF 2012; EU EOM 2012).

In light of the above, the National Restoration Party ((NAREP) (Interview, 5 September 2013), Council of Churches in Zambia ((CCZ) Interview, 2 October 2013), and EU EOM (Interview, 9 September 2013) observed that during the 2011 election campaign the media was highly polarised in its coverage of political parties and their campaigns. This 'led to very selective coverage of campaigns in some of the mass media', and 'at times, irresponsible and partial media reporting of events openly sought to mislead viewers, listeners and readers and this contributed to increasing suspicions of the electoral process' (EU EOM 2012, p. 16; EU EOM, Interview, 9 September 2013). There was distortion of information across state and privately-owned media.

Through candidate debates, programmes sponsored by non-state actors, contestants were granted access to both state and several private broadcasters. However, 'key programming such as news bulletins of the state-owned radio and television channels of the ZNBC was dominated by the MMD at the expense of the main opposition parties' (EU EOM 2012, p. 16). Consequently, 'overall coverage of political actors on ZNBC TV and Radio 2, which carried the debates, meant MMD received a total of 37% share of coverage compared to the major opposition party PF', which received a maximum of '8% share of coverage on the two channels' (EU EOM 2012, p. 16). The UPND received 21% share of coverage; Alliance for Democracy and Development (ADD) was allocated 7%; and NAREP was assigned 6% (EU EOM 2012, p. 16). The other political parties that attended the debates received a share of 5% each. It can be seen that ZNBC TV and Radio 2 failed to meet their minimal requirements as public broadcasters.

In contrast to the public broadcasters which, as indicated above, allocated more airtime to candidates of the ruling MMD, the private media granted more airtime to the opposition PF. MUVI TV, for example, allocated 34% of its airtime to PF, 20% to MMD, 16% to UPND, and 9% to NAREP (EU EOM 2012). By comparison, Radio Phoenix afforded PF 29%, 26% share to both MMD and UPND, NAREP received 10%, and the remaining coverage was shared between smaller parties (EU EOM 2012). Radio QFM afforded PF 36%, MMD 33% and UPND 9%. Radio Christian Voice allocated PF 35%, MMD 18% and UPND 17% (EU EOM 2012). Only Radio Hot FM allocated more airtime to the MMD. In this regard, Hot FM's coverage of political actors was as follows: MMD 24%, PF 18%, UPND 16%, ADD 10%, NAREP 8%, FDD 7%, Heritage Party (HP) and Zambians for Empowerment and Development (ZED) received a total of 6%, National Movement for Progress (NMP) 5%, and less than 1% for the other parties (EU EOM 2012, p. 17).

The findings of this research are that in Zambia, 'there was no independent media authority to monitor and regulate the media on a continuous basis' (United Nations Development Programme (UNDP) Interview, 1 October 2013) from 1991 to 2011. This is despite media coverage of the elections being subject to a regulatory framework designed to promote fair reporting (ECA 2011 & 2012: EU EOM 2012). Since the ECZ has no control over either public or private media, this could trigger confusion in announcement of election results (MMD Interview, 27 September 2013). Besides selective campaign coverage, 'the right of voters to have access to a broad range of impartial news was not always respected', and was, thus, misleading (EU EOM 2012, p. 16).

Indeed, with reference to media access and coverage during election campaigns, the public and private media in Zambia was and is still characterised by acute polarisation and bias. However, the polarisation of the media into public and private radio and television broadcasters and newspapers is relatively benign compared to its bias. In line with the EU EOM (2012, p. 15), the advantage of polarisation of the media in the period from 1991 to 2011 was the 'emergence of new commercial radio and television broadcasters together with newspapers'. This brought 'competition to the state-owned media and a relatively plural media sector in general', and opened 'up space for critical discussion and debate' during election campaigns (EU EOM 2012, p. 15). The problem relating to the bias in the media was that the private media mainly contained news relating to campaigns by the opposition parties, while news in the public media was dominated by the then ruling party, the MMD.

### VALIDATING ELECTION RESULTS

The ECZ retains the responsibility of managing the counting process through its trained election officials (ECZ 2011 & 2016). The counting procedure was clear and took place in the presence of stakeholders such as election monitors, and representatives of political parties and civil society organisations (UPND Interview, 29 August 2013; MMD Interview, 27 September 2013; UNDP Interview, 1 October 2013; EU EOM Interview, 9 September 2013). In the 2011 election, there were nine collation centres established in the provincial headquarters of Lusaka, Kabwe, Livingstone, Mansa, Kasama, Chipata, Ndola, Solwezi and Mongu, where results from the 72 districts were posted after counting for final publication.

According to electoral procedures, 'counting of ballots [should] commence at all polling stations in clear sight of party agents and election monitors and international observers immediately following closing of the poll' while 'aggregation of results [should be] undertaken immediately following counting and the arrival of polling data at constituency level aggregation centres' (EU

EOM 2012, p. 21; see also O'Donovan 2006; ECZ 2011 & 2016). Before 2016, when the law was amended, announcement of results commenced immediately after aggregation, and the process was supposed to be finalised within 48 hours following closing of the poll (ECZ 2011; GRZ 2012). These criteria satisfied the PEMMO standards outlined in Part 4 of the Appendix.

Despite the regulatory requirements listed above, delays in the counting, aggregation and announcement of results remained a challenge for the ECZ between 1991 and 2011 (FODEP Interview, 28 August 2013; EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September 2013). Such delays were due to the fact that polling stations were opened and closed late. Another major reason was the 'difficulty of infrastructure for the transportation of results from polling stations to the aggregation centres and overly complex paperwork for counting and forms that often led to staff confusion and misunderstanding of procedures' (EU EOM 2012, p. 21). The process was further complicated by increasing suspicion and fear of election rigging by the ruling party (EFZ 2012).

During the 2011 general election, the chairperson of the ECZ announced the validated results of the presidential election at approximately 00:30 hours on 23 September 2011, slightly over the 50 hours provided for in the Electoral Act (EFZ 2012; EU EOM 2012). With this scenario, the counting of election results was quite different from the announcement of results. Therefore, the timing of the results announcement depended on the period it took to verify the results coming out of the nine collation centres. Although the announcement of presidential results in 2011 took slightly over 50 hours from the close of the last polling station, this was a progressive step as other African countries took a week to do so (EU EOM 2012). 'All political parties accepted results of the presidential election and there was a general acceptance across society that the elections were credible and transparent', and the new president assumed office after a swearing-in ceremony held on 23 September 2011 (EU EOM 2012, p. 22).

## ELECTORAL CONFLICT MANAGEMENT AND PREVENTION

In line with the Electoral Act, 75 conflict management committees (CMCs) were established in August 2001 (ECZ 2011), one in each district and one at national level. These CMCs comprised members of law enforcement agencies, civil society organisations, the clergy, and political parties (EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September 2013; UNDP Interview, 1 October 2013). The SADC Parliamentary Forum, an election observation mission, issued a press statement congratulating the ECZ and stakeholders for establishing CMCs. The SADC Parliamentary Forum released this statement: 'We believe such stakeholder committees are an essential ingredient for a peaceful and participatory electoral

process. Hope they will go a long way in the confidence and consensus building effort' (Ntlohi 2001, p. 18). In addition, there was provision in the Electoral Act of 2011 for the resolution of electoral disputes by mediation through CMCs and by petition through the High and Supreme Courts (EU EOM 2012; ECZ 2011).<sup>3</sup>

Years after the formation of CMCs stakeholders, including political parties, civil society organisations and church mother bodies have expressed dissatisfaction over their operations due to an increase in electoral violence. In the period under study, there were several issues related to electoral conflict prevention and management, which included electoral offences, electoral complaints, electoral appeals and election results petitions.

Between 2001 and 2008, CMCs played an important role in resolving disputes relating to threats of violence during by-elections across the country (EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September, 2013; UNDP Interview, 1 October 2013). Some disputes such as aggravated violence, which went to CMCs, were later converted into criminal prosecutions. However, from 2010 to 2011, unresolved electoral conflict led to violence during by-elections in Mufumbwe, Rufunsa, Chongwe, Lusaka and Livingstone, mainly amongst the MMD, PF and UPND cadres (Kaunda 2011). The country witnessed one of the worst episodes of electoral violence as MMD and UPND cadres fought in bloody battles during the April 2010 parliamentary by-election in Mufumbwe. The violence witnessed during this by-election had far-reaching consequences – it left nine people injured and hospitalised, two dead, and spilled over to other by-elections held in this constituency (*Lusaka Times* 15 April 2010; Munene 2014).

After the 2011 election, the police reported a total of 102 arrests, mostly in the Lusaka and Copperbelt provinces (Kaunda 2011). Most of these offences were misdemeanours related to electoral violence under the Penal Code Act of 1999. Daka (2012), noted that 11 years after the formation of CMCs electoral violence still characterised the electoral process in Zambia. In his report, he referred to the alleged PF engineered violence that characterised the Mufumbwe parliamentary by-election on 8 November 2012. Furthermore, the violence in Mufumbwe led to the ban of 18 alleged pro-PF polling agents whom the District Conflict Management Committee (DCMC) suspected would bring about electoral violence during the elections. Katongo (2012) observed that the 18 individuals who petitioned the DCMC in Mufumbwe claimed their exclusion from participating was unjustified.

Petitions relating to presidential election results could be submitted to the Supreme Court, and now to the Constitutional Court, 'within 14 days of the swearing-in of the declared winner' (EU EOM 2012, p. 20). The problem was

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3 It is worth noting that since 2016 when the Constitution of Zambia was amended, the law has changed. As a result, the interpretation of laws regarding electoral disputes and election petitions is handled by the Constitutional Court.

that there was no timeframe within which these cases had to be decided by the Supreme Court, and as a result some cases in the past had taken years to reach judgement. Parliamentary election results petitions would 'be submitted to the High Court within 30 days of the particular declaration, or if there [was] an allegation of corruption ... and the court had 180 days to [pass judgement on such petitions]' (EU EOM 2012, p. 20). A petitioner in the High Court would pay a maximum of K144 000 old currency to court as security for costs (ECZ 2011).

The legal procedures governing election petitions in Zambia were in line with international and PEMMO standards (see Part 5 of the Appendix). However, the majority of electoral petitions and political cases dealt with by the courts were widely perceived by stakeholders to favour the political party in government (EU EOM 2012). Verdicts on electoral cases were often deferred or delayed, and were at times dismissed on narrow procedural grounds (FODEP Interview, 28 August 2013; SACCORD Interview, 10 September 2013).

The history of presidential election result petitions in Zambia dates back to 2001 and exposes serious limitations in the electoral process. The FDD, HP and UPND petitioned the 2001 presidential election result, alleging election rigging in favour of MMD's Levy Mwanawasa (Kabemba 2006). This raised public concern on the credibility of ECZ and the courts to manage the electoral process in a more impartial, independent, autonomous and transparent manner without political interference (Kabemba 2006).

Following the 2011 election, 'a total of 68 petitions challenging results of the National Assembly elections were filed at the High Court of Zambia during the 30-day period permitted' (EU EOM 2012, p. 20). Out of 68 petitions, 50 were filed by losing PF parliamentary candidates, 11 by UPND contestants, five by MMD contenders, and two by independents (EU EOM 2012). Most of the allegations appearing in the petitions were of 'vote-buying by distribution of personal gifts or communal donations, undue influence that [included] claims of pressure by local chiefs, and the abuse of state resources through the use of state vehicles and civil servants in campaigning' (EU EOM 2012, p. 20). Surprisingly, 'the ECZ [was] added as a party in the majority of petitions' (EU EOM 2012, p. 20).

The ECZ had and still has mechanisms for dealing with electoral disputes through the National Conflict Management Committee and DCMCs, which are required to settle disputes within 24 hours of receiving a formal complaint (ECZ 2011). However, it is worth noting that CMCs are not established at ward level where electoral conflict originated and this undermines their effectiveness (EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September 2013; UNDP Interview, 1 October 2013). Moreover, agreements reached by mediation are not enforceable by law (FODEP Interview, 28 August 2013). In 2011, more



than 100 cases were resolved by the DCMCs (EU EOM 2012) whereas in the 2008 presidential by-election 76 disputes were resolved (EISA 2010).

Nevertheless, other factors need to be considered in measuring the CMCs' capacity to resolve electoral disputes. These include the type of disputes submitted for mediation and levels of professionalism of the staff on the conflict management panels, as numbers alone cannot determine the level of success in electoral conflict management and prevention. In fact, the levels of professionalism of the staff on the CMCs 'was questionable as most of them lacked adequate training in conflict management' (SACCORD Interview, 10 September 2013). They were and still are drawn from 'different professional backgrounds such as teaching, banking, law, clergy, and political organisations', with very little knowledge of conflict resolution (SACCORD Interview, 10 September 2013; FODEP Interview, 28 August 2013).

## CONCLUSION

Using the democratic gauge (PEMMO standards), this study has shown the following: first, the performance of the ECZ in relation to election administration was worse between 1991 and 2006 but improved slightly between 2006 and 2011. In the areas of voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management, the performance of the ECZ was mixed – a combination of success and failure (average).

These findings point to the stagnated democratisation process in Zambia for the period from 1991 to 2011. Rakner and Svasand (2003) relate this problem to partial-reform-equilibrium, which Zambia suffered from during this period. Specifically, political leaders were unwilling to loosen their hold on power by not promoting meaningful constitutional and electoral reforms, which could have passed a test of time.

Second, despite introducing a continuous voter registration process after 2006, the ECZ's operations were hampered by inadequate funding and the lack of advanced technology, resulting in too many anomalies and errors in its voters' roll. Moreover, access to the voters' roll during this period was extremely low, partly because of the high price attached to it, beyond the reach of many stakeholders.

Third, the study has shown that there was no constitutional or electoral provision that mandated the ECZ to monitor funding sources for political parties. This problem enabled the ruling party to abuse public resources, which in turn disadvantaged opposition political parties. The ECZ missed an opportunity to adopt PEMMO Standards for monitoring sources of funds for political parties and to stop the ruling party from abusing state resources so as to promote a level playing field during election campaigns.

Fourth, the ECZ took longer, on average, to complete the validation and announcement of presidential election results in the period under study despite some improvement in the 2011 election. The stipulated period was two days from closure of the poll to announce the election results. This delay often led to tensions and clashes between rival party supporters and their candidates.

Fifth, the evidence above also revealed that during the campaign period, the ECZ failed to accord the political actors fair access to the press. This was despite the emphasis on fair and balanced coverage of the campaigns, meetings, rallies, policies, and press conferences of all registered political parties and candidates. At most, the media remained polarised. The public media often supported the ruling party, while the private media supported the opposition parties. Even the Independent Broadcasting Authority (IBA), an independent media authority responsible for regulating the media in Zambia since 2013, has failed to promote an impartial broadcasting industry.<sup>4</sup>

Finally, and in line with the law, the ECZ established CMCs in all the districts across the country. But, even with this, the ECZ has no legal mandate to enforce punishment on the offenders, which rendered it passive when resolving serious electoral conflicts. In electoral petitions, the courts ruled mainly in favour of the political party in government (EU EOM 2012).

In the run-up to the 2016 elections Zambia made several electoral reforms, some of which were direct responses to the problems highlighted above. Notable among them was the establishment of a Constitutional Court to deal with electoral conflicts. Whether the Constitutional Court has performed as expected, however, is yet to be seen. But what is clear is that Zambia has made several strides in terms of election administration since 2006, though more still needs to be done.

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<sup>4</sup> Despite the IBA being established in 2002, it only became operational in 2013. For more information about the IBA and its mandate, see: GRZ 2002, *The Independent Broadcasting Authority Act No. 17 of 2002*, Government Printer, 2002.



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## APPENDIX

### PEMMO Standards on Election Administration Activities

#### Part 1: PEMMO Standards on Voter Registration

The voter registration process should:

- promote broad participation of eligible voters
- be continuous and accessible
- be allocated sufficient time for registration and confirmation cost effective
- allow party agents to monitor the process
- promote voting rights based on citizenship, legal age, residency and disqualify on certain grounds according to legal provisions

Source: Compiled from ECF & EISA, 2004, pp. 15–16

#### Part 2: PEMMO Standards on Monitoring Political Party Finance and use of State Resources

There is requirement for:

- public funding to be extended to all political parties and independent candidates
- the EMB to regulate the use of public funds and beneficiaries should be accountable to the EMB
- establishment of rules governing the disclosure of all sources of funding of political parties
- regulated use of public resources for political campaigns to promote a level playing field
- avoidance in use of public resources for political party campaigns and activities

Source: Compiled from ECF & EISA, 2004, pp. 19 & 21

### **Part 3: PEMMO Standards on Media Coverage and Access**

With reference to media coverage and access:

- all contesting parties and candidates should have equal access to public media
- media regulations should be issued by an independent media authority responsible for monitoring and regulating the media on a continuous basis
- media coverage of the elections should be subject to a Code of Conduct designed to promote fair reporting

Source: Compiled from ECF & EISA, 2004, pp. 18–19

### **Part 4: PEMMO Standards on Validating Election Results**

With reference to counting and announcement of results:

- the EMB retain responsibility to manage the counting process
- there should be clear counting procedures known to all stakeholders
- counting staff should be given effective training
- results to be announced immediately counting ends and be posted to counting station
- centres should be established
- electoral legislation to establish a specific timeframe with which to announce results
- results from result centres should be announced publicly

Source: Compiled from ECF & EISA, 2004, p. 26.

### **Part 5: PEMMO Standards on Conflict Management and Prevention**

With reference to conflict management and prevention:

- legislative framework to incorporate alternative conflict management processes
- formation of stakeholder liaison committees has to be facilitated by the EMB
- independent, skilled and well-trained mediators and arbitrators should staff the conflict management panels established by the EMB
- agreements to be reached through mediation, conciliation and arbitration and should be enforceable by law
- appeals to be dealt by the courts of law

Source: Compiled from ECF & EISA, 2004, p. 13

# SOME ARE EMPTY SHELLS WITHOUT GROUNDNUTS

## *Social Construction of Female Political Candidates in Urban Masvingo, Zimbabwe*

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### ABSTRACT

*In view of the low levels of women's representation in political office in Zimbabwe after the 2018 elections, questions arise regarding whether young people can, or will support female candidates in future elections. The youth is seen as a critical group that may shape the future of politics in Zimbabwe. We conducted a qualitative study to explore the views young people have of female political candidates, through focus group discussions and in-depth interviews with participants aged between 19 and 24 in the city of Masvingo. Drawing on social constructionism, poststructuralist feminism, and intersectionality analyses, the study found that young people in urban Masvingo have a predominantly negative perception of female candidates, although this is mediated by factors such as gender, class, sexuality, disability, and education. Nonetheless, some of the youth in Masvingo appear to be redefining or countering gendered societal norms and values, as they appear to accept women as political candidates.*

**Keywords:** Zimbabwe; young people; politics; female political candidates

### INTRODUCTION

Young people around the world are increasingly portrayed as game changers in the political arena (Pandian 2014; Desrues 2012). They also represent an important constituency in African, and indeed Zimbabwean politics, as 70% of the African population is under the age of 30, making it the youngest continent in the world



(Oinas, Onodera & Suurpää 2017). Zimbabwe is also a young country, with 62% of its population below the age of 25 years (UNFPA 2022). Yet, because of the gerontocracy which characterises African politics, young people continue to be marginalised in their quest to access political power (Oinas, Onodera & Suurpää 2017). Due to this marginalisation, previous elections in Zimbabwe were usually characterised by the voter apathy of young people. For instance, in the 2013 elections only 8.87% of youths in the age group 18-19 were registered to vote, while only 19.55% of those between 20 and 24 registered to vote (Hodzi 2014). This voter apathy on the part of young people has in some instances been attributed to political cynicism, the mistrust among some sections of the polity of the government and political leaders (Banwart 2007). In other instances, the chaotic voter registration systems have contributed to the under-registration of young people (Hodzi 2014). Yet in other countries such as Morocco and Egypt, young people have shifted the political landscape despite this supposed lack of interest in politics.

It is important to understand how young voters socially construct women politicians, including those aspiring to be in politics, considering the importance of candidate evaluation in influencing voter intentions (Banwart 2007). Naz et al. (2010) observe that as young people join the political arena, they will have the decision-making power that can either limit or support the process of women's empowerment in politics. Most studies on voting choices by young people have been conducted in non-African contexts, and have focused on whether they are likely to vote for young political candidates and leaders (Sevi 2021), female presidential candidates (Smith, Paul & Paul 2007), or women parliamentary candidates (Prihatini 2018). In the USA, for example, Gillespie & Spohn (1990) found that adolescent girls held positive views about women in politics and were likely to vote for them, while boys generally had negative perceptions and believed that women politicians lacked the qualifications needed to run the country. In a similar study in Ireland, Galligan & Knight (2011) established that young people aged between 18 and 29 were the most resistant to supporting women in politics. They attributed this to the influence of gendered nationalist and religious discourses. While these are significant studies, how young people in Africa (particularly in Zimbabwe) evaluate female candidates is an area that has not been given adequate research attention. This article is based on a study we conducted in 2018 with young women and men in the city of Masvingo in south-eastern Zimbabwe. The study followed the harmonised elections held in the country in July 2018 to elect the president, members of parliament, and councillors. We take note of a similar study by Zigomo (2022) which explores the experiences of women political candidates in Harare during the 2018 elections.

## ZIMBABWE'S POST-MUGABE POLITICAL LANDSCAPE

The removal of Robert Mugabe from the presidency in November 2017 supposedly signalled a new era in politics, which became popularly referred to as the 'new dispensation'. However, the notion of the new dispensation seemingly carries different interpretations by different groups of the Zimbabwean population. On the one hand, the ruling party, the Zimbabwe African National Union Patriotic Front (ZANU-PF), frames this post-Mugabe era as an opportunity to rejuvenate their party and run the country in more democratic ways. On the other hand, the main opposition coalition party, the Movement for Democratic Change (MDC) Alliance, considers this period as an opportunity for generational renewal in political leadership. The dominant narrative from the MDC Alliance suggests that the ruling party still represents old ideas, which, they argue, have failed to address the economic challenges the country has been experiencing for a very long time. The 2018 presidential elections thus became a battle between the 'old' and the 'new', considering the age difference between ZANU-PF's leader and Zimbabwe's current president, Emmerson Mnangagwa, and the youthful Nelson Chamisa who led the opposition coalition.

Women's rights organisations and gender activists also had high expectations of the new dispensation. They demanded recognition of women as critical players in the post-Mugabe era. In particular, in the period leading to the 2018 elections they demanded more representation of women in politics. Following the announcement of election results, they called for the appointment of women to key cabinet positions that only male politicians had occupied since the country's independence in 1980. The cabinet appointments by President Mnangagwa seemed to respond to the latter demand because he appointed the first female Minister of Defence, who was also elevated to being the first female chairperson of ZANU-PF. However, women's political representation in Zimbabwe remains very low.

Of the 23 presidential candidates who contested in 2018, only four were women, and they failed to garner enough votes to make a significant impact. One of the 2018 female presidential candidates was Joice Mujuru, the former (and first female) deputy president in the late Robert Mugabe's regime. The other candidate was Dr Thokozani Khupe, once deputy prime minister during the unity government, and one of the deputy vice presidents of the opposition party Movement for Democratic Change (MDC-T) then led by the late Morgan Tsvangirai. Their poor performance in the elections was largely due to gender bias, a significant obstacle for women presidential candidates which has also been reported in the United States of America (Smith, Paul & Paul 2007). In terms of women's representation in the National Assembly, only 26 of the 210 contested

parliamentary seats went to women. However, other women entered parliament through proportional representation, as provided for in Zimbabwe's current constitution. Of those who contested local authority positions, 17% were women, while men constituted 83% of the 6 796 candidates (Hamandishe 2018). The two main political parties in the country fielded fewer than 10% female candidates, while Thokozani Khupe and Joice Mujuru's parties fielded 20% and 19% female candidates respectively. This low political representation of women is also mirrored in Masvingo province, where this study was done. In the 2018 elections, only 23 women out of 242 seats were voted into rural and urban council seats in Masvingo province (Butaumocho 2018). Two years earlier, Masvingo City Council had elected an all-male council, while the previous council had only one female councillor (*TellZim* 2016). Of the total of 136 (124 male and 12 female) candidates who contested 26 parliamentary seats in Masvingo, only two women, who stood in rural constituencies, were voted into the national assembly (Zimbabwe Electoral Commission (ZEC) 2018). This low level of female political representation is despite the fact that registered voters in the province comprised more women (57.77%) women than men (42.23%) (Zimbabwe Electoral Support Network (ZESN) 2018).

The current constitution promotes gender parity in all spheres, including politics. It also provides for a quota system which reserves 60 seats for women in Parliament through proportional representation. In the 2018 elections, six women in Masvingo Province were voted into the National Assembly through the women's quota (Veritas 2018). When the women's quota was implemented in 2013, it increased the number of women in Parliament from 16% to 34% (Hamandishe 2018). However, the quota will expire in 2023 if no constitutional amendment extends it. Should this happen, women's representation in Zimbabwe's Parliament is likely to drop significantly under the constituency-based electoral system which historically is seen as hostile to women contesting parliamentary seats (Gaidzanwa 2004; Hamandishe 2018).

**Table 1. Election results for the Masvingo Province parliamentary candidates in the July 2018 election (Source: ZEC)**

|   | Constituency | No. of male candidates | No. of female candidates | Name of Winner  | Sex |
|---|--------------|------------------------|--------------------------|-----------------|-----|
| 1 | Bikita East  | 4                      | -                        | Madhuku Johnson | M   |
| 2 | Bikita South | 6                      | -                        | Sithole Josiah  | M   |
| 3 | Bikita West  | 4                      | -                        | Musakwa Elia    | M   |

|    |                  |   |   |                             |   |
|----|------------------|---|---|-----------------------------|---|
| 4  | Chiredzi East    | 2 | - | Masiya Denford              | M |
| 5  | Chiredzi North   | 2 | 1 | Bhilla Royi                 | M |
| 6  | Chiredzi South   | 4 | - | Gwanetsa Kalisto Killion    | M |
| 7  | Chiredzi West    | 7 | 1 | Musikavanhu Dumo Augustine  | M |
| 8  | Chivi Central    | 6 | - | Gwanongodza Ephraim         | M |
| 9  | Chivi North      | 3 | - | Tongofa Mathias             | M |
| 10 | Chivi South      | 4 | 2 | Zivhu Killer                | M |
| 11 | Gutu Central     | 5 | 1 | Chitando Wiston             | M |
| 12 | Gutu East        | 2 | 1 | Chikwama Berta              | F |
| 13 | Gutu North       | 3 | - | Simbanegavi Yeukai          | M |
| 14 | Gutu South       | 6 | - | Togarepi Pupurai            | M |
| 15 | Gutu West        | 4 | - | Paradza John                | M |
| 16 | Masvingo Central | 6 | - | Mhere Edmond                | M |
| 17 | Masvingo North   | 7 | 1 | Marapira Davison            | M |
| 18 | Masvingo South   | 7 | - | Maronge Claudios            | M |
| 19 | Masvingo Urban   | 8 | 1 | Nyokanhete Jacob            | M |
| 20 | Masvingo West    | 6 | 1 | Chadzamira Ruvai Ezra       | M |
| 21 | Mwenezi East     | 4 | - | Omar Joosbi                 | M |
| 22 | Mwenezi West     | 3 | 1 | Moyo Priscilla              | F |
| 23 | Zaka Central     | 3 | 1 | Svuure Davison              | M |
| 24 | Zaka East        | 5 | - | Gumbwanda Katson Ringirisai | M |
| 25 | Zaka North       | 7 | 1 | Mavenyengwa Robson          | M |
| 26 | Zaka West        | 6 | - | Murambiwa Ophias            | M |

Earlier studies indicate that political violence and general male political hostility toward women candidates discourage women from participating in politics (Gaidzanwa 2004; Dziva, Makaye & Dube, 2013). Some blame the poor performance of female political candidates on an unequal playing field and lack of political will by their respective political parties. They see this under-representation of women as connected to patriarchal attitudes, which tend to promote stereotypical views of women as subordinate and therefore not socially qualified to assume positions of political leadership (Opare 2005; Mangezvo 2013). Others blame the negative representation or suppression of aspiring and existing female candidates in both mainstream and social media, and by influential male politicians (Gaidzanwa 2004; Bari 2005; Bauer 2015). While these factors have been documented in literature, the concern of this research was not how female politicians are portrayed by powerful institutions such as the media, or powerful male politicians. Rather, we were interested in engaging with how young men and women in urban areas (as voters and potential voters) perceive women already in politics or those aspiring to political positions.

In the 2018 harmonised elections, young people constituted approximately 60% of the 5.3 million registered voters (Zimbabwe Electoral Commission 2018), with the majority being females (ZESN 2018). The age group with the highest number of registered voters was those of 30–34 years, followed by the 20–24 year-old group. Against this background, there were speculations that the youth would play a decisive role in these elections with the potential to reshape the future political landscape in the country (Tshili 2017). These views had also been expressed in the 2013 elections, where the youth were considered by political parties and civic organisations as ‘swing voters’ worth competing for (Hodzi 2014). Reflecting on these dynamics from a gender perspective, one of the key questions that arise is: *How are young people’s perceptions of women in politics shaping, or being shaped by, broader societal norms and values in Masvingo?* In exploring this question, we were not trying to predict future trends in voting patterns or indeed the behaviour of young people. Instead, we were keen to gain vital insights into understanding young people’s perceptions of female candidates and the factors that influence those perceptions.

#### THEORETICAL ORIENTATION

This paper is informed by social constructionism and poststructuralist feminism, perspectives that emphasise the influence of language or discourse in the production of meaning (Weedon 1987; Brickell 2006). In their analysis of gender as a category, these two sources suggest that what we consider as ‘natural’ or ‘authentic’ male and female attributes are social constructions that ‘demand that

one accomplish either a socially acceptable maleness or femaleness' (Brickell 2006, p. 93). By attempting to focus on representations of women in politics, we do not suggest that this implies the objective 'truth' about them. Rather, we note that representations or constructions are very powerful tools through which gender stereotypes are created and reproduced. It is important to underscore that these social constructions do not remain abstract but have a material reality that may influence voting preferences, as shall be demonstrated later in the paper.

Poststructuralist feminists, in particular, also turn to the problematic category of women. They raise a concern about the construction of women as a universal and homogenous category. Feminist scholars such as Mohanty (2019) and Butler (1988) argue that gender as an analytical category should not only be about understanding the social construction of differences between women and men but should also extend to analysing differences within the category of women. Butler (1988, p. 524), for instance, argues that within the category of women, there are conceptions of a 'real woman' discursively constructed, in opposition to those who digress from prescribed gendered cultural scripts. In other words, what is considered the norm for women becomes the reference point for what is 'abnormal' behaviour for certain categories of women. In light of this, we paid attention to what our research participants framed as 'natural' or the norm about women and their participation in political and leadership roles.

Since we draw from poststructuralist feminist ideas, discourse becomes our primary unit of analysis (Gannon & Davies 2012). Noting that there are varied approaches to discourse analysis (Lynch 2007), we adopt the Foucauldian method. In particular, following Carabine (2001), our analysis of what participants said focused on the inter-relationship between different discourses; absences and silences; resistances and counter-discourses. We take note that language offers a 'range of ways of giving meaning to social reality, [and] various discursive positions, including modes of femininity and masculinity' (Weedon 1987, p. 25). As such, we pay attention to how the young people we interviewed positioned themselves in relation to 'popular and influential discourses' (Pattman 2010, p. 3) in their framing of different categories of women either as 'fit' or 'unfit' for political participation. Since we take an anti-essentialist approach to the category of women, we will incorporate an intersectional analysis by noting how participants speak about female political aspirants in relation to their varied differences (e.g., class, age, sexuality and disability) and the implication of this on whether they are framed positively or negatively. At the centre of the intersectional analytical frame is how people positioned at the intersection of disadvantage or marginalisation (for instance the women political candidates discussed in this article) experience inequalities that are constitutive of multiple social categories and factors which do not operate in isolation (Colley et al. 2022; Desbiolles 2020).



## METHODOLOGY

The data informing this article was qualitative and comprised thirteen in-depth interviews and three mixed-sex focus group discussions, which were all tape-recorded and transcribed. We gathered data over two months. The age of our participants ranged from 19 to 24 years. Most of the participants were pursuing studies either at Masvingo Polytechnic (a local technical college) or at the Great Zimbabwe University. We selected our participants through snowballing and purposive sampling. Purposive sampling allowed us to select young women and men with the characteristics relevant to the research, whereas snowball sampling allowed us to tap into the friendship networks of our initial participants (Bryman 2012). Snowball sampling was especially useful for us when we organised a focus group discussion (FGD) with participants from the more affluent suburb of Rhodene, who are usually behind their locked gates. The participants for the other two FGDs were from Rujeko and Mucheke, which are both high-density suburbs in Masvingo city. Using FGDs to generate data enabled us to analyse how participants either challenged, contradicted, or amplified each other's responses. In other words, FGDs allowed us to observe how meanings are constructed relationally (Gergen & Gergen 2007). Two focus groups had six participants each: one with three women and three men and the other with four women and two men. The third group had four women and three men. Interviews allowed us to explore participants' personal rather than censored group opinions (Morgan 1997; Wellings, Branigan & Mitchell 2000).

In framing this paper, we are cognisant of the subjective nature of qualitative research and its limitations. One of the limitations is that, while the small sample we worked with produced rich and detailed perspectives on young people, voting and female candidates in Masvingo, we may not generalise the results to the entire population of Zimbabwe. In this regard, the data we present in this article reflects the perspectives of young people in Masvingo but not necessarily the Zimbabwean population as a whole.

We observed standard ethical guidelines in our research by informing research participants about the nature and objective of the research while ensuring that their identities would be kept anonymous and the data kept confidential (Mouton 2001). Therefore, we use pseudonyms in this paper. This was explained in the consent forms that research participants completed, which stated that participants were free to decide whether or not to take part in the research, and were free to withdraw from the interviews or FGDs at any time. We also sought consent from participants to record the interviews and group discussions.



## FINDINGS

*Women as 'Incompetent' and 'Inexperienced'*

While our participants presented themselves as educated young people who are knowledgeable about gender quality issues as espoused in the Constitution, they exhibited the normative assumption that only men can be political representatives. This was even evident when we asked gender-neutral questions, as indicated in the following excerpt from one of the focus groups:

*Interviewer: If you were to vote, what qualities would you consider in a political candidate?*

*Lucia: I would consider if the person is capable of bringing change, especially in view of the current political and economic situation. Is he someone who can be a leader?*

*Interviewer: By 'he' you imply that you would vote for a male candidate?*

*Lucia: I just used that term because that is what we are used to.*

*Interviewer: What do you mean by what we are used to?*

*Tapiwa: Men are the ones who rule.*

*Interviewer: Recently there was a cabinet appointment and very few women were appointed as ministers. Why do you think few women ministers are appointed?*

*Ray: I think it's because very few women are interested in politics.*

*Marcelin: There is a general belief that a woman is not capable of leading the country. Only men can be leaders of a country.*

It was ironic that Lucia, a female participant was the first to refer to a political candidate as *he* instead of *she*, adding that this is *what we are used to*. By 'we' she implied both women and society in general, while also demonstrating what she perceived to be the shared view with other members of the focus group. Tapiwa and Marcelin respectively amplify Lucia's response by declaring without question that, *men are the ones who rule* and *only men can be leaders of a country* which demonstrates their naturalisation of leadership and politics as male domains. While Ray suggests that most women are not in politics due to lack of interest, in another focus group, aspiring female candidates (though willing) were constructed as *undeserving* especially for the presidential post:

*James: I believe a woman can be voted for, as long as they bring reform and they have good principles. Anyone can lead the nation regardless of their sex. In fact, if there was a deserving woman we would have given them the position of president. Unfortunately, no one [female] was deserving.*

**Interviewer:** *What makes a candidate a deserving one?*

**James:** *A deserving candidate [laughing], let's leave that one.*

**Interviewer:** *That question is what brought me here to you. May you elaborate?*

**Obert:** *People enter into politics for different reasons. Some are not there to win but to cause confusion to the election process.*

**Simba:** *I would vote for someone who has a sense of direction. That is why no women presidential candidate garnered majority votes.*

While James begins by giving the impression that women should be equal contenders for political posts, he immediately, though implicitly, suggests that they lack *good principles* and are *undeserving*. His view is quickly supported by other male participants who add that women political candidates have no *sense of direction* and only participate in politics to *cause confusion*. Interestingly, the young women in this particular focus group did not attempt to challenge these narratives put forward by their male counterparts, which could suggest that they also believe that women should not be voted into political office. In one of the individual in-depth interviews, a male participant even claimed that, *90% of the (Zimbabwean) nation believes that it can never be ruled by a woman*, adding that *even fellow women entertain that belief*. Sometimes participants used euphemistic language to stress this. For instance, one male participant in another focus group tried to portray himself as embracing gender equality in politics when he said *equal rights [in politics] are good*, but immediately added, *but we may end up having makanda asina nzungu*. This local Shona linguistic expression, *makanda asina nzungu*, literally refers to 'empty shells without nuts', which he used to symbolically construct some women entering politics as lacking substance and value. By implicitly presenting women as lacking political substance, he was constructing men as being more deserving because they presumably possess political acumen. This position was however queried by the female participants in the group.

In another focus group discussion, some male participants appeared to portray male politicians as not only natural but also as more objective leaders, as illustrated below:

**John:** *As a man, I know what both men and women want, I can balance. That is why you see that when male leaders visit a school they consider both boys and girls for whatever opportunity will be on offer. A woman would be biased in favour of girls.*

**Matipa:** *If it is the case that men like to balance out opportunities, how come we have very few women parliamentarians in Zimbabwe?*

**Greg:** *It is men who raise the [women] issues. I follow parliamentary debates, and men are the ones who present women's issues and the challenges faced by orphans.*

**Patience:** *The reason women's issues are raised by men is that these men come from homes where there are women. If a woman was to be a leader, she would also consider men's issues because where she comes from there are men. We are all humans and should be treated equally.*

While John and Greg attempt to represent male political leaders as egalitarian and more knowledgeable about the needs of both women and men, female participants challenged this view. They counter-constructed male politicians as unjust individuals who, unlike women, enjoy free political opportunities by virtue of their gender, yet have failed to promote gender equality and parity in parliament.

#### *Women as 'Incapable', 'Under-resourced' and 'Under-qualified'*

The way participants presented aspiring women politicians was not only in terms of gender but was also intertwined with their level of education and perceived social class. Responding to the question of who they considered to be a deserving leader, there was a unanimous view that a deserving candidate is one who had initiated community initiatives using their own money and one who *already has some personal property* before standing as an election candidate. Although this was in reference to both female and male aspiring candidates, some still maintained that men were more deserving because they were better off economically. One of the young women interviewed, for example, claimed, *A man can do better [as a political leader because] he understands that a road needs to be constructed this way because most men have cars.* In other words, firstly, she perceived women as lacking financially and materially. Secondly, she saw this lack as directly related to women's perceived inability to make sound decisions in leadership positions. This was reiterated by another woman in another separate interview:

**Interviewer:** *Did you vote for a woman, be it at the local government, parliamentary or presidential level?*

**Nyembesi:** *They [women candidates] were there but I could see that what they were promising was not realistic, especially at the local government level. I could tell that they were never going to fulfil those promises. So I could not go for that.*

**Interviewer:** *What were they promising?*

**Nyembesi:** *The issue of [building] bridges. Where I come from there is a dangerous bridge. So that woman candidate was promising that she would fix*

*the bridge. The same bridge is used by schoolchildren when they go to school. In my view, it was not realistic that the bridge could be fixed. It has been like that for years. Maybe the MP can fix it, not a councillor. Even if she is genuine about fixing it, she does not have the resources.*

From the above conversation, Nyembesi could not imagine that a woman councillor could *fix* a bridge, which male councillors presumably, have failed to fix '*for years*'. Taking a literal sense, she demonstrates that she subscribes to fixed gendered roles, where activities such as building bridges can only be confined to male duties. At the same time, she concluded that the female candidate in question was also incapable of being a councillor because she did not have personal wealth, even though the work of councillors and MPs is generally supported by government resources. The dominant view, therefore, was that women are of a lower economic and social class than men.

There were debates about whether women's education could increase their chances of being accepted in politics. Few participants believed that formal education was important if women candidates were to be taken seriously. Lucia, a female participant in one focus group, viewed women who have not had any formal education as both selfish and devoid of any leadership qualities. She declared that:

*There is no way I will vote for someone who stopped school at Grade Zero. That person won't have any brains to map other people's future. Such a person may assume a leadership position for her selfish ambitions because she is not focused.*

However, other participants in the group dismissed formal education as an unnecessary quality for a leadership position and argued that for most people, the ability to lead is an inborn trait. One male participant, Ray, while critical of formal education as a necessity for female candidates, was also cautious of the view that leadership is a natural characteristic for most people. For him, leadership qualities should not be assumed, but demonstrated through one's previous community development projects:

*[A woman's] history can replace education. We don't want to disadvantage a person because of their lack of formal education. So I'm saying let the person show us a record of their achievement regardless of their level of education.*

*Women with Disabilities seen as 'Lazy', 'Discriminating' and  
'Lacking Capacity'*

We were also interested to see how participants also spoke about women with disabilities as potential political candidates, against the background of their marginalisation in the political sphere. In the 2018 elections, only one woman with a disability was elected to the Senate through the Electoral College, which was mandated to elect two senators with disabilities, one of whom must be a woman, to represent the interests of persons with disabilities in the Senate (Veritas 2018). In our study, the general view of the young men and women was that they would consider the type of disability that the candidate has, arguing that some disabilities might affect the ability to lead. Most said they would not vote for a person with mental health issues, whom they portrayed as not only unstable but also dangerous. One male participant, for example, said he 'cannot trust a bipolar person like that' because *[though] she may introduce sound policies but [she] may also come up with something that negatively affects a lot of people*. In support of this, a female participant shared a story of a certain woman in Jichidza (a rural area in Masvingo province) who was a teacher and the wife of the headmaster. She had some erratic mental illness and she killed someone with an axe.

In the focus group extract below, a debate ensued about whether or not they could vote for a visually impaired candidate. We had asked if they would vote for a woman living with disabilities:

**Ray:** Yes, I would, definitely.

**Tapiwa:** I disagree with you Ray. What is important is to consider the magnitude of disability, and how this might affect their capacity to execute their duties. I would not vote for someone who is visually impaired.

**Lucia:** I would vote even for a visually impaired candidate. The problem is that in general, our country does not accept being led by a person with a disability. This is regardless of the leadership qualities of the candidate. In this regard, such people may not gather adequate votes to win an election.

**Marcelin:** I would vote for him/her because disability doesn't mean inability. As long as the person has the requisite qualities for a given post, I don't think there will be a problem in voting for them.

**John:** Even if a person is visually impaired, he can lead well because he or she will have people to assist them in reading important documents.

**Tapiwa:** But since the leader won't see what their assistant will be reading don't you think they can be manipulated and deceived? You may not know the kind of people you will be working with. Politics is a dirty game, and if

*those with physical sight do not understand the kind of people they deal with, what more of someone with a visual impairment! We may end up distorting the functions of our country because of voting for a president who is a visually impaired person.*

While the majority appeared to construct visually impaired people as capable of assuming political positions, Tapiwa represents them as incapable, since they would have to rely on the services of assistants who would have to read certain documents on their behalf.

Nonetheless, overall the participants demonstrated society's hesitancy to vote for people living with disabilities, regardless of their sex. Instead of participants boldly saying, they *would* vote for them, they said they *may* vote for them, which expressed their reservations. Some argued that political candidates with disabilities were likely to be biased towards their interests at the expense of the interests of the general population. This was made apparent by two women in one of the focus groups:

*Grace: I would not vote for someone who would say since I'm the first president with [a] disability I will prioritise issues of people with disabilities.*

*Chipo: I realised there is something very stressful about these people with disabilities. You will not be surprised to learn that their manifesto may state that, once voted into office, I will make sure that school-going children with disabilities do not pay [school] fees. There is no free lunch! Last year when I was on attachment at the Ministry of Women Affairs, there came this man who was in a wheelchair. I asked how I could assist him and he said 'We are here so that you can write us a letter that authorises us to be given houses for free'. Then I said, yes I understand the situation you are in, but why do you want to be given a house for free? Then he said, 'because we are disabled'. I told him that the Ministry of Small to Medium Enterprises could assist him with a loan which he could use to start a project like breeding chickens. I said to him he could then use the profit to send his children to school and buy a house. Then he said to me, 'No, what I'm saying is the government must give us houses and residential stands free of charge'. So, policies that are brought by these people who say they have disabilities are not fair to everyone.*

In the above excerpt, Chipo, in particular, is quite critical of people with disabilities, whom she constructs as *lazy* individuals who only want *free* things. These assumptions are also reflected in the manifestos of political parties in southern Africa which present women with disabilities as objects of charity, due



to the traditional belief that persons with disabilities cannot assume political and social responsibilities (Rugoho, Mapeta & Maphosa 2020). Interestingly, none of the participants we spoke to questioned whether those without disabilities were addressing the interests of those with disabilities. In other words, it was assumed that the so-called able-bodied candidates would naturally design better and more inclusive policies than candidates with disabilities. This is similar to the way men were naturalised as better leaders who would cater for the interests of both men and women.

*Women as 'Incomplete', 'Rebellious' and/or 'Promiscuous'*

In the interviews and focus groups we conducted, we witnessed how certain women were presented and spoken about as the 'Other'. Responses from participants demonstrated that 'not every female is a real woman' (Trinh & Trinh, 1989, p. 97) fit to occupy a political position. 'Unacceptable' versions of femininity were constructed, not only in relation to acceptable femininities but also in relation to masculinities. Asked about what they would consider if they were to vote for a female candidate, some male participants pointed out that they would consider 'her dress code' because they are convinced this reveals her true character. They elaborated that they would not vote for women who wore tight-fitting clothes and short dresses or skirts. In other interviews, some female participants also raised issues about how a woman's hairstyle might even negatively affect her political chances. For example, 22-year-old Martha revealed that:

*[Although] I did vote for a woman councillor, but even during [election] campaigns, I could hear people saying, 'look at this woman candidate's hairstyle [she was dreadlocked]. Do you think you can be led by a woman who has dreadlocks? Imagine a woman who has the guts to keep dreadlocks! Can't you see that this is a man's job? In addition, the dreadlocked woman candidate runs a shebeen. We can't be led by such a person. A man can run a shebeen and still be a councillor but not a woman'.*

In Zimbabwe, the title 'dread' is often used to address men with dreadlocks. Even if many women are getting dreadlocked, there is still a wide association of dreadlocks with men who take cannabis. Hence, Martha's emotive statement *Imagine a woman who has guts to keep dreadlock!* projects a woman with dreadlocks as a rebellious character who should not be taken as a serious political candidate. Only a few participants argued that women who aspire to be politicians should not be judged by their outward appearance but by how competently perform their duties.



In the different interviews and group discussions, there was a level of tolerance for married women who may want to venture into politics. As demonstrated in the extract below, a divorced woman was constructed as a preferred political candidate to a woman who has never married.

**Interviewer:** *To what extent do you consider a woman's marital status to be important?*

**George:** *I don't think it is very important. Currently, divorce rates are high, and it might not be the woman's problem that led to the divorce. In that regard, we can't use divorce as a reason not to vote for a woman candidate. She might have good leadership qualities.*

**Max:** *It depends. If the woman is given to marrying and divorcing multiple times then she cannot be a leader. But if she only married and divorced once and is in a stable relationship then she can be voted for.*

While George suggests that a woman's marital status was of no importance to whether he would consider her for a political position, his answer instead confirms that he considers this very important. For example, he immediately speaks in support of divorced women who might have divorced *once*. Implicit in George's and Max's responses is that getting married first is the expected norm for any woman who might consider a political career. Max's added emphasis that even if one has been divorced, she should at least be in a *stable* relationship to get people to vote for her, presents single women (even without mentioning them) as *unfit* and *incomplete* to stand for any political position. This also emerged in our interviews with female participants, as exemplified in the following separate interview extracts, where the negative constructions of unmarried women were amplified.

**Chido:** *Culturally, even if you are a grown-up woman, as long as you are not married people will not respect you. They will always point at you and say 'That one who does not have a husband'. Even we ladies are at the forefront in saying such remarks.*

**Priscilla:** *The last time I voted there was a woman candidate. However, people did not vote for her. She was not married, she was a single mother. So people said, 'this woman is a prostitute. We can't be led by a prostitute'. People believe in voting for a candidate who will be exemplary to the community.*

These descriptions of single women as 'prostitutes' or 'promiscuous' and therefore lacking societal respect reinforces gender normative cultural discourses of 'proper' or 'respectful' women. It seems there was a consensus that unmarried women ought to be punished by blocking their political aspirations, even though their

promiscuity was imagined rather than a necessarily true reflection of their sexual lives. None of the participants in either the interviews or focus group discussions appeared critical of this negative portrayal of single women, which suggests that they (the participants) also align themselves with these discursive constructions.

Similar findings have been found in other research done on women political candidates in southern Africa, where marital status has been a significant barrier for women in politics. For instance, Hamandishe (2018) noted that during the Zimbabwean 2018 election campaign season, unmarried female candidates were not only demeaned but became victims of misogyny and sexism. It was common for unmarried female political aspirants to be labelled 'prostitutes', mainly by men. A study by Zigomo (2022) in Harare also revealed similar findings where younger unmarried women political candidates were portrayed as morally loose. Similarly, Geisler (2004), also reports how the 'prostitute' label is often extended to outspoken female politicians as well as former female freedom guerrillas who participated in the liberation struggle in southern Africa.

## DISCUSSION

It is evident from the findings of this study that young people generally preferred male to female candidates. This is similar to findings in Indonesia where Prihatini (2018) found that 75% of the young people in their study were more inclined to vote for male parliamentarians. Unlike the USA where young people were likely to vote for female senate candidates but not female presidential candidates (Smith, Paul & Paul 2007), in our study there was no significant difference. Instead, young people's constructions of women political candidates were about appropriations of gender, culture, sexuality, class and disability. Thus, where they expressed some preference for women, it was conditional. For most participants, they employed patriarchal, social, and political discourses (Bari 2005) which they used to justify their constructions of women as unfit to be political representatives.

Gender subjectivities and identities were articulated in ways that challenge the representation of women as a homogenous category, where each suffers the same challenges as the next. In other words, participants pitted various modes of femininities against each other. For instance, single women were symbolically constructed as 'incomplete' and sexually 'loose' and therefore undeserving of being in the political arena. Similarly, women (and men) living with disabilities were also generally perceived as incomplete, biased and incapable. These perceptions reinforced these categories of women as politically inferior to divorced and married women who were implicitly framed in a positive light as potential candidates for whom young people could vote.

In many ways, our findings resonate with earlier conclusions by Geisler (2004, p. 173) that in southern Africa, women's interest in political positions is considered an anomaly. As such they are unfairly judged 'on male-defined notions of morality on the one hand and a questioning of professionalism and integrity on the other', expectations that ironically are not imposed on male political candidates.

The negative representations of women living with disabilities can be explained by the invisibility of this category of people in political campaign material and mainstream media (Benjamin et al. 2021) and political parties' manifestos (Rugoho et al. 2020). This feeds into medical and welfare models of disability, both of which construct persons with disabilities as ill or ailing, and objects of charity. Critical feminist disability perspectives problematise this normative negative stereotyping of persons with disabilities where they are not only pathologised but also 'collectively imagined as defective and excluded from an equal place in the social order' (Garland-Thomson 2005, p. 1560). An intersectionality analysis of our findings reveals the double marginalisation of women with disabilities in politics due to both their gender and their disability. We suggest that to promote inclusivity, there must be deliberate efforts to present campaign material depicting various categories of women in terms of age, disability, class, etc. as deserving of taking up political positions. This is critical if we consider the conclusions by Bauer (2015, p. 691) that, 'campaign communication activates stereotypes when they otherwise might not be activated, thereby diminishing support for female candidates'.

One factor that has been cited as hindering women's participation in politics is their lack of access to and ownership of material resources in a context where 'politics is increasingly becoming commercialised' (Bari 2005, p. 5). This was reaffirmed in our findings, where some participants presented aspiring female politicians as belonging to a lower economic ladder than their male counterparts, even though this was not based on fact but on gendered assumptions, which they took for granted.

The findings also show that while many studies focus on voters' perceptions of women in general, young people in urban Masvingo do not operate with a fixed homogenous category of women. As such, their construction of different women was mediated by factors such as gender, class, sexuality, disability, and education levels. More importantly, there are nuances regarding the opinions expressed by young people in the interviews. On the one hand, some participants demonstrate very negative perceptions about women politicians by reaffirming popular gendered sexist discourses and stereotypical attitudes, constructing women political candidates as the inferior 'Other'. These perceptions echo normative gender roles where women tend to be relegated to the private sphere as a way of preventing them from participating in politics. Yet conversely, other young

women and young men seem more open to having women in political positions, which could signify a rejection of traditional social and cultural patriarchal norms amongst some young people. From a poststructuralist feminist perspective, this demonstrates that some young people have agency and are not passive dupes of pre-existing norms, values, and discourses (Butler 1988) which govern what women can or cannot do in the political sphere. In other words, some of these young people appear to be redefining or countering gendered societal norms and values as they seem to be more accepting of women political candidates.

### CONCLUSION

While elections and the processes associated with them are principally political domains, social practices regarding definitions of a woman, together with her supposed capabilities and weaknesses, strongly inform the positions that women can occupy. The stereotypes and patriarchal attitudes enshrined in such social practices often intersect with and inform a general political hostility towards women candidates. This militates against women political candidates' participation in politics in general and parliamentary elections in particular. Young people in Masvingo are not immune to these historically ingrained stereotypes and patriarchal attitudes. While some young people may be open to supporting female political candidates, their perceptions of the political capacity of women as political representatives are largely products of their social orientation. Thus, our findings highlight that despite their knowledge of women's equal constitutional rights to political office, young people still struggle to disentangle themselves from the normative assumptions that only men can occupy political spaces. At play here is the intersection of, and tension between, stereotypes and knowledge of gender equality.

Despite their consciousness of women's political rights, most of the young people we interviewed believed that there is a political ceiling which female political candidates cannot penetrate. Most young men in our research believed that this ceiling is influenced by a lack of political substance among the women candidates in presidential elections. In contradistinction, the majority of the young men in the study preferred male political candidates whom they saw as being more politically objective and substantive and natural leaders than women. The study also reveals young people's beliefs that the assumption of political positions should be tied to the personal material resources that a political candidate possesses. Women cannot assume parliamentary positions since, the young people argued, they do not have personal wealth. Some of these responses demonstrate the young people's limited knowledge of resources for the development of constituencies. Nonetheless, we use the responses about women's political candidates and

personal material resources to corroborate existing scholarly findings about the efficacy and capacity of women to drive meaningful development through political representation.

Religion also has its role in influencing what young people perceive as the 'right' space for women. In this regard, the political space is generally not regarded as a space for women. Ironically, even when there are more women voters than men, the chances of them electing women into parliamentary offices remain slim. This irony extends to the political alliances that the largely male and ruling party-political candidates in Zimbabwe carve out with religious leaders, through which the latter mobilise both men and women to support certain political candidates. Women can vote but cannot be voted for.

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# GENDER MAINSTREAMING IN NIGERIA'S 2019 GENERAL ELECTIONS

*Evidence and Perspectives from Kano and Oyo states*

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## ABSTRACT

*Nigeria's politics have been accused of gender imbalance since independence, and scholarship is replete with discussions of factors responsible for the low level of women's participation and representation in politics, and women's poor showing in electoral contests. Most studies of women's political participation in Nigeria have taken a unidirectional approach of analysing or discussing women's marginalisation in both appointive and elective offices. This study replaces the unidirectional approach with a multidirectional and multistakeholder analysis of the gender mainstreaming effort in Nigeria's 2019 general election. With a focus on Kano and Oyo states, we argue that increased gender consciousness has not translated to any significant improvement in women's representation in politics, thus implying that mainstreaming gender is of no effect if women's participation in politics does not translate to a substantial representation of women in both number and influence.*

**Keywords:** gender mainstreaming, women in politics, Nigeria's 2019 elections

## INTRODUCTION

Significant studies of women's political participation in Nigeria have taken a unidirectional approach of analysing or discussing women's marginalisation in both appointive and elective offices. Such widespread approaches among political scientists, political historians and political philosophers have left a gap

in the literature that requires urgent attention. The gap in question is the under-researched underrepresentation of women within the entire electoral process, other than women as elective or appointive office holders.

Studies in Nigerian politics have documented women's participation since pre-colonial times (Denzer 1994). From the colonial era to post-independence, Mba (1982) establishes how women mobilised and challenged all forms of the oppression and suppression which permeated their economic, socio-cultural and political spaces. During the years of military rule a significant number of Nigerian women stood their ground across governance strata in what Mba (1989) described as altercations between 'Kaba and Khaki' (kaba is a Yoruba word for a woman's dress and is used in this context to denote women, while khaki signifies men in the military government). This continued until the commencement of the fourth democratic republic in 1999.

The transition to democratic governance in Nigeria marked unprecedented success in the following areas:

- i) national identity, as the world began to confer the respect of a democratic state on Nigeria and relate to her accordingly;
- ii) a smooth transition to civilian rule which has since been sustained; and
- iii) an opening of governance circles to the hitherto deprived citizens from minority communities, and the potential for the expansion of this space to include women.

Although universal adult suffrage had been in practice since the pre-colonial times in southern Nigeria, exclusively male suffrage in the northern parts prevailed until 1979, and hampered women's access to public spheres. The attainment of national universal suffrage did not translate to an increased representation of women in government, and the prolonged military interregnum made it almost impossible to test the viability of an inclusive political system.

However, the transition to civilian government at the start of the Fourth Republic provided an opportunity for women's political participation and representation. The Fourth Republic has witnessed significant political awareness and an improvement in both the southern and northern regions, resulting in increased participation by women. Yet despite these achievements, much remains unaddressed. Parity in politics is still a far cry, such that since 1999, the number of women in elective and appointive offices continues to dwindle. This unstable graph of women's representation in Nigeria's politics has been variously described as marginalisation, stigmatisation, low visibility (Okome & Zakiya 2013), and broken marginality (Oluwaniyi 2016).

Global advances of sustainable development goals (SDGs), specifically SDG 5 which seeks equality of the genders across spaces, is an ideal towards which nations of the world will strive until 2030. Women's participation in politics speaks to this goal, especially within African states where democracy is starting to take root. On this note, recent domestic and international pressures have influenced policy makers in Nigeria to adopt policies and programmes that will encourage gender diversity and inclusion. These include measures that deliberately sought to increase women's presence in the political parties, electoral management bodies, election observer missions and election security.

One of the earliest major sources of international pressure dates back to the Women's Decade (1975-1985) to form the focus of the Women's Research and Documentation Centre (WORDOC) established in 1987 at the Institute of African Studies, University of Ibadan. In pursuance of Nairobi Conference decisions, WORDOC was at the forefront of the demand for an 'independent National Commission on Women that would be responsible to the president to promote women's studies and to initiate reforms in the social, economic, legal and political structures so as to improve the general welfare of women' (WORDOC Newsletter, 1987). This resulted in the establishment of the National Commission for Women by the Federal Government in 1988; and currently (2022) there is a Federal Ministry of Women Affairs, which is replicated in similar commissions at the state level (Oyelude & Omotoso 2019). These are a response to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted in 1979 by the UN General Assembly, which provides for establishing legal frameworks and public institutions to protect women against discrimination. Also emanating from the debates and resolutions reached at the famous 1995 Beijing Conference was the adoption of a declaration aiming at 35% of women participation in politics.

By 2000, the United Nations Security Council adopted Resolution (UNSCR) 1325 (Article 1) which urges states to ensure increased representation of women in all decision-making levels in national, regional, and international institutions. With this, mechanisms for the prevention, management, and resolution of conflict were introduced. Furthermore, Article 8 calls on all actors to adopt a gender perspective when negotiating and implementing peace agreements (UNSCR 2000). These international initiatives were subsequently complemented by domestic pressures which paid off with the institution of several policy measures, such as the adoption of the *National Gender Policy* of 2006 (revised in 2021). Also relevant here is the inauguration on 24 March 2011, of the *Nigerian Women Trust Fund* (NWTF) with an initial sum of NGN100 million (or USD645 161) by the Ministry of Women's Affairs and Social Development. This was to help offset the campaign costs of 230 female aspirants, regardless of their political party

affiliations (Gberevbie & Oviasogie 2013, p. 98), and ultimately guide future actions destined to promote greater participation by women in Nigeria's electoral politics. By 2014, the Independent National Electoral Commission (INEC) produced its Gender Policy.

Prior to the 2019 elections, a few other legislative, policy and administrative measures were conceived and implemented, with a view to encouraging more women to participate in the elections. Such efforts at mainstreaming gender across electoral processes align with the Universal Declaration of Human Rights (UDHR); the International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); International Covenant on the Rights of Persons with Disabilities (ICRPWD); African Charter on Human and People's Rights (ACHPR); Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa; African Union Solemn Declaration on Gender Equality in Africa; the Millennium Development Goals (MDGs); the Commonwealth Plan of Action for Gender Equality 2005-2015 (PoA); and the currently pursued Sustainable Development Goals.

The INEC Gender Policy is designed

... [to] contribute to strengthening gender equality in the Commission and its relationship with other stakeholders by giving due attention to gender considerations and promoting equity and equality between women and men in the electoral process. This is in consonance with the Commission's core values and guiding principles.

(INECGP 2014, p.7)

The political parties themselves (especially the two leading parties, the People's Democratic Party-PDP and All Progressive Congress-APC) have mirrored these changes as their constitutions also contained clauses promoting gender inclusivity. For instance, Chapter 1(6.5) of the PDP constitution states that: 'The party shall support the emancipation and participation of women by encouraging their representation at all levels (Constitution of The People's Democratic Party (2012 As Amended)'.

Similarly, before its revision the APC constitution in Article 7(vii) states that as part of its objectives the party shall 'protect the interests ... of women in Nigeria ... and faithfully strive to obtain for them the greatest possible return for their labour and full participation in the Nigerian enterprise'. The revised constitution, in both Articles 7(vii) and (viii), provides for 'affirmative action in appointive and elective offices for women in the party organs and in government

... and a following commitment to promote and protect the interest of women ... respectively'. These will be further interrogated in later parts of this study.

With these arrangements, the 2019 general elections were held in the context of heightened awareness about, and commitments to, equal gender participation in elections, raising hopes of a much higher level of participation by women in the elections. Consequently, this study's multi-directional and holistic interrogation of women's participation across political processes in Nigeria is restricted to the 2019 elections. It takes due note of the various efforts of scholars, activists, policymakers, party stalwarts, media and the voting masses, in a continued condemnation of women's marginalisation across significant political activities beyond the legislature and executive offices.

We examine the nature, dimensions, and impact of recent gender-mainstreaming measures (policies and practices) adopted and applied during the 2019 general elections in Kano and Oyo States. As is the case across the country, women's role in elections in the two selected states comprise what Omotoso (2022) describes as tactical and spontaneous public communication drawn from collective strength exemplified through cheerleading at political rallies, grassroots (often door-to-door) campaigns, protests against election misconduct, vying for political offices and serving as political appointees, among others.

The article is organised in five sections. Following the introduction, the second section presents a review of extant literature on women's electoral participation and political representation in Nigeria. The third section offers a theoretical framework for the study, while section four discusses our data on women's participation in the 2019 elections, against the background of recent reforms adopted by stakeholders in Nigeria to assure a more gender inclusive electoral process. The final section concludes the study.

#### LITERATURE ON WOMEN'S ELECTORAL PARTICIPATION AND POLITICAL REPRESENTATION IN NIGERIA

The role of gender in Nigeria's politics and government has been the subject of considerable intellectual and policy reflections and debates (Ihemeje 2013). Nigerian laws, including sections 40 and 42(1) and section 77(2) of the 1999 Constitution of the Federal Republic of Nigeria, outlaws every form of gender discrimination; and the Nigerian National Gender Policy of 2006 proposes a 35% affirmative action quota for women (Egwu 2015). Nonetheless, available evidence indicates that women have continued to be marginalised in the political process, including in electoral processes, even during democratic regimes.

Discussing transnational democracy from a feminist perspective, Omotoso (2016, p.145) notes 'numerous scholars' detection of women's marginalisation in

politics and the society at large points to the fact that there remains much to do as regard issues of equity and equality, both at local and transnational levels.'

Three prominent schools of thought which speak to issues of women's political marginalisation are as follows: The first school of thought consists of those such as Ihemeje (2013) and Gberevbie and Oviasogie (2013) who argue that women are invisible in Nigeria's politics. Gberevbie and Oviasogie (2013, p. 89) describe the situation as the 'near-exclusion' of women in favour of their male counterparts.

The second school opines that women in political spheres are seen but not heard. Egwu (2015, p. 399) describes this as a 'silent minority', while Omotoso (2020c, p. 124) illustrates it first as 'visibility without audibility' which connects with 'epistemic invisibility'. Epistemic invisibility extends the concept beyond academia and likens the marginalisation of women to deprivation from substantial and intellectual contribution to national development. Furthermore, Omotoso & Faniyi (2020, p. 2) affirm the spatialisation of politics replete with how discourses on women's political participation and representation 'have taken on the largely androcentric idiosyncrasies which persistently present the male gender as key actors in politics while women are only expected to play supportive roles'.

The third school of thought denies the absence of women in Nigeria's politics but argues that women have not successfully secured their rightful place. This resonates with the idea of sparse substantive representation of women in Nigeria's politics. On this topic, Ipadeola (2017, p. 399), avers that:

Although African women seem very visible in the political sphere because of their level of participation in political activities, their influence in the sphere is largely insignificant.

All three schools recognise gender gaps as key issues in politics (Omotoso 2016; Omotoso 2018a), yet scholars have also gone further to analyse the different factors responsible for the low levels of women's electoral participation and representation in politics. Colonial legacy enforced the dominance of men in politics to the extent that even when new chiefs were to be appointed, colonial agents did not see women as capable of performing the roles of such office (Gberevbie & Oviasogie 2013). For Aboribo & Ogue, (2007, p. 93) 'discrimination against women in politics is rooted in traditional beliefs and practices that regard the man as superior to his female counterpart'. Iloh & Ikenna (2009) stressed how, because of the delayed franchise for women in northern Nigeria, the mostly Muslim women from that area were not even allowed to vote for candidates of their choice, let alone stand for elections.



For Yahaya (2012) the problem is their lack of finance and economic power, including corruption and lack of transparency, coupled with little or no access to education. Other factors include electoral violence characterised by thuggery and intimidation (Eyinade 2010; Gberevbie & Oviasogie 2013). In addition, Egwu (2015) identified gender-blind political structures and institutions as the cause; while women's lack of, or inadequacy in political communication skills and strategies (Omotoso & Faniyi 2020; Omotoso 2018b; 2020a & b) has also contributed to the gender gap in politics. Overall, there is also caution against essentialism since multiple intersections contribute to the identified factors in women's political representation (Afshar, 1996). A common factor in the extant literature used in this study establishes how women remain the marginalised other - the 'subaltern' in the context of political representation (Ipadeola 2017, p. 399).

Without ignoring the views of these three schools of thought and the various explanations offered for the low level of women's electoral participation and representation in politics, this study aligns with the need for substantive representation which transcends the numbers and the elective/appointive office scrutiny in favour of a holistic mainstreaming of gender across all political processes. We contribute to scholarship on the extent to which gender has been mainstreamed in Nigeria's electoral processes beyond contesting for political offices and voting during elections, especially since the beginning of the Fourth Republic.

Despite the significant involvement of women in the 2019 electoral processes, what is worrisome is how few women were elected to office. This observation then raises several questions: exactly what measures have been introduced to promote an all-inclusive electoral process during the 2019 elections? To what extent were they applied? And how effective have they been in influencing a much higher level of women's representation during Nigeria's 2019 general elections?

Table 1 below affirms a similar trend of low representation of women in elective positions since 1999, despite a recurrent report of over 45% registered female voters.

The results of the 2019 elections in Table 2 (below) indicate how few women were elected to political offices at both the state and national levels. Many observers and analysts have accordingly queried the entire process and the deployed gender mainstreaming process. While not dismissive of such worries, it is pertinent to consider additional aspects of the 2019 elections.

**Table 1: Level of women's participation and representations in Nigerian elections (1999-2015)**

| Year | House of Assembly             | House of Representative | Senate | Deputy Governor |
|------|-------------------------------|-------------------------|--------|-----------------|
|      | Seats available/ No. of women |                         |        |                 |
| 1999 | 978/12                        | 360/13                  | 109/3  | 36/0            |
| 2003 | 951/39                        | 339/21                  | 109/4  | 36/2            |
| 2007 | 990/54                        | 358/25                  | 109/9  | 36/6            |
| 2011 | 990/12                        | 360/19                  | 109/7  | 36/1            |
| 2015 | 990/60                        | 346/14                  | 109/8  | NA              |

Sources: Nzeshi 2007; Egwu 2015, pp. 395-403

NB: Several women have contested both the gubernatorial and presidential elections, but none has ever won.

**Table 2: Level of women's participation and representations in the 2019 elections**

| Year | House of Assembly             | House of Representative | Senate | Deputy Governor |
|------|-------------------------------|-------------------------|--------|-----------------|
|      | Seats available/ No. of women |                         |        |                 |
| 2019 | 991/44                        | 360/13                  | 109/8  | 36/3            |

Source: International Republican Institute (IRI) 2015 Nigeria Election Observation Report; YIAGA Africa Observatory on Youth Candidacy in the 2015 General Elections in Nigeria, April 2015.

## THEORETICAL FRAMEWORK

### *Theory of Gender Mainstreaming*

Gender mainstreaming theory is grounded in feminist political frameworks that account for gender consciousness, gender awareness and the deliberate embedding of gender-sensitive procedures within society and organisations. As a concept, 'gender mainstreaming' appeared for the first time in international texts after the United Nations Third World Conference on Women (Nairobi 1985). This was in relation to the debate within the UN Commission on the Status of Women (CSW) on the role of women in development. It was seen as a 'means of promoting the role of women in the field of development and of integrating women's values into development work' (EG-S-MS 1998, pp. 11-12). Over time, it

has translated from being a concept and theory to a signifier and/or strategy for underscoring exclusionary tendencies and proposing and promoting inclusivity (Andersson 2018).

Gender mainstreaming became a strategy introduced to address the challenges to women, including recognition of the inequalities within households, unpaid labour, feminisation of poverty, differences in legal status and entitlements, discriminatory practices, gender-based violence and ultimately in political power where decisions are made. Among other things, gender mainstreaming aims at determining ‘who will be consulted and how, on matters such as the formulation of the issue, the definition of information needs, and assessment of options’ (UN 2002) and how policy choices would be formulated and presented to capture gender equality issues.

Gender mainstreaming includes decentralising to achieve equality, envisioning an equitable future by engaging gender impact assessment methods, gender budgeting, and gender disaggregated statistics. This process is more successful in practice when it factors cultures, norms and state disposition so that it is seen to be operational in words and deeds (Kolawole 1998). In practice, gender mainstreaming spotlights a wide range of activities that institutionalise equality by entrenching gender-sensitive practices and norms in the structures of public policy. For Daly (2005), gender mainstreaming should encapsulate theorising political strategising as well as policy articulation. Pertinently, Daly (2005, p. 434) considers ‘it fair to say that gender mainstreaming is better developed as a (policy) approach than concept’.

Consequently, Khoalenyane & Enaifoghe (2018) allude to a three-point approach to any gender mainstreaming process, by:

- i) identifying men’s partnership in gender equity drive;
- ii) acknowledging a mind reset for men, particularly with regard to women’s rights as human rights; and
- iii) an awareness of the long-term implication of gender frameworks being developed.

Our choice of gender mainstreaming theory for this study rests on the recognition of the problematic nature of the theory in achieving gender equality. This has been widely discussed with examples from various countries (Daly 2005; Prugl 2009; Hankivsky 2013; Andersson 2018), revealing the failure of its translation to the achievement of pre-defined objectives. For instance, Nigeria’s two foremost political parties have constitutions which provide for a women’s caucus and the office of women leaders at national and state levels. From the APC Constitution, articles 14.20 and 14.21 provide for the offices of national women leader and deputy

national women leader saddled with the responsibilities of mobilising women, initiating and implementing strategic programmes

that will endear the party to Nigerian women in consultation with the Zonal and State Women Leaders as approved by the Party.... the Deputy National Women Leader shall: Assist and deputise for the National Women Leader in her absence'...[and shall]... perform such functions as may be assigned to her from time to time by the National Women Leader and or National Chairman and National Working Committee.

Similarly, for the PDP, Article 43.1 & 2 provide for the offices of national woman leader and deputy national woman leader who:

shall be responsible for- (a) mobilizing and organizing women; (b) initiating and implementing strategic programmes and policies aimed at endearing the Party to Nigerian women; and (c) Coordinating the activities of the Zonal and State Woman Leaders. The Deputy National Woman Leader shall assist the National Woman Leader in the discharge of his or her duties; and shall deputize for her or him in her or his absence.

While APC describes the office as that of 'Women Leader', PDP describes it as that of 'Woman Leader' which could both mean different things depending on the contexts of interpretation. On the one hand, 'Women Leader' could be translated as leader of women and in the case of APC, the office must be occupied by a woman. On the other hand, 'Woman Leader' as presented by PDP could be interpreted to mean a leader who is a woman in the party, although a subsequent section of the constitution contradicted this by opening the office to a 'she' or a 'he'. In both parties, similar duties are apportioned. Furthermore, the constitutions of these two leading parties (APC & PDP) in Nigeria differ in their commitments to mainstreaming gender. While the PDP clearly states, under article 6.7, that 'in nomination for Party offices, not less than 35% shall be reserved for women', the APC did not factor gender mainstreaming in their nomination of party officers. Overall, in praxis, both parties have been found to pay lip-service to mainstreaming gender, feigning inclusiveness, as many women who begin as aspirants are systemically marginalised in their transition to candidacy.

We hereby engage gender mainstreaming theory to reveal its challenges within Nigerian politics as it failed to produce expected outcomes, although its values were introduced into the system during the 2019 election.

## WOMEN'S PARTICIPATION IN THE 2019 ELECTIONS

Compared with previous elections, the 2019 general elections spotlighted the need for gender parity across the various electoral processes including election observers, party agents, the Independent National Electoral Commission (INEC) officials (permanent and ad-hoc), security officials, media personnel, voters, and political aspirants in elections, among others. We therefore adopt a combination of document analysis and participant observation methods, as we have both served as election observers for the *Gender Election Watch Programme*. This programme was sponsored by the Nigerian Women's Trust Fund (NWTF) which focused on tracking women's participation in Nigeria's 2019 general elections.

Both Oyo and Kano states are purposively selected as sample states for this study because of their ranking as battlegrounds for electoral decisions (Nigeria Electoral Trends 2019) and their regional locations. With 5 457 747 registered voters, Kano State in the North West region takes the second position, representing 6.5% of total voters in Nigeria. Oyo State in South West Nigeria ranks sixth with 2 934 107 representing 3.5% of the total registered voters. It is worth noting that our two sample states record varying historical trajectories of political participation by women. While the women of Oyo State have engaged strategically in politics since the earliest years of Nigeria's independence, women from Kano State were, largely speaking, late entrants into political spaces. Mba affirms this by asserting that:

Although one country, Nigeria had two different electoral systems: women in the southern regions have been enfranchised, in stages, from 1950; women in the Northern Region were not. The political party in power in the Northern Region, ... was a cadre party, open only to Northern men, who were predominantly Muslim and believed either in seclusion of their women or in the relegation of women to the domestic sphere.

(Mba 1989, pp.70-71)

Since Nigeria's establishment of the Fourth Republic, concerted efforts have been made to ensure that women from the northern regions overcome electoral setbacks. In pursuance of this goal, the 2019 elections embraced gender-mainstreaming measures drawn from the 2006 National Gender Policy which affirms that 'although women actively participate in the membership of political parties, they only serve at the lower cadres of social welfare and serve as supporters for the male to acquire political positions'. The policy notes that:

interest in the position of women in societies has gone beyond seeing women as 'the problem' of development, and/or as 'subject of analysis',

to a focus on gender role/power relations, thereby focusing on men and women in an interactive way, as they both shape and are re-shaped by development processes and practices.

(National Gender Policy 2006, p. 7)

The Gender and Development (GAD) framework was deployed in the preparation and operations that guided the 2019 election:

GAD recognises the centrality of closing gender gaps as the only way to move development forward in a sustainable way and integration of gender in the mainstream of development thinking as a sine qua non for pre-empting such 'gender-blindness'.

(National Gender Policy 2006, p. 16)

Furthermore, certain electoral guidelines adopted during the 2019 general elections paid specific attention to gender balance by key stakeholders at all stages. For instance, the gender principle adopted in the deployment of polling officials: during polls, female voters had a separate queue from male voters and included priority voting for nursing mothers. The Electoral Commission also made some effort to provide specialised electoral materials and priority voting for persons with disabilities. We proceed to stratify the mainstreaming efforts as follows:

### *Women as actors in electoral processes*

The 2019 elections featured women's representation in all stages and processes of the election. These include security personnel, party agents, media, election observers and voters.

**Table 3. Electoral stakeholders in Oyo State**

| S/N | Designation              | % of Females | % of Males |
|-----|--------------------------|--------------|------------|
| 1   | Party agents             | 28.50%       | 71.4%      |
| 2   | Electoral officers       | 44.1%        | 55.8%      |
| 3   | Security personnel       | 35.06%       | 64.9%      |
| 4   | Observer (int'l & local) | 60.65%       | 39.34%     |
| 5   | Electoral monitors       | 23.68%       | 76.3%      |
| 6   | Media                    | 40%          | 60%        |
| 7*  | Registered voters        | 50.4%        | 49.6%      |

Source: <https://c0m12.cld.bz/NWTF-2019-General-Election-Women-Participation>

\*Source: INEC 2020, p.79

**Table 4. Electoral stakeholders in Kano State**

| S/N | Designation              | % of Females | % of Males |
|-----|--------------------------|--------------|------------|
| 1   | Party agents             | 16.2%        | 83.8%      |
| 2   | Electoral officials      | 36.2%        | 63.8%      |
| 3   | Security personnel       | 11.8%        | 88.2%      |
| 4   | Observer (int'l & local) | 38.9%        | 64.1%      |
| 5   | Electoral monitors       | 19.8%        | 80.2%      |
| 6   | Media                    | 17.7%        | 82.3%      |
| 7*  | Registered voters        | 44.4%        | 55.6%      |

Source: <https://c0m12.cld.bz/NWTF-2019-General-Election-Women-Participation>

\*Source: INEC 2020, p.79

A study of trends in both states reveals that more women participated in the 2019 general elections as electoral officers and electoral observers. Oyo State records that 44.1% of electoral officers and 60.7% electoral observers were women. Likewise, Kano State records that 36.2% electoral officers and 38.9% of electoral observers were women. While this is a remarkable success in women's political participation, it is pertinent to engage with other areas showing low participation.

For instance, with 28.5% and 16.2% female party agents respectively, and with electoral monitors at 23.7% and 19.8% in Oyo and Kano states respectively, issues of trust and competence are evident. It could be that political parties would not entrust their vote monitoring to women; but would that mean that women are not sufficiently competent in this regard or that they lack the strength, commitment and staying power for an electoral monitoring process?

Also, with a record of 35.6% and 11.8% representation of security personnel in Oyo and Kano states respectively, why would fewer women be assigned to secure polling booths and secure lives and properties during elections? Does it also speak to the patriarchal nature, the spatialisation and gender bifurcation of Nigeria's political space? It may also be a reflection of the male-dominated nature of the security sector as exemplified in the Nigeria Police Force, and as noted in the Nigeria Police Force Gender Policy (NPFGP 2021). In addition, a 40% male versus 17.7% female representation in the media speaks to a gendered bifurcation of 'soft beats' and 'hard beats', displaying male-centric media gestures to politics and political processes. Such gender bias highlights media roles in un(shaping) democratic and development agendas (Isike & Omotoso 2017). All the questions listed above are deliberately posed to indicate areas of further multi-directional research on women's political participation and representation in politics.

While the percentage of female electoral stakeholders in Oyo State is larger than that of Kano State, it is significant to note that the participation of women in



Kano is improving, despite the historical disadvantages and conservative nature of the state with reference to women's visibility in public spaces. Furthermore, the study shows an improvement in women's level of political awareness, as well as women's interest in politics.

### *Women as Political Aspirants*

The actual, positive impact of the recent gender-mainstreaming measures (policies and practices) adopted and applied during the recently concluded 2019 general elections revealed an increased presence of women in the list of party aspirants. The mainstreaming effort also affected how women progressed from being aspirants to becoming candidates during the elections. Of the 23 442 candidates who contested in the 2019 elections nationwide, women candidates numbered 3 032, representing 12.9% of the total number of candidates in the general elections (Yiaga 2020). Still, women's representation in elected positions at federal and state levels has not exceeded 6% since 1999 (Womanifesto 2021), as Nigeria still ranks 139<sup>th</sup> out of 156 countries in the list of countries with the largest gender gap (Kareem 2022), indicating significant regression in Nigeria's recent elections.

In particular, the 2019 elections record only six females of the 55 candidates who vied for governorship in Kano State, with only four deputy governorship candidates (tribuneonlineng.com 2019). Moreover, Kano State's 2019 elections followed past trends with no woman elected into the state House of Assembly or the House of Representatives (INEC 2019). In Oyo State, only 6 of 42 governorship candidates were women, while 17 were deputy governorship candidates (Tribuneonlineng.com 2019) and only one woman from Oyo State was elected to the House of Representatives (Placng.org 2019).

These trends echo past narratives of women's marginalisation in political representation, despite their increased awareness and participation in politics. The situation whereby quotas are apportioned to women at face-value is what Pogson (2012, p. 115) describes as tokenism.

It is subsequently remarkable to briefly assess women as voters in the 2019 election. According to INEC, the total number of voters for the 2019 General Elections was 84 004 084, of whom the 39 598 645 female voters constitute 47.14%, while the 44 405 439 male voters constitute 52.85%. A worrisome aspect of the gender mainstreaming effort of government within electoral processes is that a sizable amount of data on gender during the elections was provided by civil society organisations and non-state actors who observed the elections. That not much attention is paid by INEC to the disaggregation of data by gender, reveals a weak link in their gender mainstreaming effort.

## CONCLUSION

This study has attempted a multi-directional and holistic analysis of the gender mainstreaming effort in Nigeria's 2019 elections. The discussions spanned the participation of voters, candidates in elections, election observers, party agents, electoral management body (INEC) officials (permanent and ad-hoc), security officials and media personnel, among others, in the entire election process. With Kano and Oyo states as the case study for women's participation in the 2019 elections, our findings highlight significant improvements in the participation of women in Kano State where the disparity and setback caused by a historical north-south gap in universal suffrage has been worrisome.

The study affirms a new dimension to the general elections regarding how gender was mainstreamed across stakeholders and processes. However, it revealed that these changes have not led to the election of a significant number of women (an expected outcome of such mainstreaming effort), which suggests that more remains to be done.

There are many obstacles that have obstructed women's advancement in politics. Of these, the study finds that discriminatory attitudes among political party members, exclusion from masculinised internal power structures, poor communication networks, limited financial means, and a lack of balance between work and family life are prevalent. As a result, women are under-represented in electoral processes and political and party leadership roles, despite the massive turnout of women during elections. Women's ability to participate in the electoral process at all stages is severely harmed by increased care commitments, which are reinforced by societal notions of a 'woman's role'. Directly addressing these concerns is challenging. One measure that could assist is for male counterparts to improve their commitment to caregiving obligations, levelling the playing field and emphasising that family is a major concern for everyone.

Furthermore, the frequent media portrayal of women in ways that have nothing to do with leadership, politics, or elections must be addressed. Much is expected of the media in reporting untoward electoral practices and holding those responsible to account (Oladapo, Atela & Agbalajobi 2021). Media reforms must encourage literacy programmes about the hazards of cultural norms and negative gender stereotypes, as well as monitoring election fairness in areas where election violence has disproportionately harmed women.

Other areas that saw relatively high levels of women's participation include election campaigns and the management of election activities at party level. However, these were not considered in this study due to paucity of data and time constraints. The study lauds how INEC's Gender Policy seems to have influenced the percentages of women representatives as election officials towards the 35%

affirmative action benchmark in both case-study states. However, beyond these, lessons from the data confirms that more attention needs to be paid to a gender mainstreaming policy guiding administrative processes, rather than political processes.

Post-election evaluation exercises usually undertaken by electoral commissions, international organisations and observers are frequently used to examine the impact of elections on men and women, as well as their respective levels of involvement. The proportion of women among newly elected authorities, candidates, electoral officials and polling officers, as well as sex-disaggregated turnout rates, are useful factors in post-election evaluations. In addition, these evaluations can assist in identifying barriers to women's participation, finding opportunities for improvement and proposing reforms to promote women's significant inclusion.

Challenges that still need to be addressed by the reforms therefore include voter apathy among women; the small number of women who contested elections and won; election-related violence which must have informed women's security concerns during the elections; continued evidence of electoral fraud and lack of transparency among electoral officials; and the limited capacity of relevant institutions to address the complaints of women candidates/voters after elections. Future studies may also interrogate political parties' level of commitment to mainstreaming gender with reference to their internal democracies.

Although the electoral commission and political parties have implemented a variety of reforms to boost women's participation, (including quotas at all levels, particularly in governing boards, executive committees, and other decision-making platforms), overcoming these barriers has not been as successful since it has not translated to a significant increase in women's political representation. This implies that mainstreaming gender has no effect if women's participation in politics does not translate to significant numbers and influence at the top.

Overall, rather than taking the unidirectional perspective of analysing women's participation in elections, a multidirectional view of Nigeria's 2019 elections shows noticeable improvements in gender awareness and interest in politics across electoral processes. Nevertheless, the dividends of such gender mainstreaming are still far-fetched because more attention has been paid to physical mainstreaming, to the detriment of effectual mainstreaming. Since gender disparity in election systems does not have a one-size-fits-all answer, voter education must bring women from the margins of politics to the centre.

In conclusion, there is a need for a more holistic study on women's inclusion in secondary electoral processes, aside from studying appointive and elective positions. This approach, we argue, is the more logical way to discover how progressive or retrogressive Nigeria has been, in gendered parlance, and to

prescribe pragmatic approaches to more gender-sensitive and successful elections as Nigeria looks towards the coming 2023 general elections.

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# TWO DECADES OF DEMOCRACY IN NIGERIA

## *Between Consolidation and Regression*

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### ABSTRACT

*The year 1999 marked a watershed moment in the political history of Nigeria with the transition from military to civilian rule and the beginning of the Fourth Republic. Two decades later, the country has not only witnessed the longest period of civilian democratic rule but has also achieved a milestone with the alternation of power between the two dominant political parties. The augury, however, points to a democracy oscillating between consolidation and regression. This paper therefore interrogates two decades of democratisation in Nigeria in the context of the two main parties, the conduct of elections, and the level of representation of marginalised groups, particularly women. The paper contends that while it may be uncharitable to discount the incremental gains since the return to civil rule, the country is far from attaining the status of a consolidated democracy.*

**Keywords:** political party, elections, democratisation, consolidation, regression, Nigeria

### INTRODUCTION

Today, we are taking a decisive step on the path of democracy. We will leave no stone unturned to ensure sustenance of democracy because it is good for us, it is good for Africa, and it is good for the world.

(Presidential Inauguration speech, 29 May 1999)

On 29 May 2022, Nigeria marked 23 years since the return to democracy. This is the longest spell of civilian administration, 62 years after independence; compared to the three previous republics it is a milestone. The First Republic lasted for six years, the Second Republic lasted four years and three months, while the Third Republic was truncated after the presidential election on 12 June 1993 was cancelled by the military. During these 23 years, democracy has been on trial with varying degree of triumphs and mounting challenges. Until recently, the People's Democratic Party (PDP), the erstwhile governing party, was considered disorganised and conflict-ridden. The factionalisation within the PDP gave impetus to the All Progressives Congress (APC), formed in 2013, to win the national elections in 2015. However, nine years since its formation and after almost eight years as the governing party, the APC has shown that it is different only in name from the party it succeeded. Virtually all the ills that led to Nigerians railing against the PDP administration and its eventual ouster from power now assail the governing APC (Ayoade, 2019). A report by the Centre for Democracy and Development marking the fifth anniversary of President Buhari's ascension to office, and 21 years of unbroken democracy, stated that:

Under President Buhari's leadership, the APC has demonstrated the same toxic behaviours and corrupt norms that have characterised Nigeria's post-1999 electoral politics. Its modus operandi both in governing and while campaigning is indistinguishable from its predecessor. The APC has laundered the reputations of many corrupt politicians, some of whom President Buhari has personally endorsed and even campaigned alongside.

(Centre for Democracy and Development 2020, p. 6)

This comparison is hardly incontrovertible as it is difficult to distinguish the governing party from the party it displaced from office in terms of philosophical outlook, ideological orientation or moral values. While the PDP has been in existence since 1998 and was the governing party at the beginning of the transition to democracy in 1999, the APC was formed when four prominent opposition parties merged in order to confront the erstwhile governing party.

Neither of the parties is organic in origin, neither do they espouse any compelling vision that can serve as rallying point to unite members. It is therefore not surprising when they display similar characteristics in terms of their organisational structure and the pattern/dimensions in which internal conflicts manifest and are handled (Adebayo 2006; Agbaje 2010; Simbine 2014).

One area where the country has witnessed both continuity and change in the last two decades has been in the conduct of elections. Historically, electoral contests

in Nigeria have been fierce, riddled with tensions, violence, mass rigging, thuggery and intimidation. This is understandable given the narrow conception of political power as an instrument for primitive accumulation and state capture. This ugly political behaviour continued into the Fourth Republic, where candidates are routinely imposed on party members and the electorate by 'godfathers', while rigging and the falsification of votes remain pervasive (Akinboye 2004; Olaniyan 2020). However, some reforms brought about incremental improvements in the management of elections, starting with the 2011 general election. These reforms were deepened in 2015, leading to the defeat of an incumbent president and a well-entrenched political party. The country witnessed a regression in the conduct of the 2019 general election which was adjudged by local and international observers to have fallen below the standards attained in 2015 (European Union Observer Report 2019).

In terms of inclusive representation in the last two decades, very little progress has been made as women, who make up half of the population, continue to be marginalised in flagrant disregard of the country's national gender policy (NGP). This policy recommends that at least 35% of both elective and appointive positions in public service be reserved for women (NGP 2006). Men constitute a larger percentage of party membership and so tend to dominate the party hierarchy, and thus influence who gets what and how, including who flies the party banner at elections.

Despite these limitations democracy remains the preferred form of government among Nigerians, according to surveys conducted by Afrobarometer (Lewis 2006; Mattes 2019). In a democratic society, citizens can freely denounce bad governance and can look forward to exercising their franchise every four years. According to the Fund for Peace (2020) in its index on fragile states in Africa, better-governed countries are democracies. While the form and structures of democracy have been established, its contents and substance such as respect for the rule of law, and open, inclusive and accountable government, remain works in progress.

The trajectory of two decades of democracy in Nigeria points to a system vacillating between consolidation and regression. This paper is therefore an overview of two decades of democratisation in Nigeria within the context of the two dominant parties that have presided over the affairs of the country at national level. It also analyses the general conduct and management of the six national elections held during this dispensation, and the level of representation of marginalised groups, particularly women.

The paper is divided into five sections: an introduction which provides a general background; the second section discusses the origin and nature of the PDP and APC, the two dominant political parties; the third section carries a snapshot of continuity and change as these relate to general elections conducted since

1999; the fourth section discusses the quest for inclusion and the representation of marginalised groups, particularly women; and the paper concludes with the fifth and final section.

#### POLITICAL PARTY FORMATION IN NIGERIA'S DEMOCRACY

In order to understand the origin and nature of the two major parties in Nigeria, the study situates them within the broad category of various political parties in the literature. In an effort to capture the essential features of political parties in different eras and regions of the world, scholars have developed varying typologies. Maurice Duverger (1954), for instance, distinguished between what he called cadre parties, which are led by individuals with high socio-economic status, and the mass party, which according to him mobilises a broad segment of members through the development of a large and complex organisation. He also identified what he termed the devotee party which is tied to a particular charismatic party leader (Anifowoshe 2004). Otto Kircheimer (1966) advanced four types of party models, namely bourgeois parties, class-mass parties, denominational mass parties, and catch-all-parties (in Gunther & Diamond 2003).

Katz and Mair (1995) identified what they called the cartel party in which public financing of political parties and the expanded role of the state induce parties primarily to seek to perpetuate themselves in power and avail themselves of these resources. Gunther and Diamond (2003) identified 15 different variants of political parties and categorised them into three broad spectrums, based on the nature of the party organisation: whether it is elite based or mass based, and the programmatic orientation of the parties; whether they are ideological or clientele-oriented; and their behavioural norm, whether pluralistic and democratic or hegemonic in outlook and operation.

The organisational model of a political party and its founding context will have an enduring imprint on the basic nature of a political party for decades unless reforms take place. Thus, parties founded by powerful elites may remain under the domination and grip of such elites until a majority of members cease to be deferential to such elites and challenge their authority. The PDP and APC in Nigeria manifest the features of bourgeois and cartel-based parties founded by coalitions of notable political figures, with memberships that cover the ethnic and religious divide of the country. Their social base is broad and heterogeneous and the objective at inception for each of them was to become as inclusive and diverse as possible by allocating party positions and government offices in accordance with proportional and consociational formulas. For both parties, the organisational arrangement at the national level is replicated at the state and local government levels.

*People's Democratic Party*

In terms of its founding context, the PDP was conceived in 1998 not as a political party but as a nationalist movement. Its precursor, the Group of 34 (G-34), was a nationalist pressure group protesting against military dictatorship in general and the ambition of General Sani Abacha in particular, in his attempt to perpetuate his rule by transforming from being a military head of state into a civilian leader. G-34 was made up of almost the entire political elite which had coalesced in a bi-partisan front calling on the military junta to relinquish power. The sudden demise of General Abacha shortly after the formation of this group, and their declaration allowing him a credible transition, forced the military to hurriedly announce a transition to civilian rule.

The current democratic dispensation therefore emerged from the activism of pro-democracy movements and this group of opinion leaders constituted themselves into a pressure group called the G34. In 1998 most of the members of this group transformed into the People's Democratic Party which became the dominant and governing party between 1999 and 2015 (Anifowoshe 2004; Agbaje, Akande & Ojo 2018). The founding members envisioned the PDP as a pan-Nigerian political party strong enough to challenge military intervention in the country's politics and to drive national development. The party was in reality an amalgam and constellation of a motley group, ranging from the conservatives, pseudo-progressives, military apologists and outright powermongers angling for power and patronage (Gana 2000; Simbine 2002, 2014).

This was a mixed bag of members with diverse political backgrounds representing contrasting political convictions who refused to dissolve their distinct identities in order to produce an organic party, but were united in their determination to put an end to military rule and then take over the reins of power. The commitment to end military rule did not automatically translate to a commitment to the finer ideals of democracy. The bourgeois and cartel nature of the party also encouraged the development of factions and groups delicately positioned within the party, and there was fierce competition for various opportunities and positions that became available (Agbaje 2010; Ashindorbe & Nathaniel 2019). In his assessment of the origin and character of the party on whose platform he emerged as president, Olusegun Obasanjo described the PDP as 'A dynamic amalgam of interest groups held together by, if anything at all, the fact that the party is in power and therefore the resultant strong expectation of patronage' (Anifowoshe 2004, p. 65).

*All Progressives Congress*

The current governing party in Nigeria, the All Progressives Congress (APC),

is not exactly the progressive party the name suggests. The APC was formed in 2013 when four major opposition parties merged with the sole aim of challenging the hegemony of the then governing party, the PDP. The APC also suffers from the same defects and incongruence that characterise the PDP. Like the party it displaced from office, whose main aim was to stop the military from perpetuating itself in office, evidence suggests that the overriding drive in the formation of APC was to have a platform strong enough to challenge the hegemony of the PDP and not necessarily to provide a credible alternative. The founding members are typical political demagogues and political grandees, adept at propaganda with little in the way of substance and performance. The party claims to be left of centre in the ideological spectrum; but in reality, it is at best a motley crowd with discernible elements of both progressivism and conservatism.

The APC lacks internal cohesion and has been unable to fuse its legacy parties and situate the party as a credible platform. The leadership of the party and members in government subscribe to much the same political opportunism as its predecessor, the PDP (Ashindorbe & Nathaniel 2019). The national consensus on the need for an alternative platform to challenge the dominance of the PDP in 2015 may have overshadowed the glaring dysfunctions and internal contradictions of now governing party. The goodwill and groundswell of support that propelled it to electoral victory happened to coincide with a competent and reform-minded electoral management body that was ready to deliver on its mandate. It is important to state that this massive goodwill is fast dissipating as the party's performance in office has been underwhelming.

Early in its rule as the governing party, there was controversy over the choice of which of the four original factions should produce the leadership and principal officers in the legislature. This depicts the APC as undisciplined and as a party of convenience whose members are only concerned with sharing the spoils of electoral conquest. The party failed to recover from that early false start throughout its first term in office. The views of two associate fellows of the Africa Programme at Chatham House capture the essence and origin of the APC. They argued that the party is an 'uneasy alliance of autonomous elite networks bound together by little more than incumbency and a collective desire to stay in power through 2023 and beyond' (Page & Tayo 2018, p. 6). Also, a report by the Carnegie Endowment for International Peace (2018, p. 10) on the state of the two main political parties in Nigeria stated that:

... Little distinguishes Nigeria's two main political parties – the ruling All Progressives Congress (APC) party and the opposition People's Democratic Party (PDP)... . Both are constellations of fluid national, state, and local elite networks. Both are almost identically structured,



non-ideological organizations. Both rely on misappropriated public funds to finance election campaigns. Neither values internal party democracy, allowing money and high-level interference to corrupt candidate selection processes.

Regardless of this inchoate and apparent dysfunction, what is undeniable is that the emergence of two dominant parties has sharpened the role of the parties as strategic institutions for the survival of Nigeria's democratic aspirations. The Nigerian political system has demonstrated greater resilience and delivered more credible democratic transitions of power on this occasion when the polity gravitates around a two-party formation. The PDP and the APC have become pillars for the nurture and sustenance of the country's collective optimism in democracy and good governance, and have acquired a historic mission and importance that transcends their present faults.

#### CONDUCT AND MANAGEMENT OF ELECTION FALLOUT

Elections in transitional democracies and deeply divided societies like Nigeria are often fraught with animosity and violence, failing in the process to satisfy the test of legitimacy. Since the return to civilian rule in 1999, Nigeria has successfully organised six national elections, in 1999, 2003, 2007, 2011, 2015 and 2019 respectively, with the seventh due in February 2023.

The majority of these elections were characterised by widespread malpractice, rigging, ballot box stuffing, vote buying, maiming and fatalities (Egwu, Leonard & Matlosa 2009; Bekoe 2011; Shehu 2019). Violence during elections is designed to disable and disrupt the opposing party in order to prevail at the polls, to vitiate the election altogether by undermining the integrity of the results, or to influence voting behaviour through threats and intimidation (Albert 2011). The pervasive nature of violence is not peculiar to the current democratic dispensation in Nigeria. Election-related violence and fatalities are a central theme that runs through the history of Nigeria from the time of independence. The collapse of the First and Second Republics was partly attributed to disputed electoral outcomes that resulted in the expression of various forms of violence, such as the destruction of properties, maiming and killings, which necessitated military intervention (Ashindorbe 2018).

While democratic elections should ideally serve as mechanisms for peace-building, more often than not they trigger violent conflict. Because of the zero-sum disposition of key actors and the weaponisation of ethnic and religious differences in Nigeria, every election tends to complicate the process of national cohesion and threatens the very existence of the state (Osaghae 2020). For this reason, elections



mean more than the routine or regular periodic exercise liberal democracies presume them to be. Paradoxically, the persistence of election violence, the threat to life and monumental malpractices have not exerted any decisive impact in discouraging citizens from seeking participation in the electoral process. They continue to show their conviction in the ballot box as the means of leadership succession (Lewis 2006; Mattes 2019).

The literature on this topic indicates that the underlying drivers of election violence may be traced to the nature of the state and the politicisation of ethnic identities. The rentier and prebendal character of the Nigerian state has for decades been the site for violent, zero-sum electoral competition among the factional political elite who scheme to gain access to and control of the vast economic power that public office confers (Joseph 1999; Ashindorbe 2018). The political mobilisation and weaponisation of ethnic and religious identities are also implicated and tend to fuel violent election-related conflict. There is no general election that is not coloured by the ethnic consideration of the candidates, a trend that is even more visible in presidential elections. Interestingly, the presidential elections that feature candidates from similar ethnic groups are contested on the grounds of candidate popularity, their charisma, the spread of their parties and ability of one party to out-rig the other (Osaghae 2020). This was particularly the case with the elections of 1999, 2007 and 2019 which were contested by candidates from the same ethnic bloc. The progressive deterioration of general elections in the country – which have assumed violent dimensions – is because they provide the most direct access to state capture.

For 16 years, the previous governing party, the People's Democratic Party (PDP), had used its control of state power and patronage to perpetuate all manner of electoral fraud and entrench itself in office despite posting a mediocre level of performance in all parameters of governance. It was an era where electoral outcomes were known in advance; once a candidate secured the party nomination, such candidate was all but assured of victory. Like Mexico's Institutional Revolutionary Party, the PRI, the party was credited with 'the longest tenure in power of any party in the world' (Forley 1998, p. 137). The PDP boasted that it would rule Nigeria for 60 years.

Because of the high level of electoral malfeasance and blatant official meddling, electoral outcomes have been the subject of intense litigation with high numbers of election petitions filed in court by aggrieved politicians after each election circle. For instance, the total number of petitions filed after the 2003 general elections was 560. By 2007, this had increased to 1 290. A total of 731 election petitions were filed at the various election petition tribunals across the federation after the 2011 general elections. The 2015 elections attracted the lowest

number, with 297 petitions filed; however, the numbers increased again to 766 after the 2019 elections (Hamalai, Egwu & Omotola 2016; Yahaya 2019).

The desire to enhance the quality and boost the credibility and acceptability of electoral outcomes has resulted in a series of reforms such as the introduction of data-capturing technology (known as the smart card reader) and the machine-readable permanent voter card (PVC) in the 2015 and 2019 elections. As a result of these reforms, the 2015 general elections witnessed a dramatic drop in the level of election petitions, possibly reflecting an improved level of satisfaction with the electoral process. These reforms also culminated in the defeat of an entrenched and incumbent party and the alternation of political power between political parties, thereby fulfilling one of the preconditions for a consolidated democracy (Levan & Ajjola 2018). Speaking on the momentous occasion when he graciously conceded defeat, former President Goodluck Jonathan (2018, p. 142) stated that:

I handled the election and transition the way I did to maintain peace not just in Nigeria, but also in Africa. My thinking is that it is better to sacrifice power and gain peace and honour than to sacrifice peace and honour and gain the type of power that led Macbeth to the disastrous end he met with in William Shakespeare's renowned play.

A leading opposition figure at the time and current governor of Kaduna state, Nasir El-Rufai, attributed the feat to a unified opposition, credible electoral commission, the use of technology to reduce electoral fraud, and the engagement of the international community. The 2015 elections provided the political moment that made it possible, in the words of El Rufai (Mills et al. 2019, p. 195) that 'an entrenched, immensely rich and powerful political machine could be defeated in an election with little or no violence, partisan acrimony or resort to any electoral adjudication'.

The lead researcher of this study was a participant in the 2015 and 2019 elections as an ad-hoc staff member for the electoral management body. He witnessed the process at close quarters, from the distribution of election materials to the final declaration of results in Oyo State in the south-western part of the country where there was a more-than-average compliance with the electoral rules and guidelines. The outcome of the 2019 elections seems not to have met the standards set by the 2015 election. The final report of the European Union Election Observer Mission rated the overall conduct of the election as poor, noting that they were 'marked by severe operational and transparency shortcomings, electoral security problems, and low turnout' (EU 2019, p. 4). In its final report, the Nigeria Civil Society Situation Room concluded that '[the] elections did not meet the credibility threshold based on the patterns of abuse of the process and

the consequent lack of integrity observed' (EU Final Report 2019, p. 4; NCSR Final Report 2019, p.1).

President Buhari won both the 2015 and 2019 presidential elections with change as his party campaign slogan, promising to tackle insecurity, fight corruption and grow the economy. The message of change resonated deeply with the majority and many thought he would deliver on these promises. With less than a year to the expiration of his second term in the office, none of the key campaign promises have been fulfilled; rather, the fortunes of the country seem to be deteriorating. The 2023 general elections in Nigeria are already shaping up to be the most keenly- contested since the return to civilian rule. Being an open-seat election with no incumbency factor, incendiary verbal exchanges by political gladiators over which ethno-regional bloc should produce the next president are already manifesting. These may be ominous signs of uncertain times ahead.

There is a sense in which every election in the Fourth Republic came with its own peculiarities, and 2023 will be no exception. The 1999 transition election had two southern candidates of the same ethnic stock and religion on the ballot. The second election in 2003 was the first to be organised by a sitting government and there was apprehension that it might end the way of the previous failed second election attempts of 1964 and 1983. The 2007 presidential election was an open-seat election and for the first time political power was transferred from one elected president to another. Local and international observers adjudged this election as better organised than the three previous elections, after a new reform-minded electoral management body was inaugurated. The election produced a president from a southern ethnic minority who defeated a strong northern challenger for the first time.

One glaring contradiction that trailed the 2011 presidential election was the fact that, despite being better organised than the three previous elections (in 1999, 2003 and 2007), it was characterised by post-election violence with over 800 fatalities and thousands of people displaced (Bekeo 2011). The 2015 election recorded perhaps the biggest upset in this democratic dispensation with the defeat of an incumbent president by an opposition candidate and party. In the 2019 election an incumbent president retained power for the second time, just as in 2003, in an election which observers assessed as having fallen short of the standards set in 2015.

The peculiarities of the 2023 presidential poll are heightened by the emergence of new and popular presidential candidates on the platforms of the Labour Party (LP) and the New Nigeria Peoples Party (NNPP) who have presented alternatives to the APC and PDP. The excitement which these new entrants into the presidential race have generated among young voters has led to a surge in registration for a permanent voters card (PVC). In a joint pre-election assessment

report by the United States-based National Democratic Institute (NDI) and International Republican Institute (IRI), these organisations averred that the LP and NNPP candidates represent 'viable third forces', concluding that 'If a third party draws sufficient support, a runoff presidential election could be a real possibility for the first time since the transition to democracy, adding complexity to the 2023 elections' (NDI/IRI Report 2022, p. 2).

### WOMEN AND THE QUEST FOR POLITICAL PARTICIPATION AND REPRESENTATION

The role of women in the development of any society cannot be overemphasised even when they are either neglected or overlooked. Perhaps it is in realisation of this truism that the Sustainable Development Goals (SDGs) (Goal 5), much like the millennium development goals before them, now advocate for gender equality. The continuous global activism for gender equality has propelled many countries, even those that might be reluctant, to incorporate mainstream gender issues into their national policy and development frameworks. In Nigeria, the National Gender Policy represents such attempt. The recommendation in this policy document that 35% of elective and appointive public positions be reserved for women is, however, honoured in the breach (NGP 2006).

Several factors can be adduced for the marginal representation of women in the public life in the last two decades. An entrenched system of patriarchy and its oppressive values tends to sustain and legitimise the exclusion of women. Women are also disadvantaged economically as a result of the disparity and unequal access to the resources necessary to launch and fund a successful career in politics. Even in those instances where a few women manage to gain entry into the political space, they have to contend with the stereotypes and other challenges that come with sustaining a career in politics.

Despite women being a powerful tool in grassroots political mobilisation, political parties often reserve only a tokenistic position for women as leaders of the women's wing, a position from which they are unable to effect meaningful change or influence policy direction in the polity (Ramtohul 2021; Simbine & Obi 2021). For a group that constitutes half the population, according to the national population commission and the bureau for statistics, the injustice of unequal participation and representation in public life is one of the low points of two decades of democracy in Nigeria. The representation of women at the highest level of decision making has the capacity to affect public policy, especially in the area of reproductive health, education and children rights.

Ayisa Osori, a prominent civil society operative, recounted her experience of a failed attempt to secure a party ticket to contest a legislative seat in 2015. In

her book titled *Love does not win elections*, she described the sexism, treachery and endless demand for money by several brokers within the party in order to help secure delegates' votes. The number of female representatives in parliament and the cabinet has been abysmal since 1999, compared to a country like Rwanda where women dominate their parliament. Currently, there are 469 legislative seats in the National Assembly, and 109 and 360 in the Senate and House of Representatives respectively. Of this number, only seven women are in the Senate while 22 are in the House of Representatives. In a post-2019 election analysis the election management body stated that only 62 women had been elected across all tiers of government in the general election (Bamas 2019). Regarding the poor showing of women in the 2019 general election, Maria Arena, head of the European Union Election Observation mission in Nigeria remarked that: 'Nigeria has the lowest rate of women in parliament in Africa with the number decreasing since 2011 ... while attempts have been made to introduce legal reforms, political parties have not promoted women in party leadership or as candidates' (Daily Trust 2019).

## CONCLUSION

Three distinct but overlapping processes of democratisation can be discerned, according to Nic Cheeseman (2015). First, the transition phase is when a country moves towards multiparty politics as Nigeria did in 1999. The second phase is the reconstitution of a new political order; and the third phase consolidates the gains of democracy. Two decades after the reintroduction of civilian rule, the country seems to have stalled in the final phase of the democratisation process. Notwithstanding the significant gains made, Nigeria's democracy remains fragile, the dividends of democracy are still not immediately tangible, and growing inequality persists between an affluent minority and the vast majority. Progressing from the transition to the consolidation stages of the democratisation continuum will necessarily demand a deliberate public policy framework geared towards blunting the edges of debilitating poverty, and further sanitisation of the electoral process.

However, it is not all doom and gloom, as being able to keep the restless and adventurous military away from meddling in direct governance, and by offering some opportunities for the freedom of expression and other civil liberties, democracy is gradually proving to be not too frail a plant to survive in a hostile environment. While the challenge confronting the country transcends the 2022 governance structure, reconfiguring the structure of governance is a necessary first step in freeing the boundless possibilities embedded in the country. Overall, the reintroduction and opening up of the democratic space in 1999 represents a 'second liberation' from the long reign of internal repression under a jackboot

military rule – the first being the liberation from colonial rule and the granting of independence in 1960.

However, a ‘third liberation’ remains unrealised, and this is the liberation from poverty, misery and immiseration (Mills & Herbst 2012). Until and unless the vast majority of Nigerians are unshackled from the yoke of deprivation, democratic consolidation will remain a mirage.

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## BOOK REVIEW

*Spoilt Ballots: The Elections that Shaped South Africa, from Shaka to Cyril*,  
by Michael Blackman and Nick Dall, Penguin, Cape Town, 2022.  
ISBN 9781776096374

One lazy way to explain the prevalence of clean and fair elections in today's South Africa is to suggest that both electoral managers and political organisers can draw upon conventions and habits shaped by two centuries of orderly electoral contests. *Spoilt Ballots* is an effective antidote to such beliefs. As Blackman and Dall show, even within the restricted racist democracy of white minority rule there was plenty of cheating.

Their story begins, though, with black South Africans, specifically those clan-heads and elders who assembled at the royal kraal in 1828 to confirm Dingaan's appointment to the Zulu kingship. Whether the ceremonial *ukubuzane* can be equated with an electoral choice is open to question, especially as Dingaan had ensured that his most likely rival was dead, a murder in which Dingaan was complicit. However, its inclusion helps to supply the authors with the rationale for a snappy title for their book. More tellingly, the ethnic solidarities that such collective decision-making institutionalised remain very much part of modern South African politics, as is evident from Blackman and Dall's discussion of the role played by Zulu ethnic mobilisation both in the 1984-1994 transition as in Jacob Zuma's ascendancy.

What follows is a lively, entertaining and insightful anecdotal treatment of South Africa's political history, well-informed by recent scholarship and organised around the electoral contests that in one way or another represented decisive moments. The first of these, the non-racial qualified franchise vote for the new parliamentary assembly in the Cape Colony in 1854, was one of the more creditable episodes. The constitutional ordinance that set up the assembly and the ballot was instituted by a relatively liberal colonial secretary in London; but they had plenty of local support, arriving as they did after several years of tumultuous agitation. Despite a hostile local administration and local elite opposition, advocacy favouring quite low franchise qualifications prevailed. One third of the adult male population in the colony voted, including substantial numbers of coloured men, enfranchised through energetic efforts to register them as citizens. Subsequent efforts to remove them from the voting roll remained a key preoccupation for white South African politicians for the next hundred years.

After such promising beginnings things could only get worse. Blackman and Dall take us through a succession of now largely-forgotten but at the time

arguably game-changing contests. The 1893 'Battle of the Beards', Piet Joubert's 'progressive' effort to displace President Kruger, was notable for the introduction of party politics in the Transvaal, the efforts to influence voters through the press, and the restriction of the ballot to citizens (burghers) in a setting in which most whites were recently arrived 'Uitlanders'. Kruger won, probably through the enrolment of unqualified voters in the countryside. His victory, the authors argue, helped make inevitable the Anglo-Boer War. Kruger, though, was a model of propriety compared to his contemporary, Cecil Rhodes, a 'Trump-style populist' who tried to regain his prime-ministership in the Cape in 1898 with an orchestrated campaign of bribery and press libels as well as vicious anti-black racism. He failed, but only just.

South Africa's Act of Union included a constitutional provision that weighted rural voters favourably through constituency delimitation, a systemic electoral provision that helped to ensure the triumph of Afrikaner communalism in 1924 (in the 'Pact Lunch' election) and which endured until 1994. The constitution itself was a rush job, opposed, to its credit, by the Labour Party in Westminster; though, as Blackman and Dall note, their sister party in South Africa almost outdid its rivals in its racial hostilities in the 1910 poll. One lonely edifying feature of the 1910 election was the victory of a black South African, Walter Rubusana, in winning a seat in the Cape Provincial Assembly, with more white than black voters supporting him. Such vestiges of the Cape liberal tradition would soon disappear. As South Africa's party politics settled into a two-bloc system, both sides were very ready to mobilise voter support around racial anxieties. One way of reducing the significance of any remaining black and coloured voters was to enfranchise white women, duly accomplished in 1930. This was a step that 'took democracy backwards', Blackman and Dall note somewhat ungraciously, though they then take care to supply a captivating pen portrait of one of South Africa's most successful women politicians, Cissie Gool. The possibility of coloured women like Cissie Gool contesting municipal elections ended in the 1950s after the government packed the Appellate Court and the Senate, thereby enabling the required constitutional changes to take coloured citizens off the roll.

Readers familiar with the chronology of successive apartheid regimes will find little that is fresh in the treatment of elections between 1948 and 1994. Not everyone will be aware that it took until 1966 for the National Party to win the popular vote: before then their parliamentary majorities reflected rural constituency weighting. Not that supporting the opposition was any indication of any real reservations about minority rule; through the 1960's the United Party would accuse the government of jeopardising white security through creating 'mini-Congos' in the homelands. During the 1970s and 1980s, increasing proportions of English-speaking South Africans supported the governing

party. Blackman and Dall are perhaps a little too dismissive of the success of an increasingly liberal Progressive Party in maintaining their support from former United Party voters. It's a story worth telling not least because their successors remain a key group in today's South African Parliament.

In the final section of their narrative, Blackman and Dall switch their focus from general elections proper to concentrate their analysis on the underlying dynamics that determine the outcomes of the ANC's internal polls for party leadership. After all, as they explain, since 1994 South Africa's political future 'has been decided not at the national polls but at the ANC's electoral conferences'. In the short term this is probably right, but the consolidation of a relatively strong and quite cohesive opposition has been an important trend that deserves more explanation. South Africa's record since 1994 of efficient and clean electoral management also merits consideration. However, to make up for these shortfalls, Blackman and Dall supply a lucid analysis of the rise of factionalism within the ANC, attributable they suggest to organisational changes during Thabo Mbeki's presidency as well as the role played between 2007 and 2017 by the 'slate' system. Their perceptive treatment underscores the fragility of the ANC's post-1999 leadership, a feature so entrenched it has become almost systemic, both a guarantor of democracy and a source of democratic vulnerability.

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